

1 VILLAGE OF GREENPORT
 2 COUNTY OF SUFFOLK : STATE OF NEW YORK
 3 -----X
 4 ZONING BOARD OF APPEALS
 5 REGULAR SESSION
 6 -----X
 7 Station One Firehouse
 8 Third & South Streets
 9 Greenport, New York 11944
 10 November 21, 2023
 11 6:00 p.m.

12
 13 B E F O R E:
 14 JOHN SALADINO - CHAIRMAN
 15 DINNI GORDON - MEMBER
 16 DAVID NYCE - MEMBER
 17 SETH KAUFMAN - MEMBER (Absent)
 18 JACK REARDON - MEMBER (Absent)

19 *****
 20 ALSO IN ATTENDANCE:
 21 BRIAN STOLAR - COUNSEL TO THE BOARD
 22 PAUL PALLAS - VILLAGE ADMINISTRATOR
 23 MICHAEL NOONE - CLERK TO THE BOARD

24
 25

1 (The Meeting was Called to Order at 6:11 p.m.)

2 CHAIRMAN SALADINO: Good evening, folks. This
3 is -- this is the Village of Greenport Zoning Board
4 of Appeals Regular Meeting.

5 MR. NOONE: Time.

6 CHAIRMAN SALADINO: Mike. It's -- the
7 approximate time is 6:11.

8 *Item No. 1 is a motion to accept the minutes of*
9 *the October 17th, 2023 Zoning Board of Appeals*
10 *meeting. So moved.*

11 MEMBER GORDON: Second.

12 MEMBER NYCE: Second.

13 CHAIRMAN SALADINO: All in favor?

14 MEMBER GORDON: Aye.

15 MEMBER NYCE: Aye.

16 CHAIRMAN SALADINO: And I'll vote aye.

17 *Item No. 2 is a motion to schedule the next*
18 *Zoning Board of Appeals meeting for December 19th,*
19 *2023, at 6 p.m., at the Station One Firehouse, Third*
20 *and South Street, Greenport, New York 11944. So moved.*

21 MEMBER GORDON: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER GORDON: Aye.

24 MEMBER NYCE: Aye.

25 CHAIRMAN SALADINO: And I'll vote aye.

1 *Item No. 3 is 11 North Street. This will be a*
2 *motion to accept the Findings and Determination for*
3 *Marc Rische on behalf of 11 North Street Sound LLC.*
4 *The property is located in the R-2, One- & Two-family*
5 *District, Residential District, and is also located*
6 *in the Historic District. The Suffolk County Tax Map*
7 *number is 1001-4-3-22.5. So moved.*

8 MEMBER NYCE: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER GORDON: Aye.

11 MEMBER NYCE: Aye.

12 CHAIRMAN SALADINO: And I'll vote aye.

13 *Item No. 4 is 424 Second Street. This will be*
14 *a continuation of a Public Hearing regarding the*
15 *application of Monika Majewski on behalf of Divine*
16 *Home LLC. The Applicant proposes construction of a*
17 *new one-family, two-story house with a 1,281 square*
18 *foot footprint. The Applicant also proposes the*
19 *construction of a 12' x 28' pool.*

20 *The plan shows a pool setback from the property*
21 *line (North Side) of 18 feet. This would require an*
22 *area variance of 2 feet.*

23 *The plan also shows a pool setback from the*
24 *property line (East Side) of 8 feet. This would*
25 *require an area variance of 12 feet.*

1 *The property is located in the R-2 One- and*
2 *Two-Family Residential District and is also located*
3 *in the Historic District. The Suffolk County Tax Map*
4 *Number is 1001-4-2-35.3.*

5 (Mailings:

6 Roselle Borrelli, 519 1st Street, Greenport, NY 11944

7 Kurt Gardner, 14 Prospect Park SW #40, Brooklyn, NY 11215

8 Karen Halom, P.O. Box 416, Glen Head, NY 11545

9 Walker Hawkins, 541 E. 20th Street, Apt. 10D, New York,
10 NY, 10010

11 Maryann Malzone, 410 2nd Street, Greenport, NY 11944

12 James Morrison, 421 2nd Street, Greenport, NY 11944

13 Julia English, 417 2nd Street, Greenport, NY 11944

14 Thomas Monsell, 525 1st Street, Greenport, NY 11944

15 Yulito LLC, 147 Montague Str. #8, Brooklyn, NY 11201)

16 CHAIRMAN SALADINO: Is the Applicant here?

17 Name and address for the Stenographer, please.

18 MONIKA MAJEWSKI: Monika Majewski, 30 Staller
19 Drive, East Quogue, New York 11942. So --

20 MEMBER GORDON: Can you tell us a little bit
21 about what you have done --

22 MONIKA MAJEWSKI: Yes.

23 MEMBER GORDON: -- since the last meeting to
24 comply with the things we were concerned about --

25 MONIKA MAJEWSKI: Yes.

1 MEMBER GORDON: -- on the Zoning Board?

2 MONIKA MAJEWSKI: So we flipped the pool to
3 match the neighbors on the left side, which resulted
4 in we met one of the side yard setbacks of 20 feet.
5 Asking for two feet on the north side, and then 8 --
6 12-foot setback on the east side, which is the
7 backyard. And we did -- provided extended driveway
8 to accommodate the other parking. I'm not sure what
9 happened with the -- with the parking. I hope you,
10 the Board, can clarify the parking situation.

11 CHAIRMAN SALADINO: We will.

12 MONIKA MAJEWSKI: We were hoping to purchase a
13 spot, and that was -- that's not possible anymore, so.

14 CHAIRMAN SALADINO: Is there anything else? Do
15 the members have any questions for the representative?
16 No?

17 (No Response)

18 CHAIRMAN SALADINO: Thank you. To clarify for
19 the public about this application, or maybe you can
20 stay there and I'll respond to it, your Attorney
21 appeared before this Board on --

22 MONIKA MAJEWSKI: August.

23 ATTORNEY STOLAR: I think it was in August.

24 MONIKA MAJEWSKI: It was in August.

25 CHAIRMAN SALADINO: August 16th, 2023. And

1 just to explain, just to explain some of the concerns
2 to you -- is your Attorney here?

3 MONIKA MAJEWSKI: No.

4 CHAIRMAN SALADINO: No? Just to explain some
5 of the concerns to you and -- and the public, if
6 someone had wished to comment on this, we got an
7 application from your client, and your Attorney has
8 kind of alluded to or suggested that -- that some of
9 the stuff that happened there, some of the -- some of
10 the issues that happened were improper.

11 I'm going to remind -- I'm just going to remind
12 you, and you can convey this to the Attorney, or if
13 he watches this later, that when -- when the Building
14 Inspector issues a Notice of Disapproval, he's --
15 he's looking at the code and applying policy from the
16 Building Department to that portion of the code that
17 he thinks applies, that he thinks should be adhered
18 to. What happens sometimes, not all the time, but
19 what happens sometimes, because of -- because of
20 mistakes on our part, mistakes on his part, people
21 being, you know, perhaps burdened by too much work,
22 we don't know what happened. But this Board, this
23 Board has the power -- and I'm going to read the law
24 into -- into the record, just so we understand what's
25 going on. This Board has the power to look at the

1 application as if they were the Building Inspector.
2 They have the power to look at that application as if
3 it's a new application coming in front of them.

4 According to New York State Department of
5 State, "In its exercise of appellate power, it has
6 been held that it is not the Board's function merely
7 to decide whether the enforcement officer's action
8 was arbitrary and capricious. Rather, the Board of
9 Appeals must conduct a de novo review, that is it
10 must review all the facts which form the basis of the
11 officer's decision, and must decide the case as
12 though it were the enforcement officer."

13 In this context it becomes easier to appreciate
14 the following words of the statute:

15 "The Board of Appeals may reverse, affirm,
16 wholly or partly, or may modify the order, requirement,
17 decision, interpretation or determination appealed
18 from and shall" -- and such -- "and shall make such
19 order, requirement, decision, interpretation or
20 determination as in its opinion ought to have been
21 made in the matter by the administrative official
22 charged with the enforcement of such ordinance or
23 local law and to that end shall have all the powers
24 of the administrative official from whose order,
25 requirement, decision, interpretation or

1 determination the appeal is taken."

2 I read that just to let you know that the
3 original application did include some things, and it
4 was brought out in your Attorney's letter to us that
5 we were deficient in like allowing those things to go
6 forward. We can't allow -- if someone makes a
7 mistake, if the Building Inspector or the Building
8 Department makes a mistake, an oversight, that
9 doesn't give them a free pass. What happens is it
10 comes here, we look, and then we could bring it up
11 for review, and that's what happened here when it --
12 concerning the parking.

13 It was -- to go a step further, another Board
14 had requested an interpretation from the Building
15 Department about a particular order that concerned
16 parking for this application also. It was for a
17 different application, but it would apply to this
18 application also. The Planning Board asked for that
19 interpretation. Our Lawyer told them that --
20 suggested to them that perhaps they should inquire --
21 instead of coming to the Zoning Board for an
22 interpretation, they should go to the Building
23 Department and see what their policy was towards that
24 particular portion of the code. The Building
25 Inspector at that time made what he thought the

1 policy to the Building Department -- for the Building
2 Department was for that portion of the code. No one
3 has -- as suggested by your Attorney, no one has ever
4 come to this Board and asked for an interpretation
5 about that section of the code.

6 So we got the -- we got the question about the
7 parking. If you recall, you had to two parking
8 spaces in the front of the house. The Building
9 Department's interpretation was you couldn't do that.
10 We deferred to the Building Department, because no
11 one asked this Board for their interpretation of that
12 portion of the code. It's progressed to the point
13 now where it became an issue.

14 You submitted a new site plan, it shows one
15 parking space that's code compliant, and one parking
16 space, in my -- I can't speak for my colleagues, but
17 one parking space, in my opinion, that's not code
18 compliant. The code says you can't satisfy off-street
19 parking in a driveway. You can do that -- and
20 there's a caveat. You can do that if there's one
21 parking space in the front yard setback, that would
22 be considered one parking space, and make that one
23 parking space code compliant. After that, you can't
24 park a car in the driveway.

25 From the site plan that you submitted, I see --

1 I see 50 feet of space, I see 50 feet of gravel
2 space. The first 30 feet you claim is a driveway,
3 the second 20 feet you claim as a parking space. In
4 my mind, and, again, I'm only -- I'm only one person
5 here, we're going to hear from my colleagues, all
6 we're doing is relabeling the driveway a parking
7 space. So that's -- in my mind, in my opinion, this
8 site plan is incorrect.

9 As far as the other portion of the site plan,
10 as far as the pool is concerned, you submitted a new
11 site plan for the pool, you redesigned it. The new
12 design has 18 feet from one side yard, 20 feet from
13 the other, and 8 feet from the rear, the rear side
14 yard.

15 So that's where we stand. And I bring this up
16 only in response to the letter that we got from your
17 Attorney. And I'm kind of hoping that that --
18 you know, if he goes along to say that this has been
19 a hardship to his client, to you, his client, or the
20 builder, I think that the Village's response to that
21 was that it wasn't. The changes, architects,
22 surveyors, attorneys, expeditors, was -- was a
23 burden. I just -- I would just like to mention that
24 everything we've -- everything -- I think everything
25 we've done here was kind of following the process.

1 MONIKA MAJEWSKI: So in the letter that we got
2 from the Lawyer, Mr. Stolar --

3 CHAIRMAN SALADINO: I have that, also.

4 MONIKA MAJEWSKI: Yes. It said that whatever
5 we submitted as far as parking was thought to be
6 compliant. That's why I didn't go to the Planning
7 Board meeting. When was that, Thursday? Was it
8 Thursday, or the 17th?

9 CHAIRMAN SALADINO: Well --

10 MONIKA MAJEWSKI: That seems not to be the
11 case. And we no longer can purchase the parking
12 onsite, correct?

13 CHAIRMAN SALADINO: No, you would have to ask
14 for a variance.

15 MONIKA MAJEWSKI: Right. So I'm not sure what
16 the solution would be for the parking.

17 CHAIRMAN SALADINO: Well, you --

18 MONIKA MAJEWSKI: It was mentioned before that
19 we could put parking in the backyard, but that's not
20 what whoever is going to build the house wants, to
21 have a car in the backyard, because the backyard is
22 supposed to be for relaxation, not having a car
23 parked. So I'm not sure what's --

24 CHAIRMAN SALADINO: I hesitate to speak for our
25 Attorney, he's a really smart guy, and he can, he can

1 certainly speak for himself, but his letter -- you
2 know, since you quoted his letter, his letter does
3 say that while this decision has been made by the
4 Building Department, you are aware, in accordance
5 with Village Law 7-17(12)(b), the Board of Appeals
6 has jurisdiction to make such interpretation as in
7 its opinion ought to have been made by the Building
8 Inspector. The bottom line here is the Building
9 Inspector doesn't make interpretations, the Zoning
10 Board does.

11 So if we're going to make an interpretation
12 about what constitutes a driveway or a parking space,
13 and have it apply to this application, it would have
14 to come from the -- from the Zoning Board. The
15 Building Inspector can offer his opinion and apply
16 the code as they see as policy, but as a member of
17 the Zoning Board, I don't want to say I'm disputing
18 it, I'm just saying that -- that I have a hard time.

19 If I look at the dictionary definition of a
20 driveway, this, this constitutes a driveway, not a
21 parking space. As far as relief, I can't offer you
22 advice. You could ask for an exemption, you can ask
23 for an exception, a variance. But as far as relief
24 from one compliant space, one zoning compliant space
25 for off-street parking, in my opinion, and we're

1 going to hear from my colleagues, in my opinion, this
2 doesn't satisfy that.

3 As far as the pool, we'll certainly take that
4 up. We'll -- we can close this public hearing and
5 have this discussion with the site plan as it stands.
6 We can keep the public hearing open.

7 MONIKA MAJEWSKI: My problem is I'm not sure
8 what else to do about the parking space, because you
9 keep saying, okay, off-site parking, no, not
10 possible, and the law keeps changing meeting to
11 meeting.

12 CHAIRMAN SALADINO: I don't think this Board
13 ever said that off-street parking is not possible.
14 Your design --

15 MONIKA MAJEWSKI: Apparently it's for
16 commercial properties only. This is what states
17 in --

18 CHAIRMAN SALADINO: This is your application,
19 this is a new build. You can certainly design this
20 build to accommodate two off-street parking spaces,
21 you choose not to.

22 MONIKA MAJEWSKI: I mean, it's not me. Again,
23 I represent someone and --

24 CHAIRMAN SALADINO: Well, we -- Monika, we
25 certainly understand that.

1 MONIKA MAJEWSKI: It seems like the issue is
2 the pool. And I was told by someone, I'm not going
3 to call any names, just put the parking in the back,
4 the backyard, which that's not what he wants to do.
5 You're not offering any other solutions except
6 putting the car in the backyard.

7 CHAIRMAN SALADINO: Or ask for a variance. The
8 other thing, the other thing is, it's mentioned, your
9 Attorney also mentions that there are many properties
10 in Greenport that -- that are in a similar situation.
11 I should remind you and remind him that those
12 properties are preexisting, they're nonconforming,
13 they've been there for years. We're not going to
14 suggest to somebody that they tear the house down to
15 build a parking space.

16 MONIKA MAJEWSKI: Not the two houses on the
17 left and the right, again.

18 CHAIRMAN SALADINO: But --

19 MONIKA MAJEWSKI: This was just subdivided and
20 built --

21 CHAIRMAN SALADINO: But --

22 MONIKA MAJEWSKI: -- both properties on the
23 left and right of this house.

24 CHAIRMAN SALADINO: But this is a new build.
25 You can certainly conform this build to be code

1 compliant, and again, that's my opinion.

2 As far as the two houses on either side,
3 interpretations have the weight of precedence.
4 Variances, applications specific, I don't have those
5 applications in front of me, so I can't comment
6 what's similar, what's not similar, what the
7 variances were, what happened there, but right now
8 we're talking about this application.

9 MONIKA MAJEWSKI: So if we're looking for
10 relief for the parking space, is this the Planning
11 Board or this Board, or it's not even an option?

12 CHAIRMAN SALADINO: I'm not, I'm not even
13 saying, I'm not even saying that you have to do that.
14 I'm saying --

15 MONIKA MAJEWSKI: I am not sure what you're
16 saying, this is the problem.

17 CHAIRMAN SALADINO: I'm going to explain to you
18 what I'm saying.

19 MONIKA MAJEWSKI: Because we've received a
20 letter saying that we're compliant with the parking
21 space.

22 CHAIRMAN SALADINO: You don't have a letter
23 saying that.

24 MONIKA MAJEWSKI: Yes, it is.

25 CHAIRMAN SALADINO: No, you don't.

1 MONIKA MAJEWSKI: Right here.

2 CHAIRMAN SALADINO: No, you don't. I just read
3 the --

4 MONIKA MAJEWSKI: Do you want to speak to the
5 letter? I'm sorry.

6 ATTORNEY STOLAR: He already stated what I said.

7 MONIKA MAJEWSKI: It's just when we received
8 this letter, we're like okay, we're okay with the
9 parking space. We're just confused what the plan was
10 that was approved. Why wasn't I allowed to go to the
11 Planning Board to ask for relief?

12 CHAIRMAN SALADINO: I can't speak for the
13 Planning Board. I can't, I can't speak to what
14 happens at the Planning Board.

15 MONIKA MAJEWSKI: We're chasing circles with
16 this.

17 ATTORNEY STOLAR: Can I just point out, there's
18 no -- the Planning Board, there are two elements of
19 this for which there could have been Planning Board
20 relief. One is the curb cut, which happens after the
21 Zoning Board makes a determination. The other that
22 she's referring to doesn't exist, which is the
23 ability to get a waiver from the parking requirements,
24 which is not available any longer in an R-1 and an R-2.

25 MONIKA MAJEWSKI: It existed three weeks ago,

1 but it doesn't exist as of last week.

2 CHAIRMAN SALADINO: Anybody that's familiar
3 with the dynamic of what's going on in Greenport
4 today is it's been -- it's been noticed, it's been in
5 the newspaper for the last -- this is -- this is
6 November, since January, that there are code changes
7 in effect coming. The Village Board decided on a
8 code change that affected off-street parking in the
9 Residential District. You're no longer, no longer
10 able to buy relief, Payment in Lieu of Parking, only
11 in the Commercial District (sic) (commercial districts).
12 The fact that it was in effect -- I'm not sure if it
13 was in effect two weeks ago, or however long ago it
14 was, the fact that it was in effect then and not
15 now --

16 MONIKA MAJEWSKI: I'm sorry, it was in effect
17 last month when I was told to write a letter to
18 request a parking space. How can I prepare for a
19 meeting when things change from meeting to meeting,
20 month to month?

21 CHAIRMAN SALADINO: The required --

22 MONIKA MAJEWSKI: I guess I'm looking for an
23 advice, what should I do with the parking to be
24 compliant and keep the pool. That's what my client
25 wants.

1 CHAIRMAN SALADINO: The required off-street
2 parking was always in effect, was always in effect.
3 At the time you were told to go to the Planning Board
4 and request relief by Payment in Lieu of Parking was
5 in effect at that time. Unfortunately, the Village
6 Board has their schedule, they took up the code
7 change and they enacted the code change, and now it's
8 no longer in effect in the Residential District.

9 You say you were looking for advice. We're not
10 here to design your application for you, but if I was
11 to give you advice, my advice would be build
12 something that's code, code compliant, or ask relief
13 for what you need to make it code compliant.

14 MONIKA MAJEWSKI: We are here to ask for
15 relief, and you just keep postponing it month to
16 month to month.

17 CHAIRMAN SALADINO: It's not on -- it's not
18 on -- it's not on my Notice of Disapproval.
19 Relief from --

20 MONIKA MAJEWSKI: Because, apparently, the
21 parking space was not supposed to go on Notice of
22 Disapproval, because it's okay for Code Enforcement.
23 So how am I supposed to get something on a denial if
24 it's not -- if it's approved by a -- Mike, can you
25 help me, can you speak to this? Because we were

1 setting to extend the parking by -- to 30 -- by
2 3 feet, then the parking's not going to go on the
3 disapproval notice.

4 ATTORNEY STOLAR: So let me just jump in.

5 MONIKA MAJEWSKI: This --

6 ATTORNEY STOLAR: As of now, the Building
7 Inspector's decision that it's parking compliant is
8 in place. There's been no determination by the Board
9 as of yet. You just, you know, stating your, your
10 position --

11 CHAIRMAN SALADINO: Exactly.

12 ATTORNEY STOLAR: -- at this moment. So
13 there's no determination by the Board.

14 CHAIRMAN SALADINO: Exactly.

15 ATTORNEY STOLAR: But if the Board does decide
16 that the parking shown on the plans, based on the
17 Board's interpretation, does not comply with the
18 Zoning Code, at that point the Applicant will have
19 options that she'll have to decide on that we can't
20 give her advice on. Going for a parking waiver to
21 the Planning Board is not one of them.

22 You had mentioned the possibility of a waiver --
23 of a variance from this Board. That, of course, is a
24 possibility. Or you had also mentioned that --
25 prepare a site plan and a plan that complies with the

1 Board's interpretation, if the Board does interpret
2 the parking to be as you're stating. So those are
3 two -- while we're not giving advice, those are two
4 options that have already been mentioned during the
5 discussion.

6 MONIKA MAJEWSKI: Can you --

7 CHAIRMAN SALADINO: And, Brian, I think I
8 explained that in the beginning. This is my opinion.
9 We're going to bring it -- we're going to see what my
10 colleagues have to say, if --

11 MEMBER GORDON: Can she ask for a variance in
12 this more informal setting, and do it now, as opposed
13 to waiting another month and filing the formal
14 requirements, if she files them?

15 ATTORNEY STOLAR: Unfortunately, if the Board
16 does render an interpretation tonight that a variance
17 would be required, then you have to go through the
18 process of obtaining a variance, which is submitting
19 an application, modifying the application, in this
20 instance, to provide for that additional item. That
21 would be -- that would have to be noticed for a
22 public hearing, and you would not be able to render a
23 decision on that part tonight.

24 MONIKA MAJEWSKI: So I should have been notified
25 that --

1 ATTORNEY STOLAR: Just --

2 MONIKA MAJEWSKI: -- the denial for the parking
3 space --

4 ATTORNEY STOLAR: I don't mean to cut -- no
5 decision has been made yet. Let -- maybe if that --
6 maybe the Board can discuss, before we take any
7 further steps, its position and interpretation with
8 regard to the driveway, because if the interpretation
9 is going to be one where you apply the Building
10 Inspector's policy determination, then you don't have
11 to have anymore of this discussion, you can move on,
12 and this application can be done tonight, possibly.
13 But if the Board determines the other way, then,
14 obviously, that's when we're involved in this
15 discussion about what's next.

16 CHAIRMAN SALADINO: And the truth of the matter
17 is I'm agreeable to that. This is my opinion, and,
18 normally, my opinion's expressed through my vote.
19 But if my colleagues see it a different way, and this
20 is kind of -- it's not a debate, but it is kind of --
21 we speak to each other's concerns.

22 MEMBER GORDON: Surely, the function of this
23 space that you've allotted for parking matters. It's
24 what, 20 feet wide?

25 MEMBER NYCE: Twenty feet long, 10 feet wide.

1 MEMBER GORDON: It's only 10 feet wide.

2 MEMBER NYCE: Right, to get a car 20 feet into
3 the property, it's an additional 20 feet into the
4 property.

5 MEMBER GORDON: Yeah.

6 MEMBER NYCE: Right?

7 CHAIRMAN SALADINO: Maybe this will -- I don't
8 know.

9 MONIKA MAJEWSKI: It's 14, 14 wide.

10 MEMBER NYCE: Fourteen wide by 30, and then 14
11 wide by 20.

12 MEMBER GORDON: Fourteen wide, which is not
13 wide enough for two cars.

14 CHAIRMAN SALADINO: No.

15 MEMBER GORDON: Right.

16 CHAIRMAN SALADINO: Plus, we have an
17 interpretation from the Building Department that they
18 can't put two cars in the front yard. Dinni, maybe,
19 David, you got something to add?

20 MEMBER NYCE: Um, yeah. I'm assuming you're
21 referring in the Parking 150-16(2), right, areas
22 computed as parking spaces? In the interest of
23 having cars off the street, for one, we need them off
24 the street, I don't personally have an issue with
25 what you would call stacking cars, right? But if you

1 have a driveway that is 30 feet long, and you have a
2 space beyond that 30 feet, that's an additional
3 20 feet for a car, I don't have a problem. It's not
4 a big stretch for me to attribute that as a parking
5 space.

6 My house is obviously preexisting, that's what
7 my wife and I do when it snows. We have a one-car
8 driveway. We pull both cars in, one is, you know, on
9 the grass.

10 I understand this is a new build and the idea
11 is to comply with the code, but I could read that
12 section in favor of having two cars in a driveway, or
13 what -- John, what you're calling a driveway. Again,
14 that's one opinion, and I can see that interpretation.
15 I have more issue with the larger variance being
16 asked with the other one, with the pool.

17 CHAIRMAN SALADINO: Dinni, what do you think?

18 MEMBER GORDON: I think I agree with David. I
19 think the social purpose of this rule is to get the
20 cars off the street, and this, this length would,
21 would do that. I thought it was 20 feet and you
22 could fit two cars there, but I see that that's not
23 the case.

24 MEMBER NYCE: Right. I'm sorry. Just for --
25 just for clarification, was the Building Inspector's

1 interpretation that this would be compliant with
2 the --

3 ADMINISTRATOR PALLAS: That is correct.

4 MEMBER NYCE: -- parking relation? Okay.

5 MEMBER GORDON: Why?

6 ADMINISTRATOR PALLAS: I'm sorry?

7 MEMBER NYCE: He's reading it the same way that
8 I was. I'm not saying --

9 MR. NOONE: I can speak to it.

10 MEMBER GORDON: Were you reading? Yes, please do.

11 MR. NOONE: Because you're allowed to park one
12 car up to the 30 -- from the property line up to
13 30 feet in the front of the house. If you go back
14 another 20 feet, you create another parking spot, as
15 long as it's 20 feet long and it's 10 feet wide.

16 MEMBER NYCE: Right.

17 MR. NOONE: As long as you have 50 feet of --
18 you know, the first 30 feet being a driveway, the
19 second 20 feet being the actual parking spot, he felt
20 that that satisfied the rule.

21 CHAIRMAN SALADINO: We've done it -- we've --
22 me, and I kind of agree with both of my colleagues,
23 because my driveway is like that. But, there's
24 always a but, but the code says that you can't use a
25 driveway to satisfy off-street parking.

1 What's happening here is to accommodate the
2 Applicant, which is obviously a driveway, 50 feet of
3 gravel, first 30 feet is front yard setback, and
4 we're going to park a car there because the code says
5 you can do that. The second 20 feet is a gravel
6 driveway, no gate, no delineation, no shrubbery,
7 nothing to separate it from the driveway. In my
8 mind, it's a driveway. If the Building Inspector was
9 here, he and I could debate that a little bit, but,
10 again, but we've done it a thousand times.

11 The only -- the only -- the only concern I have
12 is we've done it, we've done it numerous times in the
13 past, that that would satisfy the off-street parking.
14 Those homes were preexisting nonconforming, there was
15 nothing we could do to change. This is a new build.
16 I just kind of thought that a new building should
17 have to conform to the code.

18 I'm not prepared to -- I'm not prepared to say
19 no to this, but I think I should -- I think -- I
20 think I should make a request to the Building
21 Department that there be some kind of interpretation
22 of what exactly a driveway is in the future, so this
23 doesn't happen again.

24 I'm willing to take -- personally, I'm willing
25 to take up this application as it's written on the

1 Notice of Disapproval. And I'm also willing to let,
2 with an insurance -- an assurance from the Building
3 Department, that some time in the future there'll be
4 a request to this Board for an interpretation of
5 exactly what that portion of the code reads.

6 ADMINISTRATOR PALLAS: I certainly can commit
7 to that.

8 CHAIRMAN SALADINO: What do you think, David?

9 MEMBER NYCE: Like, I mean, I agree with you,
10 that the sticking point is it's a new build and not a
11 preexisting nonconforming, and, therefore, should
12 comply with the code.

13 MEMBER GORDON: Well, I think it's -- I think
14 it's fine to go ahead with this, and I'm -- I am
15 influenced, I think, by the fact that I know that
16 there has been flexibility about interpreting this,
17 maybe flexibility to the point of not complying with
18 the code, including in my own house. So, you know, I
19 think --

20 CHAIRMAN SALADINO: Shh, shh, shh.

21 MEMBER GORDON: I know I'm not supposed to say
22 that.

23 (Laughter)

24 MEMBER GORDON: But my point is a larger point
25 that we have applied this flexibly with a sense of

1 the importance of honoring the principle that it's
2 important to get cars off the street.

3 CHAIRMAN SALADINO: Okay. We're going to take
4 it up as the Notice of Disapproval is -- we're in
5 agreement, right?

6 MEMBER GORDON: Right.

7 CHAIRMAN SALADINO: We're going to take it up
8 as the Notice of Disapproval as written.

9 MEMBER GORDON: Which does not talk about --

10 CHAIRMAN SALADINO: As the Notice of Disapproval
11 is written.

12 MEMBER GORDON: Right.

13 CHAIRMAN SALADINO: Strictly about --

14 MEMBER GORDON: The pool.

15 CHAIRMAN SALADINO: -- pool setbacks. Thank you.

16 I would ask, is there anyone else from the
17 public that would like to speak to this application?

18 (No Response)

19 CHAIRMAN SALADINO: What's the Board's
20 thinking? Are we going to close this public hearing?

21 MEMBER GORDON: I think it's time to close this
22 public hearing. This is --

23 CHAIRMAN SALADINO: A think you're right. I
24 think you're right.

25 MEMBER GORDON: -- what, three months of --

1 CHAIRMAN SALADINO: I don't know. I'm going to
2 make a motion that we -- that we close this public
3 hearing. So moved.

4 MEMBER GORDON: Second.

5 CHAIRMAN SALADINO: All in favor?

6 MEMBER NYCE: Aye.

7 CHAIRMAN SALADINO: Dinni?

8 MEMBER GORDON: Oh, yes.

9 CHAIRMAN SALADINO: And I'll vote aye.

10 Item No -- moving on. *Item No. 5 is*
11 *440 First Street. This is also a continuation of a*
12 *Public Hearing regarding the application of*
13 *Eric Urban and 1st & Center LLC. The Applicant is*
14 *appealing the determination of the Building*
15 *Inspector, specifically the Notice of Disapproval*
16 *dated November 15th, 2021, and the amended Notice of*
17 *Disapproval dated February 11th, 2022, which denied*
18 *the Applicant's request for a building permit to*
19 *convert the existing accessory structure to a*
20 *single-family dwelling on the property located at*
21 *440 First Street. The Applicant also seeks area*
22 *variances from §150-12 ("Schedule of Regulations")*
23 *for the accessory structure.*

24 *150-8(A)(1) and/or 150-7(A)(1), to permit two*
25 *(2) one-family detached dwellings, where only one*

1 *family -- one single-family detached dwelling is*
2 *permitted,*
3 *150-12, to permit a rear yard setback of*
4 *2.5 feet, where a minimum of 30 feet is required, a*
5 *side yard setback of 2.1 feet, where a minimum of*
6 *10 feet is required, and (c) no on-street parking,*
7 *where a minimum of 2 spaces would be required for the*
8 *proposed use.*

9 *The property is located --*

10 MEMBER GORDON: Excuse me. Onsite parking,
11 it's an important difference.

12 CHAIRMAN SALADINO: I said no onsite parking
13 where a minimum of two spaces would be required. Did
14 I get that wrong?

15 MEMBER GORDON: I thought you said on-street.

16 MEMBER NYCE: I heard street.

17 MEMBER GORDON: And --

18 CHAIRMAN SALADINO: Oh, I'm sorry, I apologize,
19 folks. *No onsite, no onsite parking where a minimum*
20 *of two spaces would be required for the proposed use.*
21 *The property is located in the R-2 One- and*
22 *Two-Family Residential District and is also located*
23 *in the Historic District. The Suffolk County Tax*
24 *Map No. is 1001-4.-7-1.1 and Suffolk County Tax Map*
25 *No. 1001-4.-7-1.2.*

1 Is the Applicant here?

2 ERIC BRESSLER: Present.

3 CHAIRMAN SALADINO: Does the Applicant's
4 Attorney have any comments? If not, I'll open it up
5 to the public.

6 ERIC BRESSLER: Chairman, Members, the other
7 two Members of the Board, we are here tonight to --

8 CHAIRMAN SALADINO: Just identify for the
9 Stenographer. Just identify yourself for the
10 Stenographer.

11 ERIC BRESSLER: For the Applicant, Wickham,
12 Bressler, & Geasa, Eric J. Bressler, Main Road,
13 Mattituck, New York 11952.

14 We're here tonight on the adjourned hearing on
15 this matter. My understanding of the reason for the
16 adjournment at the last hearing was that the Building
17 Department wished to make a further submission. At
18 that time, I indicated that if such a submission were
19 to be made, we would request an opportunity to
20 respond to that. We requested that if the Building
21 Department intended to make a submission, that they
22 get it to us in sufficient time that maybe we'd be
23 able to get something into the Board. There was no
24 agreement on that issue.

25 We are not aware as to whether or not the

1 Building Department has submitted anything in
2 connection with this matter, and we have not received
3 anything, and we don't know that anything was filed.
4 If it has been filed, we'd like a copy of it, and
5 we'd like an opportunity to respond to it. If, on
6 the other hand, the Building Department has not made
7 a submission, we ask that the -- we ask that the
8 hearing be closed, and that the Board render a
9 decision on this matter, so that we can move forward
10 one way or another. Those are my comments, Mr Chairman.

11 CHAIRMAN SALADINO: Thank you, Mr. Bressler.
12 We have -- we have a letter from the -- from the
13 Village Attorney that -- that addressed some of the
14 issues at hand here. Do we know if this was forwarded
15 to the Applicant, this --

16 ATTORNEY STOLAR: I doubt it, it shouldn't be,
17 it's legal advice.

18 CHAIRMAN SALADINO: Does -- okay. Does the
19 Village have any comments for the -- will the
20 Building Department have any comments?

21 (Cell Phone Sounded)

22 CHAIRMAN SALADINO: I got it.

23 (Laughter)

24 ATTORNEY STOLAR: Was that -- do you have -- is
25 that a question?

1 ADMINISTRATOR PALLAS: You want me to answer
2 that, Mr. Chairman?

3 CHAIRMAN SALADINO: I'm sorry. I was
4 distracted, I'm sorry.

5 ADMINISTRATOR PALLAS: I did not -- I'm not
6 aware of any additional comments that are going to be
7 rendered.

8 ATTORNEY STOLAR: The Building Department did
9 do a review, though, of the various properties that
10 were mentioned in a submission by the Applicant, and
11 just provided to me some of that information. But I
12 don't know if that information was also provided to
13 the Board with regard to the various decisions or
14 Building Department permits, Certificates of
15 Occupancy with regard to some of those properties,
16 but that was it.

17 What we did do, though, was we went through the
18 paperwork, or at least I went through the paperwork
19 that was provided by Mr. Bressler, which is the main
20 reason for the adjournment, not for a submission by
21 the Building Department.

22 What we -- what I was able to figure out is
23 that you have a sub -- at least this is just with
24 regard to the information that was provided by the
25 Applicant. You have a subdivision map that was filed

1 on this property in 1838, and various properties in
2 the Village create certain lot numbers. Then the
3 first conveyance of this property was into a single
4 owner in 1882, and it continued as such until,
5 I believe, 2017, when it was conveyed to the two
6 people who are before us now, Mr. Urban and the
7 Limited Liability Company.

8 The Village has a subdivision law, or has had a
9 subdivision law for quite some time, and this
10 transfer that was done in 2017 was done without the
11 benefit of obtaining a variance -- I'm sorry, of
12 obtaining a subdivision approval, which would have
13 required, I believe, probably some of the same
14 variances that are identified here to obtain that
15 approval, as well as -- and this is what I think
16 you're referring to now that I think about it -- as
17 well as the issue with respect to the house, part of
18 the house extending over onto the other lot,
19 requiring an additional variance to be able to do
20 that, and not likely a variance, because you can't
21 get a variance to go into the other lot. But, in any
22 event, that was an issue, I think, that the Building
23 Department wanted to take up and look at.

24 The questions that I have, though, relate to
25 the use of the second -- what has been -- you know,

1 what is the garage and may have been used for other
2 purposes. So I think that's something that needs to
3 be explored a bit more before the Board can make any
4 kind of determination on this application.

5 ERIC BRESSLER: I think, Mr. Chairman, what
6 I've just heard was the continuation of this hearing
7 from the last session until this session was to give
8 the Building Department an opportunity to look into
9 the matters that Counsel has just described. And
10 what I thought I just heard was that that has not
11 been done, and that these matters need to be looked
12 into, just as they had to be looked into the last
13 time. Am I incorrect in that understanding,
14 Mr. Chairman?

15 ATTORNEY STOLAR: If that's the entirety of
16 your understanding, you're 100% correct -- incorrect.

17 ERIC BRESSLER: So is it fair to say, then,
18 that the Building Department has not completed its --

19 ATTORNEY STOLAR: It's not a cross-examination,
20 but you heard what I said about the Building
21 Department's review of the one item.

22 ERIC BRESSLER: Well, let's start with the
23 fact, Mr. Chairman, that you indicated you have a
24 letter from the Building Department.

25 CHAIRMAN SALADINO: No. No.

1 ERIC BRESSLER: No?

2 CHAIRMAN SALADINO: I have a letter to me from
3 our Attorney. I have a letter from our Attorney to
4 me that I passed on to my colleagues explaining a few
5 of the legalities of what's happening here, legal
6 advice.

7 ERIC BRESSLER: So that's not part of -- that's
8 not part of the record, that's --

9 CHAIRMAN SALADINO: No, I'm not submitting this
10 for the record.

11 ERIC BRESSLER: All right. So --

12 CHAIRMAN SALADINO: My question to you was if
13 you had heard from the Building Department with any
14 additions, or questions, or submissions from them
15 that you would like to offer comment on.

16 ERIC BRESSLER: Yes, Mr. Chairman, that's the
17 same thing that I said the last time. We come before
18 you making this application and we have to make a
19 showing. Clearly, if there's the opposition put in
20 by the Building Department, then I am requesting, and
21 I think I'm entitled to an opportunity to respond to
22 that, and I thought that that was understood and that
23 that was the feeling of the Board. What I don't
24 understand is what the timing on this matter is,
25 that's what I don't understand.

1 ATTORNEY STOLAR: So the Building Department
2 issue was one of a potential additional variance that
3 might be necessary due to the fact that part of the
4 house extended over into the second lot that they're
5 attempting to create. So that's what it is.

6 ERIC BRESSLER: This is -- this is how many
7 times we've been on, Mr. Chairman? We've been on
8 many, many times. And if this Board is inclined to
9 leave this hearing open, which I think it should not,
10 to close it on the evidence before it, we've been
11 here long enough, but if the Board is inclined to do
12 otherwise, then I respectfully request that there be
13 some time deadlines put on this matter. For instance,
14 if the Board is inclined to adjourn this one more
15 session, then the material, whatever it has to be,
16 has to be submitted, and I will undertake on behalf
17 of the Applicant to respond to that material
18 thereafter, so that this thing does not drag on.
19 Okay?

20 CHAIRMAN SALADINO: In the interest of not
21 dragging anything on, Mr. Bressler, on two or three
22 previous occasions, I had asked you to -- could we
23 just put a pin in that for one second, and then we
24 can come back to it. But just to address, just to
25 address not dragging this hearing on, on two or three

1 previous occasions I had asked you to explain about
2 the public record from two or three other statutory
3 boards, where your client, himself and his attorney
4 at that time, stipulated that this was one lot. You
5 told me, you told this Board that you would address
6 that at a different time.

7 ERIC BRESSLER: No. Actually what I said,
8 Mr. Chairman, was that I would look into it, and
9 based upon what I discovered, if anything, that I
10 would discuss the matter with you further. If you'd
11 like to hear from me on that, I'm happy to address it.

12 CHAIRMAN SALADINO: I would, I would like to
13 hear from you on that.

14 ERIC BRESSLER: As a result of looking into
15 this, I have not changed, and the Applicant has not
16 changed his position with respect to that. There was
17 no stipulation, there was no agreement, and, in fact,
18 whether or not there were one or two lots was never
19 material before any Board. The application was to
20 draw a line through what we contend are two lots
21 perpendicular to the existing lot line, and whether
22 that was one lot or two lots was irrelevant to that
23 application.

24 Further, there was no determination made by any
25 Board, and, in fact, your Board, Mr. Chairman, not

1 under -- not under your watch, or one of your
2 predecessors, voted not to accept the application.
3 So, given the fact that this issue was not material,
4 and was never determined by any Board, my client,
5 he --

6 CHAIRMAN SALADINO: Never -- my question was
7 never, was never if there was a determination, if
8 there was a ruling by a statutory board. My question
9 to you was could you explain to this Board your
10 com -- your client's comments that he owned a lot
11 that consisted of 13,000 square feet, and he wanted
12 to subdivide that single lot, according to the
13 minutes, into two nonconforming lots. I never said
14 there was a determination. I never said that a
15 statutory board came to a conclusion, except for the
16 Historic Preservation Commission, who did come to a
17 conclusion.

18 ERIC BRESSLER: Not on that issue, though.

19 CHAIRMAN SALADINO: No, but the testimony was
20 part -- well, now we're -- now we're splitting hairs.
21 The testimony remains the same. You told me
22 testimony, your words, testimony is not evidence.

23 ERIC BRESSLER: No, I did not say that,
24 Mr. Chairman. I've never taken the position that
25 testimony is not evidence. What my position is, that

1 what may have been said about the configuration of
2 the property was not material or relevant to the
3 application before the Board, and loosely describing
4 the property consisting of that number of square feet
5 does not bind the Applicant to the position that it
6 is one lot, as opposed to two. My client has always
7 believed --

8 MEMBER GORDON: Surely.

9 CHAIRMAN SALADINO: That's ludicrous.

10 ERIC BRESSLER: -- it was two lots.

11 CHAIRMAN SALADINO: That doesn't even make
12 sense.

13 ERIC BRESSLER: Well, it makes sense to me. If
14 it doesn't make sense to you, Mr. Chairman, then we
15 have a difference of opinion. But if you're positing
16 the fact that that constitutes some sort of bar to
17 the Applicant coming before you, I put it to you as a
18 matter of law that is incorrect.

19 CHAIRMAN SALADINO: No, we're not saying it's a
20 bar of the Applicant coming in front of us, and any
21 Applicant that's denied has the right to appeal. All
22 I'm saying is, by your Applicant's own words, his
23 representative at the time's own words was this was
24 one lot consisting of 13,500 square feet, one lot
25 consisting of 13,500 square feet, and their intention

1 was to create two nonconforming lots at the property
2 located 440 First Street.

3 ERIC BRESSLER: If --

4 CHAIRMAN SALADINO: This is in the public
5 record. These are his words. And your -- and his
6 attorney --

7 ERIC BRESSLER: If it's not a bar, Mr. Chairman,
8 then it's not a bar.

9 CHAIRMAN SALADINO: I'm sorry?

10 ERIC BRESSLER: If it's not a bar, then it's
11 not a bar.

12 CHAIRMAN SALADINO: Isn't your request to this
13 Board to decide --

14 ERIC BRESSLER: It need not consider it.

15 CHAIRMAN SALADINO: Isn't this -- isn't your
16 request to this Board to decide if this is one
17 property or two?

18 ERIC BRESSLER: Yes.

19 CHAIRMAN SALADINO: Isn't that your request?

20 ERIC BRESSLER: We want a reversal of the
21 determination of the Building Inspector.

22 CHAIRMAN SALADINO: And isn't -- isn't -- and
23 are you suggesting that we shouldn't take your
24 attorney -- your clients's words as to how he
25 described his property into consideration?

1 ERIC BRESSLER: No, because it's not a bar.
2 Either it is or it's not two lots, no matter how it
3 may have been described, that is a legal issue.

4 CHAIRMAN SALADINO: You don't think your
5 attorney -- you don't think your client, as his
6 attorney, and his previous attorney should know
7 exactly what he owns and what he doesn't own? So for
8 him to say, for him to say, "I have a lot that's
9 13,000 square feet, I want to subdivide it and create
10 two nonconforming lots out of that 13,000 square foot
11 lot," he's -- we're supposed to believe that he
12 doesn't know he owns two lots?

13 ERIC BRESSLER: It's not relevant to the issue
14 as to whether those lots merged or not. Whatever
15 might -- may have been used, since it's not a bar,
16 this Board has to go and decide whether it is one lot
17 or two. And since you have conceded, and I think
18 rightly so, Mr. Chairman, that it's not a bar,
19 then -- then the Board has to --

20 CHAIRMAN SALADINO: All I'm saying is we're
21 talking --

22 ERIC BRESSLER: Then the Board has to do the
23 work.

24 CHAIRMAN SALADINO: We're talking about two
25 different things. You're talking about a bar. I'm

1 not an attorney, I'm not even sure what that means,
2 to be honest with you. I'm not sure. I'm going to
3 ask my Attorney.

4 ERIC BRESSLER: But I agree with you.

5 CHAIRMAN SALADINO: Did I -- did I commit a
6 faux pas here? Did I, by thinking --

7 ATTORNEY STOLAR: I'm not -- I think you could
8 move on to whatever the facts are with regard to the
9 case now. I mean, the point is what he's -- what was
10 said before and what was represented before is a
11 different representation now, but they're not
12 estopped from making a different claim than they were
13 previously.

14 CHAIRMAN SALADINO: So I would ask you the same
15 question I would ask him. You don't -- do you think
16 that this Board, in making this decision whether,
17 whether the Building Inspector was correct in
18 assuming this was one lot, or the Applicant is
19 correct in contending that it's two lots, we
20 shouldn't take prior testimony into consideration?

21 ATTORNEY STOLAR: You -- it's interesting,
22 because you're looking at this from two perspectives.
23 One, you have the facts that show how this -- simple
24 facts shown on paper of how this property ultimately
25 ended up being where it is today. And then you have

1 other elements of whether it had been used
2 essentially as one, whether one materially enhanced
3 the other. Those kinds of things to that effect,
4 to -- that led to the second part, which is the more
5 subjective part of it, that's something that I think
6 you're right, you would consider what has gone on in
7 the past in connection with what is being proposed.

8 CHAIRMAN SALADINO: So that -- so -- so when we
9 look at this property, and what the owner and his
10 Attorney gave us, their submission, the fact that
11 this property was in -- from 18 --

12 ATTORNEY STOLAR: '82.

13 CHAIRMAN SALADINO: -- '82 was used as one lot.
14 The house was built and used both lots, that the --
15 that the -- it was owned by a single person for up
16 until 1940 -- 49?

17 ATTORNEY STOLAR: No, 2017.

18 ADMINISTRATOR PALLAS: Seventeen.

19 CHAIRMAN SALADINO: Oh, from 1882; 2017, where
20 it was subdivided.

21 ATTORNEY STOLAR: An unlawful -- I'll call it a
22 subdivision without approval.

23 CHAIRMAN SALADINO: Dinni, you got a question?

24 MEMBER GORDON: Well, I think that the
25 significance of the past is not just whether it's one

1 lot or two lots, but what was the relationship
2 between the structures on the larger 13,000 area
3 property, and the fact -- I am influenced by the fact
4 that this -- this idea that we're splitting the
5 property in two by cutting down the middle through
6 the porch, I mean, that is certainly a violation of
7 the whole notion of this property with a carriage
8 house or garage and a big house, and a relationship
9 between them that existed for more than 100 years,
10 and that was a kind of beneficent onlooker of First
11 Street. I mean, that's the picture of this property
12 that I think has meaning. And it may be subjective,
13 but I'm not convinced it doesn't have some legal
14 reality.

15 CHAIRMAN SALADINO: David?

16 MEMBER NYCE: I tend to agree with Dinni in
17 that I think you have to look to how the property was
18 used. I understand that, you know, properties change
19 over time, people's needs for those properties change
20 over time, but use over time sort of sets a precedent
21 as to what the property actually is. The fact is
22 that that property, from everything that I've seen
23 and everything submitted by Applicant or Attorney,
24 Building Department, shows that this has been used as
25 one property for its entire, its entire span. And I

1 don't think you can just in the vernacular unring
2 that bell. I think if it's been this way for this
3 amount of time, then they're -- if you're going to
4 try and split it, then I don't -- I don't see -- I
5 don't see it.

6 CHAIRMAN SALADINO: Is the Applicant's request
7 that we close this public hearing tonight?

8 ERIC BRESSLER: Well, I understood that the
9 Building Inspector --

10 CHAIRMAN SALADINO: Yes or no? I mean, you
11 know, that's all.

12 ERIC BRESSLER: No. My, my application was if
13 the Building Inspector is going to put more evidence
14 in and the Board is inclined --

15 COURT REPORTER: I'm sorry, could you just go
16 to the microphone? I'm having a hard time hearing you.

17 ERIC BRESSLER: If the Building Inspector is
18 going to put in more evidence and the Board is
19 inclined to take it, then the hearing should not be
20 closed. If the Board is not going to take any
21 further evidence from the Building Department, then
22 the hearing should be closed and a determination
23 should be made, keeping in mind all of the actual
24 evidence before the Board as to whether this is one
25 or two lots, disregarding the feelings about what you

1 might want to see or what you might not want to see,
2 and focus on the evidence that's actually in the
3 record.

4 CHAIRMAN SALADINO: I don't think our
5 decision --

6 ERIC BRESSLER: So that's my request.

7 CHAIRMAN SALADINO: I don't think our decision
8 is predicated on what we would like to see or we
9 wouldn't like to see. This is not the HPC, you know,
10 this is the Zoning Board, so, you know, we deal with
11 land use. So whether we want to see the beech trees
12 preserved, or the house, has no relevance in our
13 decision. Our decision is about land use. So that
14 was -- that shouldn't -- if the Building Department
15 might have something else to add --

16 ATTORNEY STOLAR: If I might, I know you're
17 trying to figure out whether to close it or not, the
18 garage building, from what I recall testimony, there
19 was no real historical use of that garage for -- as a
20 residence. And I don't know if that's something --
21 you know, I'm fairly certain that's what I've heard,
22 but if that's not I've heard, I certainly would want
23 to hear something else or something, you know,
24 that --

25 CHAIRMAN SALADINO: I don't think it was ever

1 contended that the carriage house was used, ever used
2 as a residence.

3 MEMBER GORDON: That would have been a
4 violation of the provision that --

5 CHAIRMAN SALADINO: I don't think -- I don't
6 think, so it was always a carriage house, it was
7 always an accessory. Am I getting that right, it was
8 always a carriage house, it was always an accessory
9 building, as far as you know, as far as the Applicant
10 knows? Actually, we have testimony that says that,
11 but --

12 ERIC BRESSLER: Well, Mr. Chairman, that simple
13 statement actually implicates a number of different
14 aspects.

15 CHAIRMAN SALADINO: I'm just responding to the
16 Attorney's question.

17 ERIC BRESSLER: Yes, and I'm responding to you,
18 that --

19 CHAIRMAN SALADINO: I didn't ask you a
20 question. I'm just responding to his question. If
21 we could agree on that, I could tell him yeah. If we
22 don't agree on that, we can make an argument about
23 that.

24 ATTORNEY STOLAR: All right. So --

25 CHAIRMAN SALADINO: It's kind of like simple.

1 ATTORNEY STOLAR: It's kind of -- it's kind of
2 rhetorical at this point, but -- so here's where you
3 are. You have an application where the Applicant is
4 appealing a determination of the Building Inspector
5 that the lot requires variances to subdivide it into
6 two lots for the purpose of creating two dwelling
7 units. That's your -- that's the initial
8 application. If that application, or if that appeal
9 is denied by the Board, then the alternative relief,
10 effectively, is for variances to permit the
11 encroachments that are identified in the notice of --
12 the denial notice, and, obviously, in the appeal, the
13 hearing notice. That's essentially where you are.

14 But I would point out that if the Board is
15 inclined to agree that -- with the appeal, and grant
16 the appeal that it should be two lots, the issue will
17 become that the porch extends over the property line.
18 That porch will have to be removed, should you make
19 that determination. And if that porch is removed,
20 there'll be a new setback of some kind from the
21 house. We don't know what it will be from the
22 Applicant, from the house to the new dividing line,
23 and that is where the Building Department would have
24 to jump in and make a determination based on that
25 provision, if the Board is inclined to grant it. If

1 it's not inclined, then I don't know that we -- that
2 the Board needs to get to that point.

3 CHAIRMAN SALADINO: Just, just to address that,
4 the dividing line, the contended dividing line
5 between the two lots, the contended property line
6 bisects the porch and also the house, a rear bathroom
7 in the house, so it would be more than just the
8 porch.

9 ATTORNEY STOLAR: Right.

10 CHAIRMAN SALADINO: The Building Department
11 would have to get involved with the bathroom of the
12 house --

13 ATTORNEY STOLAR: That's right.

14 CHAIRMAN SALADINO: -- and also the porch. The
15 porch, it was already decided by a different
16 statutory board that the porch couldn't be removed.
17 I don't know how that would affect anything the
18 Building Department does. They have a decision by a
19 different statutory board that says you can't touch
20 the porch.

21 ATTORNEY STOLAR: Which Board made that decision?

22 CHAIRMAN SALADINO: HPC.

23 ATTORNEY STOLAR: Okay, that's fine. Thank you.

24 CHAIRMAN SALADINO: So --

25 MEMBER GORDON: I have a question of -- from --

1 to the lawyer. Can we not simply decide that this
2 request for an appeal from the Notice of Disapproval
3 is a request for interpretation, and that our
4 interp -- that we have the authority to make the
5 interpretation that this is for historical and
6 aesthetic, and whatever other reasons, a single lot,
7 and that we have the authority to make that decision?
8 Having made that -- that's a decision that I, if I
9 were, you know, the single decision-maker here, would
10 make, that then we move on to the questions of the
11 variances.

12 ATTORNEY STOLAR: I think we're saying the same
13 thing.

14 CHAIRMAN SALADINO: We offered, we offered --

15 MEMBER GORDON: I'm trying to make it simpler.

16 ATTORNEY STOLAR: We're saying the same thing
17 in a different way.

18 CHAIRMAN SALADINO: We offered the Applicant
19 that option more than once to ask for --

20 MEMBER GORDON: But it's not for him to decide.

21 CHAIRMAN SALADINO: It's his application.

22 MEMBER GORDON: Isn't for us to decide?

23 CHAIRMAN SALADINO: No.

24 MEMBER GORDON: That's what I'm asking Brian.

25 CHAIRMAN SALADINO: No, it's his application.

1 ATTORNEY STOLAR: But what she's saying is
2 really what I'm -- what I'm saying, but in a
3 different way. The Applicant can -- you can make it,
4 you as -- as the Chairman was saying before, you have
5 the right to make an interpretation as you believe
6 the Building Inspector should have made in the first
7 instance. So what's happening here is the Applicant
8 is already putting that question to you by appealing
9 the Building Department's interpretation and saying,
10 "I believe he was incorrect. You as a Zoning Board
11 should make a determination in my favor and an
12 interpretation in my favor that I'm two lots." You
13 could make an interpretation in the other way, which
14 would essentially be, in effect, to deny the appeal
15 by way of making that interpretation.

16 CHAIRMAN SALADINO: David, anything?

17 MEMBER NYCE: I think we should -- unless the
18 Applicant wants to carry on, I would say we move on
19 with it. We've asked him a couple of times if he
20 wants to, but I haven't gotten a straight answer.

21 CHAIRMAN SALADINO: If we don't feel -- if no
22 one here feels that there's anything else to add to
23 this, you know, we certainly can close the public
24 hearing after we hear from the public, if there's
25 anyone else from the public that would like to speak.

1 We could make a decision to keep it open or we'll
2 close the public hearing.

3 MEMBER GORDON: And if we close the public
4 hearing, we're moving on to the consideration of the
5 area variances?

6 CHAIRMAN SALADINO: If we close the public
7 hearing, we would have a discussion deciding two
8 things, whether it's -- one, whether to uphold the
9 Building Inspector's decision that it's one lot, or
10 to agree with the Applicant, that it's two lots.
11 If -- did I get that right so far? I see you leaning
12 forward. Am I getting that right so far? If we --

13 ERIC BRESSLER: You're dead on, Mr. Chairman,
14 that's --

15 CHAIRMAN SALADINO: All right. So just let me
16 finish. Just let me --

17 ERIC BRESSLER: That's what I said in the first
18 session. That's what I --

19 CHAIRMAN SALADINO: Just let me finish, and
20 then -- because I'm explaining it to my colleague.
21 If we agree with the Building Inspector, the second
22 part of the application becomes moot. It won't be
23 area variances, it would need a use variance --

24 MEMBER GORDON: Right.

25 CHAIRMAN SALADINO: -- to convert that carriage

1 house into a second dwelling unit. If we agree with
2 the Applicant, that it is two lots, then we would --
3 we could address the second part of the application
4 as area variances.

5 MEMBER NYCE: Okay.

6 CHAIRMAN SALADINO: Am I getting that right?
7 She doesn't agree with me.

8 ERIC BRESSLER: Well, Mr. Chairman, I think you
9 got it right, and I think --

10 CHAIRMAN SALADINO: Okay.

11 ERIC BRESSLER: -- your Counsel got it right.

12 CHAIRMAN SALADINO: Okay, okay, okay.

13 ERIC BRESSLER: We have a rare point of
14 agreement between Counsel here.

15 CHAIRMAN SALADINO: And Board.

16 ERIC BRESSLER: (Nodded Yes).

17 CHAIRMAN SALADINO: Anyway, the -- (laughter).
18 The next thing that I would bring up is, is that we
19 can certainly do that. We can -- we can -- we can
20 either decide, after we speak a few minutes, after we
21 hear from the rest of the public, to keep the public
22 hearing open or to close it.

23 To remind everyone else in the room, we have
24 62 days to make a decision, we don't have to make
25 that decision tonight. We have -- we have two

1 members that are missing that might want to weigh in
2 that have been involved in the process since it
3 started, or we can keep the public hearing open until
4 those two members attend. They can join in the -- in
5 the conversation. I'm not inclined to make a
6 decision on the application, not whether to open --
7 keep the hearing open or closed. I'm not inclined to
8 make a decision, that's me, tonight. I would like --
9 I would like to have more than just my vote, David's
10 vote and Dinni's vote

11 ERIC BRESSLER: Well, as a matter of law, I
12 don't think your vote would carry the day by itself,
13 Mr. Chairman.

14 CHAIRMAN SALADINO: We do have a quorum. We
15 have a quorum, so three, three affirming votes, one
16 way or the other --

17 ERIC BRESSLER: Yes.

18 CHAIRMAN SALADINO: -- would carry the -- would
19 carry the day. To be fair to the Village, to be fair
20 to the Applicant, maybe it would be -- if it was --
21 if it was up to me solely to decide, I think it would
22 be better to have a full Board make a decision. But
23 again, again, I'm only one vote, and we do have
24 62 days to make a decision one way or the other.

25 ERIC BRESSLER: You do, indeed.

1 CHAIRMAN SALADINO: So I'm going to -- I'm
2 going to -- I'm going to ask -- I'm going to ask the
3 members if they think we should keep this open after
4 we -- after you sit down and we ask if anybody else
5 from the public would like to speak.

6 JADA ROWLAND: I'm just -- out of curiosity,
7 has this already gone before Historic?

8 COURT REPORTER: I'm sorry. I'm sorry, I can't
9 hear.

10 CHAIRMAN SALADINO: I'm sorry. I'm sorry,
11 we're not going to take, we're not to take questions
12 from the -- you're going to have to come up here --

13 JADA ROWLAND: Oh.

14 CHAIRMAN SALADINO: -- give your name and --

15 JADA ROWLAND: Never mind, I'm just curious.

16 CHAIRMAN SALADINO: Is there (laughter) -- is
17 there anyone else from the public that might like to
18 speak or ask a question?

19 MEMBER GORDON: Please, go --

20 CHAIRMAN SALADINO: Okay.

21 MEMBER GORDON: -- do that.

22 JADA ROWLAND: I just want to --

23 MEMBER GORDON: It's good to have other
24 questions.

25 JADA ROWLAND: I'm Jada Rowland, 621 First

1 Street. And I just wondered, out of curiosity, has
2 it already been seen by the Historic? I went through
3 a process like this and I know how long all of this
4 can, you know, go on for. So I just kind of wondered
5 whether --

6 CHAIRMAN SALADINO: No.

7 JADA ROWLAND: -- that happens first, or it
8 happens at the end.

9 CHAIRMAN SALADINO: Everything happens here
10 first.

11 JADA ROWLAND: Oh, so just --

12 CHAIRMAN SALADINO: Then any other statutory
13 board that might have jurisdiction, it would go to
14 them, after it -- after it leaves here.

15 MEMBER NYCE: But for an explanation, Jada,
16 during -- the Applicant had presented before the
17 Historic Preservation on a different --

18 JADA ROWLAND: Oh, yes.

19 CHAIRMAN SALADINO: There was a different
20 application.

21 MEMBER NYCE: Yes.

22 CHAIRMAN SALADINO: There was a different
23 application in front of HPC about a different issue,
24 not about -- not about the -- splitting the property.
25 It was about -- it was about a porch, whether it

1 should come down --

2 JADA ROWLAND: Right.

3 CHAIRMAN SALADINO: -- should it stay, which we
4 don't do porches.

5 (Laughter)

6 CHAIRMAN SALADINO: Well, actually, we do, but
7 not in this case, but -- so now we'll -- I'm going to
8 ask our Attorney if he has advice for us before we
9 make a decision. Do you think it would be
10 unreasonable to keep this open until the other
11 members come? Do you think it's okay to close it?
12 Do you think --

13 ATTORNEY STOLAR: Here's my thought on that.
14 Since you're already waiting for the other two Board
15 Members to opine, we don't know if they have any
16 questions based on what's been presented to date, so
17 it may very well make more sense not just to carry
18 the vote to the next time, but carry the hearing to
19 the next time, should there be a question or two that
20 they may like to hear answered. So that any, any of
21 their positions can be addressed in that -- at that
22 point. And at that point, yes, you'll have 62 days,
23 but you'll also have five Board Members here,
24 hopefully, and you can both close and decide, and
25 essentially be in the same place you would have been

1 by delaying the vote.

2 CHAIRMAN SALADINO: I agree. Do -- I'm going
3 to ask the members, but would you have an objection
4 to that, to a full Board?

5 ERIC BRESSLER: Is the question, Mr. Chairman,
6 whether I have an objection to keeping the hearing
7 open for --

8 CHAIRMAN SALADINO: Would you have an objection
9 for the entire Board to have an opinion about the
10 outcome of this appeal?

11 ERIC BRESSLER: I'm sorry, I don't -- I don't
12 understand exactly what you're asking of the
13 Applicant.

14 CHAIRMAN SALADINO: All right. Then I'll
15 withdraw the question, then it doesn't matter. We'll
16 decide among ourselves.

17 ERIC BRESSLER: I thought the issue was whether
18 or not the hearing was going to stay open, because
19 Counsel had indicated that maybe the two missing
20 members have questions. That was what I understood
21 his comment to be, and that goes to the issue of
22 whether you're going to close the evident -- the
23 public hearing, or whether you're going to keep it
24 open.

25 CHAIRMAN SALADINO: Well, if we're going to

1 decide that the other two members have the right to
2 ask questions, perhaps in my mind, and I'll ask my
3 colleagues, in my mind, it would be better that they
4 ask those questions in a public hearing setting.
5 This way it might open up questions from the public
6 that might want to opine on the application also, as
7 opposed to them in our discussion process just asking
8 questions.

9 ERIC BRESSLER: Well, I think that gets to the
10 definition of what it means to ask a question. I
11 think -- I think your Counsel was indicating that the
12 Board Members may have questions of the Applicant,
13 rather than the other members of the Board, because
14 if it were the latter, then there's no reason to keep
15 the hearing open. On the other hand --

16 ATTORNEY STOLAR: So here's what I will point
17 out with that. If they do have a question or two and
18 the answer was not -- and you closed the hearing
19 tonight, and had that -- those questions during
20 deliberations next month, there's no way you can get
21 that information as part of your decision, you'll
22 have closed the hearing. So there'll be another
23 delay, because there'll probably, at that point, be a
24 motion to reopen, and when you do a motion to reopen,
25 you go to the following month, advertise it the same

1 way as you did before. So I think you end up
2 potentially saving time, rather than trying to guess
3 that they won't have questions, which is why I'm
4 suggesting if you're going to not decide tonight,
5 there's really no reason to close it tonight. You're
6 better off keeping it open, so that those can be
7 addressed in one hearing, and not have to do the
8 reopening process and delay it anymore.

9 CHAIRMAN SALADINO: I think the mistake that I
10 made here was keep -- was to keep asking the
11 Applicant's Attorney.

12 (Laughter)

13 CHAIRMAN SALADINO: I think -- I think we're
14 going to -- I think what we're going to do is we're
15 going to make this decision. As much as I respect
16 you --

17 ERIC BRESSLER: I never said the Applicant --

18 CHAIRMAN SALADINO: As much as I respect you as
19 an attorney, I think what we're going to do here is
20 decide among ourselves if we're going to keep this
21 hearing open or not and just go from there. So I'm
22 going to ask --

23 MEMBER GORDON: May I make a motion to keep the
24 hearing open?

25 CHAIRMAN SALADINO: Absolutely.

1 MEMBER NYCE: I'll second it.

2 CHAIRMAN SALADINO: And we're going to vote.

3 MEMBER NYCE: Aye.

4 MEMBER GORDON: Aye.

5 CHAIRMAN SALADINO: And I'll vote aye.

6 So we're going to vote to -- we voted to keep
7 the hearing open. We're going to keep it open
8 until --

9 ATTORNEY STOLAR: Exactly, until your next
10 meeting date, which is December --

11 CHAIRMAN SALADINO: Twenty.

12 ATTORNEY STOLAR: December 19th, at 6 p.m.

13 CHAIRMAN SALADINO: December 19th.

14 MEMBER GORDON: And we have to make sure that
15 the other two members attend the meeting.

16 ERIC BRESSLER: And, Mr. Chairman, I am
17 renewing my request that if there is -- since the
18 hearing is open, if there is to be a further
19 submission from the Building Department, that we get
20 it in a reasonable amount of time in advance, so that
21 I don't have to make an application to adjourn this
22 into 2024.

23 CHAIRMAN SALADINO: The Building Department
24 heard that request. To prevent this guy from yelling
25 at me at the next meeting, can you --

1 (Laughter)

2 CHAIRMAN SALADINO: Can you promise me to
3 accommodate him?

4 ADMINISTRATOR PALLAS: Yes, of course.

5 CHAIRMAN SALADINO: You heard it from the man.

6 ERIC BRESSLER: Well --

7 CHAIRMAN SALADINO: Thank you. Thank you.

8 Hard to believe, moving on. Six, Item No. 6
9 is -- Lucia, do you need a break? Do you need a --
10 do you need a break?

11 COURT REPORTER: No, I'm good. I'm good, I'm
12 fine.

13 CHAIRMAN SALADINO: *Item No. 6 is 625 First*
14 *Street. This is a public hearing regarding the*
15 *application of David Murray on behalf of Beth and*
16 *David Dahle? Dahle?*

17 MARY BRACKEN: Dahle.

18 CHAIRMAN SALADINO: *Dahle of 625 First Street.*
19 *The Applicant proposes increased building coverage on*
20 *the first and second floors of the house from a total*
21 *of 1700 square feet to a total of 2026 square feet.*
22 *Applicant also proposes construction of a 200 square*
23 *foot inground pool.*

24 • *The plan shows a front yard of -- front*
25 *yard -- the plan shows a front yard of 13 feet. The*

1 *minimum front yard requirement is 30 feet. This*
2 *would require an area variance of 17-feet.*

3 • *The plan shows a side yard of 3.2 feet.*
4 *The minimum side yard requirement is 10 feet. This*
5 *would require an area variance of 6.8 feet.*

6 • *The plan shows an accessory structure with a*
7 *setback of 1 foot. The minimum setback for an*
8 *accessory structures is 5 feet. This would*
9 *require an area variance of 4 feet.*

10 • *The plan shows an accessory structure with a*
11 *setback of 2.5 feet. The minimum setback for an*
12 *accessory structure is 5 feet. This would require an*
13 *area variance of 2.5 feet.*

14 • *The plan shows lot coverage of 36.02%. The*
15 *maximum lot coverage requirement is 30%. This would*
16 *require an area variance of 6.2% -- I'm guessing*
17 *equal, or equal to 488 square feet. The house is 288*
18 *square feet. The pool is 200 square feet.*

19 *This property is located in the R-2 One- and*
20 *Two-Family Residential District. It's also located*
21 *in the Historic District. And the Suffolk County Tax*
22 *Map Number is 1001-2-6-35. Is the Applicant here?*

23 MARY BRACKEN: *Hello again. I'm Mary Bracken.*
24 *I'm here on behalf of David Murray of Murray Design &*
25 *Build, who is the Applicant, but he is on vacation,*

1 for the Dahles. Our office is located at 449 Main
2 Street in Greenport.

3 CHAIRMAN SALADINO: You're going to leave it up
4 to me? Okay.

5 MARY BRACKEN: I am.

6 (Laughter)

7 CHAIRMAN SALADINO: Okay. The last time we
8 were here, this Board asked for an authorization. I
9 believe we got that.

10 MR. NOONE: We have the authorization --

11 CHAIRMAN SALADINO: Okay.

12 MR. NOONE: -- for Ms. Bracken --

13 CHAIRMAN SALADINO: Okay.

14 MR. NOONE: -- on behalf of the Dahles.

15 CHAIRMAN SALADINO: We -- we have the mailings.
16 We gave the mailings to -- if anybody needs it, we
17 can certainly read the mailings. If everybody's okay
18 with it, we submitted the mailings to the
19 Stenographer. She'll enter the names into the
20 record. If there's no objection, we'll go with that,
21 everybody, okay?

22 MARY BRACKEN: Okay.

23 (Mailings:

24 Marisa Harney, 380 W 12th Street, #24, New York, NY 10014

25 Patrick Brennan, P.O. Box 780, Greenport, NY 11944

1 JL Claudio Rev Trust, 624 First Street, Greenport, NY 11944
2 Jack B. Pollack, 630 First Street, Greenport NY 11944
3 Fates DC Revoc TRT, 526 2nd Street, Greenport NY 11944
4 Valerie English/Tibor Ullman, 104 St. Mark's Place,
5 Apt. 2W, Brooklyn, NY 11217
6 MBP Realty Corp., 137 Third Street, Greenport, NY 11944
7 Jada Rowland/David Helfand, 621 First Street,
8 Greenport, NY 11944.)

9 CHAIRMAN SALADINO: We're going to open the
10 public hearing. The Applicant is here.

11 The last time, as I said, you were before us,
12 we asked for an authorization, the Building
13 Department assures us that they have it. We don't
14 have it, but we trust them, that they have it.

15 MARY BRACKEN: I have another copy of it, if
16 you want.

17 CHAIRMAN SALADINO: No, no, that's fine, we
18 trust you, we trust you. And the other concern was a
19 revised site plan showing us a new location for the
20 pool, more than 10 feet from -- from the principal
21 building, the accessory structure. The pool is more
22 than 10 feet, and we see here it's 23 feet from
23 the -- so we have the new -- we have the new site
24 plan on this?

25 MEMBER NYCE: Yes.

1 CHAIRMAN SALADINO: Do you have the new site plan?

2 MEMBER GORDON: Yes.

3 CHAIRMAN SALADINO: Are there any questions for
4 this Applicant?

5 MEMBER NYCE: (Shook Head No).

6 CHAIRMAN SALADINO: Diana?

7 MEMBER GORDON: No.

8 JADA ROWLAND: (Raised Hand).

9 DECIA FATES: (Raised Hand).

10 CHAIRMAN SALADINO: We're going to let her
11 finish.

12 DECIA FATES: Oh, okay.

13 CHAIRMAN SALADINO: And then everybody else can
14 come up. Thank you.

15 MARY BRACKEN: Sure. No question? None at all?

16 CHAIRMAN SALADINO: I'm thinking, I'm thinking
17 some of the public has some questions.

18 MARY BRACKEN: Sure.

19 CHAIRMAN SALADINO: But we're going to let them
20 ask them.

21 MARY BRACKEN: Absolutely.

22 CHAIRMAN SALADINO: And then, then you can
23 address them.

24 MARY BRACKEN: Sure.

25 CHAIRMAN SALADINO: Is there anyone from the

1 public that would like to speak?

2 JADA ROWLAND: Yes.

3 CHAIRMAN SALADINO: Name and address for the
4 Stenographer, please.

5 JADA ROWLAND: Hi. It's Jada Rowland again. I
6 just -- it sounds like there was a meeting about this
7 already, and we now got -- we just got our first
8 notice about this. So it's --

9 CHAIRMAN SALADINO: We're going to -- we're
10 going to explain that to you.

11 JADA ROWLAND: Oh, okay. Then I'm going to sit
12 down.

13 MEMBER GORDON: No, no, stay.

14 CHAIRMAN SALADINO: No, you can stay.

15 MEMBER GORDON: You might --

16 CHAIRMAN SALADINO: What happens with -- with
17 the Zoning Board, what happens is there's an
18 application to do stuff. And if it's as-of-right,
19 there's no reason for anyone to come to the Zoning
20 Board. If there's a need for a variance or
21 something, the application would come to the Zoning
22 Board, and it would go to the Building Department.
23 The Notice of Disapproval would be issued, and the
24 Applicant would appeal, and that appeal would come to
25 this Board. Last month there was a meeting where we

1 accepted the application. We set it --

2 MEMBER GORDON: For review.

3 CHAIRMAN SALADINO: I'm sorry, did I get it
4 wrong?

5 MEMBER GORDON: No, for review.

6 CHAIRMAN SALADINO: We reviewed the application
7 and we accepted it. We progressed that application,
8 that evening we progressed that application for a
9 public hearing, and that's how we -- where we are
10 now.

11 JADA ROWLAND: Thank you.

12 CHAIRMAN SALADINO: We didn't try to cut you
13 out of the process.

14 JADA ROWLAND: That's good.

15 (Laughter)

16 DECIA FATES: Hello. First, I want to --

17 CHAIRMAN SALADINO: Name and address for the
18 Stenographer, please?

19 DECIA FATES: Huh? I will, yes. I'm Decia
20 Fates, 526 Second Street in Greenport. My property
21 backs onto the property in question. And I first
22 want to congratulate you all. I have not attended a
23 Zoning Board hearing previously, and I am astonished,
24 and I commend you --

25 CHAIRMAN SALADINO: How did we do?

1 DECIA FATES: -- on what you're doing?

2 (Laughter)

3 DECIA FATES: It's quite something.

4 MEMBER NYCE: If you can't sleep, watch the
5 rerun of this.

6 (Laughter)

7 DECIA FATES: Anyway, I kind of feel a little
8 foolish being here even, but I have no -- I've seen
9 the site plan, I've talked to Mr. Noone at Village
10 Hall, I have a copy of the thing. I have no concerns
11 with the changes to the house or with the pool, but I
12 do have some concerns regarding the accessory
13 building, which, as you could see, sits practically
14 directly on the property line. I don't even think
15 there is a foot there, but, at any rate, it's an old
16 building.

17 I want to confirm something that I learned from
18 Mr. Noone, which is that it's -- the plan is to put
19 the mechanicals for the pool inside that building; is
20 that correct?

21 MARY BRACKEN: I believe that is the current
22 plan, yes.

23 DECIA FATES: Okay.

24 CHAIRMAN SALADINO: But we don't have that
25 information.

1 DECIA FATES: Oh.

2 MR. NOONE: I believe that was discussed at the
3 last meeting.

4 MARY BRACKEN: I think it was just brought up
5 by, yeah --

6 MR. NOONE: Yeah.

7 MARY BRACKEN: -- the conversation, yeah.

8 DECIA FATES: Okay. Would that be in the
9 two-story section of that building, or in the
10 single-story section of that building?

11 MARY BRACKEN: It would be in the single.

12 DECIA FATES: Okay. I want to say that I think
13 that's a fabulous idea, both from the point of view
14 of aesthetics, and from the point of view of noise
15 limitation --

16 MARY BRACKEN: Yes.

17 DECIA FATES: -- which is my primary concern,
18 one of my two primary concerns here, since I back on
19 it. I have a flat-on view of the barn.

20 MARY BRACKEN: Yes.

21 DECIA FATES: I would like -- I don't think the
22 Zoning Board can effect this for me, but since you
23 were here representing the Applicant, I'd like my
24 comments and my concerns to be in the record.

25 So what I am concerned about is that that's an

1 old building, it's not airtight. I don't even know
2 if it has electricity at this point. I don't think
3 it does, I've never seen a light on there. But it
4 certainly will need to have it, to have a pool
5 filter, pump, a heater, whatever else is going to be
6 put in there.

7 I do not think -- I would like to request that
8 additional noise mitigation activities go on there
9 inside that building, such as insulation, to prevent
10 the noise from coming through to the outside. I know
11 I'll be able to hear it. I can hear furnaces on both
12 sides of me, I can hear -- you know, and I've lived
13 with a pool, so I know they're pretty noisy. So I
14 would like to request that that be taken into
15 consideration as things go forward.

16 CHAIRMAN SALADINO: We --

17 DECIA FATES: I know you can't do that. Well,
18 maybe you can.

19 CHAIRMAN SALADINO: I'm not sure. I don't
20 think we -- I don't think we --

21 DECIA FATES: As you grant variances.

22 CHAIRMAN SALADINO: I'm just going to say --
23 I'm just going to say -- I'm just going to -- I'm
24 just going to say this. To me, those sound like
25 Building Department issues as far as insulating --

1 DECIA FATES: Okay.

2 CHAIRMAN SALADINO: -- as far as noise
3 abatement for the pool equipment. They have a
4 standard that they -- that they -- we don't have that
5 standard. I don't know --

6 DECIA FATES: Well, I guess my neighbors didn't
7 pay attention to it when they put their furnace in,
8 but that's --

9 CHAIRMAN SALADINO: That was a different
10 Building Department, I guess.

11 DECIA FATES: Yeah.

12 CHAIRMAN SALADINO: I don't know.

13 DECIA FATES: I know.

14 CHAIRMAN SALADINO: But -- but, you know, they
15 have decibel levels, and we have a new noise code
16 coming in, you know, if it violates that. But,
17 normally, the Zoning Board would --

18 DECIA FATES: Not do that.

19 CHAIRMAN SALADINO: Especially if it's inside
20 an accessory building.

21 DECIA FATES: Yeah.

22 CHAIRMAN SALADINO: We wouldn't be --

23 DECIA FATES: I mean, that's great, that's
24 going to be a big help.

25 CHAIRMAN SALADINO: We would leave that, we

1 would leave that to the Building Department --

2 DECIA FATES: Okay.

3 CHAIRMAN SALADINO: -- the Building Inspector.

4 DECIA FATES: I just --

5 CHAIRMAN SALADINO: As far as the request to
6 insulate the building, I think we would be overstepping --

7 DECIA FATES: Okay.

8 CHAIRMAN SALADINO: -- by like --

9 DECIA FATES: I just wanted to read -- it also
10 has two windows facing towards the rear of the
11 property, which don't know show on the drawing.
12 There are two glass, old glass windows, and I don't
13 know whether there's any plan to cover those up, or
14 close them, or whatever else, so.

15 CHAIRMAN SALADINO: We can ask the -- we can
16 ask the builder.

17 DECIA FATES: Uh-huh.

18 CHAIRMAN SALADINO: We can ask Mr. Murray or
19 his representative this evening, Mary, this evening.
20 Again, we understand that's a quality of life thing.

21 DECIA FATES: Yeah.

22 CHAIRMAN SALADINO: And we do --

23 DECIA FATES: Definitely.

24 CHAIRMAN SALADINO: And we do kind of, in our
25 balancing test, have a little latitude when it comes

1 to quality of life. But, also, we have to take
2 into -- you know, what's usual, customary, what's
3 reasonable. Again, I don't -- I don't think we have
4 the right to ask the Building Department, or we don't
5 have the right to ask the Applicant --

6 DECIA FATES: Okay. I'm in the wrong place.

7 CHAIRMAN SALADINO: -- to insulate the
8 building.

9 (Laughter)

10 DECIA FATES: Yeah.

11 CHAIRMAN SALADINO: Well, you can voice your
12 concerns here.

13 DECIA FATES: I just wanted it to be on the
14 record that I had -- that I had expressed a concern
15 about the elimination of noise.

16 CHAIRMAN SALADINO: And it's a legitimate
17 concern. It's certainly a legitimate concern.

18 DECIA FATES: And I have a similar concern
19 about -- about lighting issues with the incursion of
20 light from exterior fixtures that might be mounted on
21 the house, or on the proposed covered porch, or in
22 the building itself, coming through the windows at
23 night, that's all.

24 CHAIRMAN SALADINO: Well, in the --

25 DECIA FATES: Those are just the two quality of

1 life issues I just want noted.

2 CHAIRMAN SALADINO: In their site plan, in
3 their site plan, light and noise certainly comes
4 up as the purview of the Building Department.

5 DECIA FATES: Yeah.

6 CHAIRMAN SALADINO: So when they submit the
7 site plan, the building plan, the plans to the
8 Building Department, the Code Enforcement Officer,
9 the Building Department will certainly have -- you
10 know, about the light intensity and the direction.
11 Also, this application is going to have to go to --

12 MEMBER NYCE: Historic Preservation.

13 CHAIRMAN SALADINO: Another statutory board, to
14 Historic.

15 DECIA FATES: Oh, okay.

16 CHAIRMAN SALADINO: Well, it's in the Historic
17 District.

18 DECIA FATES: It's in the Historic District,
19 right.

20 CHAIRMAN SALADINO: So the Historic Board is
21 going to look at this also. David, David was on the
22 Historic Preservation Commission.

23 DECIA FATES: Right.

24 CHAIRMAN SALADINO: He would know lights and
25 stuff. I honestly don't know.

1 DECIA FATES: Well, I -- there are -- okay.
2 I'm in the wrong place.

3 MEMBER NYCE: Quite honestly --

4 DECIA FATES: This is not, this is not the
5 place.

6 MEMBER NYCE: The builder is here, so you --

7 DECIA FATES: And I just wanted -- I just
8 wanted those concerns in the record, that's it.

9 MARY BRACKEN: Yeah, it's wonderful to hear
10 them and I'll -- yep.

11 DECIA FATES: And I think it's great that you
12 want to put those mechanicals in the building. Thank
13 got it's there, because then there would be a
14 problem. Thank you.

15 ATTORNEY STOLAR: Mr. Chair could I comment on
16 that?

17 CHAIRMAN SALADINO: Sure.

18 ATTORNEY STOLAR: Among the variances that they
19 are requesting is the -- is the setback within part
20 of the accessory structures. So to the extent those
21 accessory structures encroach into the setback area,
22 if they are going to create an issue, you're allowed
23 to approve an application that you're inclined to
24 approve where the -- whatever's being done inside has
25 potential to impact the neighboring property to that

1 the portion that encroaches. So if -- if it makes
2 sense -- if the determination is to provide -- if you
3 feel that it's -- you know, there's a direct
4 correlation with that setback area, within that
5 setback area for that accessory structure, you can
6 impose a condition.

7 CHAIRMAN SALADINO: We've always understood
8 that. There are like certain hills we want to die on.

9 (Laughter)

10 CHAIRMAN SALADINO: And like some that -- some
11 that we don't.

12 DECIA FATES: Okay.

13 CHAIRMAN SALADINO: We'll certainly --

14 (Laughter)

15 CHAIRMAN SALADINO: We'll certainly look at
16 that. But since --

17 ATTORNEY STOLAR: So next time I'll look at the
18 battle plan before I speak.

19 (Laughter)

20 CHAIRMAN SALADINO: Well, since -- since 95% of
21 our applications involve preexisting nonconforming
22 buildings and stuff, we don't want to set a -- I'm
23 not even sure I should be saying this, but to set a
24 standard too high that a lot of these buildings can't
25 meet.

1 JADA ROWLAND: I just forget everything that I
2 want to ask. I'm just confirming that all of these
3 variances are really the -- it's the existing house,
4 right?

5 MEMBER NYCE: Right.

6 JADA ROWLAND: It's already there, right?
7 These are just for some legal reason --

8 CHAIRMAN SALADINO: What the policy --

9 JADA ROWLAND: -- it had to be, because they're
10 building something new? They have to get a variance
11 now on all -- everything, right? But it doesn't mean
12 they're moving the porch, it doesn't mean that --

13 CHAIRMAN SALADINO: No.

14 JADA ROWLAND: Okay. That's --

15 CHAIRMAN SALADINO: No, no. But as an
16 explanation, the policy that the Building Department
17 has is that once you apply for a building permit,
18 once you come in front of -- once you ask for
19 something, all the -- all the stuff that's
20 nonconforming --

21 JADA ROWLAND: Right.

22 CHAIRMAN SALADINO: -- comes to us, and, I
23 never like using it, to be legitimized, you know --

24 MEMBER NYCE: I don't like that word either.

25 CHAIRMAN SALADINO: -- for the next guy, or to

1 the next person, or that particular application.

2 JADA ROWLAND: Yes.

3 MEMBER GORDON: But there are --

4 CHAIRMAN SALADINO: So that they're --

5 MEMBER GORDON: But there are, there are
6 expansions. I mean, one of the things I've learned
7 in the seven or eight years I've been on the -- on
8 the Zoning Board is that people want larger kitchens.
9 You know, there are a lot of 19th Century kitchens in
10 Greenport, which are not appropriate for 2023
11 residents.

12 JADA ROWLAND: Yes.

13 MEMBER GORDON: And a lot of people want pools.
14 This is a case where both of these attributes are
15 important, and they do expand out on -- on the
16 structures in the property, so --

17 JADA ROWLAND: Well, I think you now reminded
18 me of something, which is the thing that I'm mostly
19 disturbed by, buildings that have gone in this town
20 since I've been living here for 30, 25, however many
21 years, is the height. So I know there's going to be
22 a second floor that's getting fixed up, is the
23 height, because it's never mentioned in the plans. I
24 often see the plans and they show you all about the
25 square footage, but they never mention how tall. And

1 often it's -- some of these buildings now are looking
2 a lot taller than the surrounding buildings.

3 So that's just the only, the only other thing.
4 I don't think that's going to happen here, but just
5 in case, you know, that's the thing that makes
6 sometimes the buildings look out of proportion with
7 the other neighboring buildings. You can just walk
8 down the street now and see a lot of buildings that
9 are new and they're much taller. Now I know they use
10 the peak of the roof, I think is the standard height.
11 I just wanted to --

12 CHAIRMAN SALADINO: But the code stipulates
13 that the building can't be taller than 35 feet.

14 DECIA FATES: Thirty-five feet.

15 JADA ROWLAND: It's 35 feet?

16 MEMBER NYCE: Yes.

17 CHAIRMAN SALADINO: That's what the code says.

18 DECIA FATES: That's the highest point.

19 MEMBER GORDON: But it's not, this is not 35.

20 The building is not --

21 CHAIRMAN SALADINO: No, this building isn't
22 35 feet.

23 JADA ROWLAND: Right. So that's all. I just
24 wanted to comment.

25 CHAIRMAN SALADINO: Just that we have two

1 members of the public here that chose to comment.

2 The majority of the variances, the overwhelming
3 majority of the variances are about preexisting --

4 DECIA FATES: Right.

5 JADA ROWLAND: Yeah.

6 CHAIRMAN SALADINO: -- stuff that's going on.

7 Do you have any comment about -- about the lot
8 coverage, the increase in lot coverage?

9 JADA ROWLAND: Well, you mean the -- what
10 they're adding on, you mean? What do you mean,
11 the --

12 CHAIRMAN SALADINO: Lot -- the maximum --

13 JADA ROWLAND: You mean the pool?

14 CHAIRMAN SALADINO: The max -- the maximum --
15 well, there's new construction and a pool. The
16 maximum amount of lot coverage under code is 30%.

17 JADA ROWLAND: Right.

18 CHAIRMAN SALADINO: This application would
19 raise that to -- where are we at here?

20 MEMBER GORDON: Thirty-six.

21 MEMBER NYCE: Thirty-six-point-two.

22 CHAIRMAN SALADINO: Thirty-six, 36%.

23 MEMBER NYCE: Four hundred and eighty square
24 feet, 480 square feet.

25 CHAIRMAN SALADINO: So in --

1 JADA ROWLAND: No, it --

2 CHAIRMAN SALADINO: And it's not -- and I'm
3 just asking you because it's relative to --

4 JADA ROWLAND: Yeah. No, I think there's --

5 CHAIRMAN SALADINO: -- to have in the record.
6 It's good to have in the record.

7 JADA ROWLAND: -- enough space on that property
8 to absorb -- I think there's enough space on the
9 property to absorb what it sounds like is going to be
10 done.

11 CHAIRMAN SALADINO: That's a perfect answer.

12 JADA ROWLAND: I mean, you know, my concern
13 usually is just suddenly expansion of the -- you
14 know, suddenly with this huge front or a huge top.
15 That would be -- because it's an Historic District,
16 and, you know, it would be nice if houses sort of
17 fit, but this looks like it would be fine. I can't
18 tell, but it doesn't seem to me it's going to be
19 excessive. There's a lot of grass back there. I
20 live next door to it, so that's why I'm familiar
21 with it.

22 CHAIRMAN SALADINO: Okay.

23 JADA ROWLAND: Looks like they have room on the
24 side. They have a nice swimming pool, what can I
25 say?

1 (Laughter)

2 CHAIRMAN SALADINO: Okay.

3 AUDIENCE MEMBER: Hi. Mark Grassick
4 (Phonetic), 621 First Street. Just a question. By
5 removing the driveway, I notice that the accessory
6 building is labeled a garage. Does that change the
7 definition of what that building is and can be used
8 for in the future or --

9 MEMBER NYCE: An accessory building.

10 AUDIENCE MEMBER: It's just an -- even though
11 it's listed as a garage, it's an accessory building
12 as far as code?

13 CHAIRMAN SALADINO: Yeah.

14 MEMBER NYCE: Two-car garage.

15 AUDIENCE MEMBER: That's it, just curious.

16 MEMBER NYCE: Right. It can't be used as a
17 dwelling unit. We just went through that with a
18 prior application.

19 AUDIENCE MEMBER: It cannot?

20 MEMBER NYCE: Cannot.

21 AUDIENCE MEMBER: Cannot be used as a dwelling.

22 MEMBER NYCE: You cannot have two dwelling
23 structures on a single lot in the Village.

24 AUDIENCE MEMBER: Okay.

25 DECIA FATES: At this point, it's --

1 MEMBER NYCE: That's -- that was the large
2 part --

3 CHAIRMAN SALADINO: Do you know something?

4 MEMBER NYCE: -- of the basis of the 440 First
5 Street.

6 CHAIRMAN SALADINO: Do you know something we
7 don't?

8 DECIA FATES: Is the Mayor considering the
9 park, park ADUs in the future of this Village at some
10 point?

11 MEMBER NYCE: But not in the present.

12 DECIA FATES: Huh?

13 MEMBER NYCE: But not in the present.

14 DECIA FATES: Not right now, no.

15 CHAIRMAN SALADINO: Not today.

16 MEMBER GORDON: Yeah, right.

17 CHAIRMAN SALADINO: Not this Tuesday.

18 DECIA FATES: A lot of people ARE sitting
19 around here waiting for that, I can tell you.

20 CHAIRMAN SALADINO: Those decisions, Thursday
21 night, at 6 o'clock.

22 MEMBER NYCE: Yeah, it's above our pay grade.

23 CHAIRMAN SALADINO: Thursday night, 6 o'clock.

24 MEMBER GORDON: Not this Thursday.

25 DECIA FATES: Not this Thursday.

1 (Laughter)

2 CHAIRMAN SALADINO: Yeah, no, not this
3 Thursday.

4 DECIA FATES: Next Thursday?

5 CHAIRMAN SALADINO: Thursday nights at
6 6 o'clock is when the Village Board meets.

7 DECIA FATES: Oh, but that's here.

8 CHAIRMAN SALADINO: They're the Legislators.

9 DECIA FATES: Yeah.

10 CHAIRMAN SALADINO: They're the ones that make
11 those decisions.

12 DECIA FATES: Yeah, they're not going to get to
13 that any time soon.

14 CHAIRMAN SALADINO: Not us.

15 (Laughter)

16 CHAIRMAN SALADINO: Is there anyone else from
17 the public that would like to speak? No?

18 (No Response)

19 CHAIRMAN SALADINO: What's the consensus of the
20 Board, we're going to close this public hearing?

21 MEMBER NYCE: I think so.

22 MEMBER GORDON: So moved.

23 MEMBER NYCE: Second.

24 CHAIRMAN SALADINO: I'm going to make a motion
25 we close the public. Is there a second?

1 MEMBER NYCE: Second.

2 CHAIRMAN SALADINO: All in favor?

3 MEMBER GORDON: Aye.

4 MEMBER NYCE: Aye.

5 CHAIRMAN SALADINO: Aye. I lost my place.

6 MEMBER NYCE: I think we're on Item 7.

7 CHAIRMAN SALADINO: *Item No. 7 is 218 South*
8 *Street. This is a Motion to accept the application,*
9 *schedule a public hearing, and arrange a*
10 *Site visit regarding the application of Christopher*
11 *Shore -- Shores?*

12 CHRISTOPHER SHORES: *Shores.*

13 CHAIRMAN SALADINO: *Shores, and Rachel*
14 *O'Connor. Applicants propose to demolish the*
15 *existing rear porch, non-functional chimney, and*
16 *replace with enclosed porch which merges into*
17 *kitchen / interior space. Applicants also propose to*
18 *replace the roof and rebuild the mud room and*
19 *entrance area. These alterations will add 78 square*
20 *feet of building coverage to the home.*

21 • *The plan shows an existing front --*
22 *front-yard setback of 1.8-feet. The minimum front*
23 *yard requirement is 30-feet. This would require an*
24 *area variance of 28.2-feet.*

25 • *This plan shows an existing side-yard setback*

1 South Street. So I have a couple of extra copies of
2 the status of the project, if you want to -- if you
3 want them.

4 CHAIRMAN SALADINO: Are they different from --
5 from your initial application? This evening, unless
6 the -- unless the application's changed, this evening
7 all we're going to do is, I'm guessing, accept the
8 application, and we'll schedule a public hearing, and
9 perhaps a site visit. I'm not sure if we need a site
10 visit. And perhaps a site visit.

11 MEMBER NYCE: I can hop a fence and --

12 CHAIRMAN SALADINO: David, will do the site
13 visit.

14 (Laughter)

15 CHRISTOPHER SHORES: I'm not confident that
16 some of this information might not be relevant,
17 like you might not need to hear it.

18 CHAIRMAN SALADINO: We'll take anything you
19 want to give us.

20 CHRISTOPHER SHORES: Okay. Or I could read it out.

21 CHAIRMAN SALADINO: Your choice. You don't
22 have one for everyone?

23 CHRISTOPHER SHORES: I have two.

24 CHAIRMAN SALADINO: Then maybe you should read it.

25 MEMBER NYCE: That's funny.

1 CHAIRMAN SALADINO: Maybe you should read it
2 for the record, okay?

3 CHRISTOPHER SHORES: Okay.

4 CHAIRMAN SALADINO: We'll wait. Oh, it's
5 pretty long.

6 (Laughter)

7 CHAIRMAN SALADINO: Maybe we'll -- actually, I
8 don't know what to do.

9 CHRISTOPHER SHORES: I could read it.

10 CHAIRMAN SALADINO: Okay.

11 MR. NOONE: I could -- I could take a copy,
12 make copies and distribute it to the Board. That way
13 we'll have it for the minutes and here, if you want.

14 CHAIRMAN SALADINO: Sounds good.

15 MEMBER NYCE: Yeah.

16 CHAIRMAN SALADINO: Michael, you're always
17 thinking, thank you.

18 (Laughter)

19 CHAIRMAN SALADINO: You need this to read from?

20 CHRISTOPHER SHORES: Thanks.

21 CHAIRMAN SALADINO: He's going to make copies
22 of it and we'll have it before the public hearing.

23 CHRISTOPHER SHORES: Okay.

24 CHAIRMAN SALADINO: So is there anything you
25 want to tell us about the project, in your own words,

1 anything? Anything we should know, anything you
2 think we should know?

3 CHRISTOPHER SHORES: I don't think so, no.

4 CHAIRMAN SALADINO: Okay. That makes it easy.

5 MEMBER GORDON: But I have a question.

6 CHAIRMAN SALADINO: Sure.

7 MEMBER GORDON: The Notice of Disapproval has
8 "existing" next to each of the variance topics here.
9 And I guess I'm confused. Is this application
10 essentially for the legitimization of what was done
11 in the past to make it nonconforming, or is it
12 something new? There seems to be something new just
13 in the fact that there are going to be 78 square feet
14 more in the structure. But do those -- do that --
15 does the addition of those 78 square feet create an
16 additional setback need or --

17 CHRISTOPHER SHORES: I do not believe so.
18 What's happened is -- you can actually see it from
19 here, yeah. There's an enclosed area in the back of
20 the house where it was basically falling down. It
21 was determined that it had to be torn down. And that
22 had been an open roof covering the bulkhead, and
23 since it was -- since it's getting torn down anyway,
24 we're basically -- it's the same footprint for that
25 part of the job, but it's going to be enclosed now

1 indoors, instead of being a covered overhang.

2 MEMBER NYCE: So the portico came out the back.
3 The portico came out the back of the house, was
4 exposed.

5 MEMBER GORDON: So that suggests to me that
6 there isn't really -- we aren't being asked to
7 approve a substantive change in the land use.

8 MEMBER NYCE: No.

9 MEMBER GORDON: It's really all the approval of
10 preexisting conditions.

11 MEMBER NYCE: Right.

12 MEMBER GORDON: Okay. That's all I want.

13 CHAIRMAN SALADINO: I'll ask the Building
14 Department.

15 MR. NOONE: The Code Inspector, the Code
16 Inspector made that. This project wouldn't have
17 required -- wouldn't have required a variance, but
18 for legitimizing the preexisting nonconforming.

19 CHAIRMAN SALADINO: That was my question.

20 MEMBER NYCE: Okay.

21 CHAIRMAN SALADINO: There was no problem with
22 the Building Department about -- about variances with
23 the new construction, this new construction.

24 MR. NOONE: It's only an additional 78 square feet
25 and renovation.

1 CHAIRMAN SALADINO: And the 78 square feet has
2 nothing to do with lot coverage.

3 ADMINISTRATOR PALLAS: No.

4 CHAIRMAN SALADINO: So there would be no
5 variances created by the 78 square foot --

6 MEMBER GORDON: Addition.

7 CHAIRMAN SALADINO: -- addition.

8 MR. NOONE: It was just legitimization of
9 the -- of the --

10 CHAIRMAN SALADINO: Okay. Thank you.

11 MEMBER NYCE: Do you want to set a public
12 hearing for the --

13 CHAIRMAN SALADINO: I'm going to ask if
14 anybody --

15 MEMBER NYCE: Oh, I'm sorry.

16 CHAIRMAN SALADINO: I don't think anybody else
17 cares to --

18 MEMBER GORDON: Do we need to make a site
19 visit, if that's --

20 CHAIRMAN SALADINO: I'm going to -- I'm going
21 to -- we're going to decide that in one second.

22 MEMBER NYCE: We're getting ahead of him.

23 MEMBER GORDON: Sorry.

24 (Laughter)

25 CHAIRMAN SALADINO: No.

1 MEMBER GORDON: It's an error.

2 CHAIRMAN SALADINO: I'm an old guy, folks, you
3 got to -- you got to cut me some slack.

4 (Laughter)

5 CHAIRMAN SALADINO: All right. I'm going to
6 make a motion we accept this, we accept this
7 application.

8 MEMBER NYCE: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER GORDON: Aye.

11 MEMBER NYCE: Aye.

12 CHAIRMAN SALADINO: Aye.

13 We're going to set a public hearing for -- our
14 next meeting is --

15 MEMBER NYCE: The 19th.

16 CHAIRMAN SALADINO: Is December 19th. We set
17 them at 6 o'clock, we set them all at 6 o'clock. So
18 the public hearing will be at this building, I'm
19 thinking, unless they change it, at this building.
20 Well, it will be here or the Schoolhouse, depending
21 on what the Fire Department has to do. So it will be
22 at 6 o'clock on December 19th. Do we think we need a
23 site visit for this?

24 MEMBER GORDON: No.

25 MEMBER NYCE: Nah, I walk by the house every day.

1 *is also located in the Historic District. The*
2 *Suffolk County Tax Map Number is 1001-4-2-35.3.*

3 What are do we think here, folks? We have some
4 comments, just bear with us. No? I have some
5 comments.

6 MEMBER NYCE: I'll make a couple. I appreciate
7 the Applicant sticking with the process. I apologize
8 that it takes this long, but as the Chairman pointed
9 out before, better that the process take a little bit
10 longer and we get to the right decision than to go
11 quickly and not. And as I said before, I don't have
12 an issue with -- we're taking this application as is
13 with no --

14 CHAIRMAN SALADINO: That's it.

15 MEMBER NYCE: Okay.

16 CHAIRMAN SALADINO: What's on the Notice of
17 Disapproval.

18 MEMBER NYCE: All right. I still have an issue
19 with the setbacks for the pool. I understand that
20 they switched it. The 8-foot setback from the back
21 of the property line I think is a little close.
22 I've -- you know, I've watched this. It's basically
23 the first project that I'm on the ZBA for that I've
24 seen from the start to this point. And I appreciate
25 that it's gone through several incarnations, but I

1 still think that, you know, even if you knocked,
2 you know, 8 feet off the length of that pool, you're
3 getting closer to -- much closer to the setback. And
4 while I understand everybody wants a pool, not every
5 property is set up for it. So that's my -- that's my
6 comment.

7 CHAIRMAN SALADINO: Dinni, you got anything to
8 say about this?

9 MEMBER GORDON: I'm kind of torn, because I
10 sort of agree with Dave's feeling about the eastern
11 setback. On the other hand, it's next door to a
12 pool, which has got exactly the same or almost the
13 same configuration. And it seems a little arbitrary
14 to make a choice that denies a pool in that
15 situation. So I guess I'm expressing doubt.

16 CHAIRMAN SALADINO: My turn?

17 MEMBER GORDON: Uh-huh.

18 CHAIRMAN SALADINO: I have a couple of
19 concerns, also. The first thing I would like to
20 point out is, is that the building could have been
21 built as-of-right. The pool is a want, and not so
22 much a need.

23 The comps that the Applicant -- the comps that
24 the Applicant gave us in her argument, in her
25 narrative is that the house next door, 424 Second

1 Street, they have a pool, and they have a pool. What
2 she didn't mention is, is that lot is 22% larger, so
3 that kind of makes a little bit of a difference. The
4 variances there, as opposed to 12 feet, were -- were
5 3 feet, 3. -- 3 feet 7 inches, both south side and
6 north side. The other comp mentioned was 512 Second
7 Street, that lot also is 22% larger, and the
8 variances there were 4 feet 6 inches and 4 feet
9 6 inches.

10 The Applicant changed the configuration of the
11 pool. Now one side yard is conforming. The other
12 side yard, the setback, the variance required would
13 be only 2 feet, but the setback to the rear would be
14 12 feet. It makes the edge of the pool 8 feet from
15 the neighbor's property line.

16 All of us know about -- I don't want a pool at
17 my house, I just don't. You know, Dinni said
18 everybody wants a pool. I don't want a pool, but we
19 do know about pools. There's no pool that the edge
20 of the pool ends at the grass. All pools have a
21 coping around it, a walkway around it, usually
22 2 feet. So that would increase the setback from --
23 the variance from -- the setback from 8 feet to
24 6 feet.

25 I'm just -- I'm just having a hard time, I'm

1 just having a hard time reconciling that. I'm having
2 a hard time. Do we give variances for pools? We do
3 all the time. I mentioned before to a different
4 Applicant that precedence -- that interpretations
5 carry the weight of precedence, variances don't. We
6 decide variances on each application. So if I had to
7 compare this application to the two comps that the --
8 that the -- that the Applicant mentioned, in my mind,
9 12, 14 feet is substantially different than 3 feet
10 7 inches or 4 feet 6 inches. To a neighbor, again,
11 to a neighbor, in my mind, that makes a difference.

12 Again, the other -- some of the things
13 mentioned were that -- that we handle many pieces of
14 property, and we don't -- we don't hold them to this
15 standard of review. And I'm kind of paraphrasing
16 from the attorneys, their attorneys there. We do, we
17 take everything into consideration.

18 I'm -- I'm uncomfortable with -- with this
19 pool, with these setbacks in relation to the neighbor
20 to the rear's property. That's kind of like what I'm
21 thinking.

22 I'm going to -- I know, I know the Building
23 Department's going to yell at me for this, I know the
24 Attorney might yell at me for this. There's three
25 members here. We closed the public hearing. We have

1 62 days to make a decision. At our next meeting,
2 hopefully, there will be more than three members.
3 I'm prepared to vote this evening. Without knowing
4 how my colleagues would vote, I would vote no, which
5 would deny this application. If we want to -- if the
6 other two members think that maybe we would be better
7 taking a little more time in making the decision,
8 that the other members can weigh in, I would have no
9 objection to making the decision down the road. If
10 we think we should make it tonight, I'm okay with
11 that, too.

12 ATTORNEY STOLAR: Can I give you advice that
13 makes that answer very easy? You need --

14 CHAIRMAN SALADINO: I'm dying for some advice.
15 Go ahead.

16 ATTORNEY STOLAR: You need -- you need three
17 members to vote in either direction, and it sounds
18 like you're a two-one vote tonight, which would not
19 be a vote, and you'd be going over next month anyway.

20 CHAIRMAN SALADINO: I thought that's what I said.

21 ATTORNEY STOLAR: That's what I thought I
22 heard, too. I just to make sure we said -- we're on
23 the same page.

24 CHAIRMAN SALADINO: Well, we didn't take a
25 vote.

1 ATTORNEY STOLAR: Right.

2 CHAIRMAN SALADINO: So there might be three --
3 you know, we now have Saladino's voting.

4 (Laughter)

5 CHAIRMAN SALADINO: We didn't take a vote. So,
6 you know, it might be --

7 MEMBER NYCE: I'm comfortable with waiting for
8 additional members to be here.

9 MEMBER GORDON: Yeah, I think we should hold it
10 over. Or do we know that we will have a full Board
11 next time? Or, you know, of course --

12 CHAIRMAN SALADINO: We don't. We know that --
13 we don't. We know we don't have one this evening.
14 We know -- again, we know, and Brian can -- we have
15 62 days to make a decision. That's two meetings.
16 God, I hope it doesn't take two meetings. But I
17 know, I know how I feel about this application.
18 Again, I can't speak for anybody else, I can't speak
19 for the members that aren't here. They were involved
20 in this entire application from the beginning, so
21 they know what's going on. They're intimately
22 familiar with the application. So if we want to --
23 if we want to hold off on our decision and notify the
24 Applicant later on, that's -- I'm okay with that,
25 too.

1 MEMBER NYCE: Do we need --

2 CHAIRMAN SALADINO: Let me ask you guys, is
3 that okay?

4 MEMBER NYCE: Can you do that by vote?

5 ATTORNEY STOLAR: I don't think you had -- you
6 know, it sounds to me, based on deliberations, that
7 you're at two-one, so I don't think you have a
8 choice.

9 CHAIRMAN SALADINO: Well, that's not -- Brian,
10 that's not entirely true. We haven't -- we haven't
11 declared -- I'm the only one that declared ourself.
12 If there's three vote in favor of denying this, then
13 it becomes -- then it's moot, and then we close this
14 out tonight. If one member decides or two members
15 decide that we want more discussion, and without that
16 discussion they would vote in the negative, then we
17 would carry it over, you know. So now the pressure
18 is on my two colleagues.

19 MEMBER GORDON: No, the pressure is on me.

20 (Laughter)

21 MEMBER NYCE: Well, I'll take --

22 MEMBER GORDON: Which is all right. I mean,
23 I -- my inclination is to vote in favor of this
24 application, but I also would like to hear other
25 people's views and I might change my mind. So I

1 think holding it over is appropriate for a reason
2 that's different from just the fact that it would be
3 a two-to-one if we -- I mean, almost any way you look
4 at it, we're going to hold it over for a month.

5 MEMBER NYCE: Yeah.

6 CHAIRMAN SALADINO: Well, we're just not going
7 to make a decision tonight.

8 MEMBER NYCE: Right

9 CHAIRMAN SALADINO: We're not, we're not
10 holding. We're just not going to make a decision
11 tonight. We'll notify the Applicant that the
12 decision is forthcoming, and that will be done.
13 Okay? Everybody agrees?

14 MEMBER NYCE: Agreed.

15 CHAIRMAN SALADINO: We don't have to do that by
16 resolution?

17 ATTORNEY STOLAR: You don't need any -- the
18 only thing you'll have here is that you deliberated,
19 no decision was made. You don't have to make a
20 motion on that.

21 CHAIRMAN SALADINO: Okay. Moving on, and
22 again, I lost my place.

23 MEMBER NYCE: Item 9.

24 CHAIRMAN SALADINO: 440 First Street. *Item*
25 *No. 9 is 440 First Street. This is a discussion and*

1 *possible motion on the area variances applied for by*
2 *Eric Urban and 1st & Center LLC. The property is*
3 *located in the R-2 One- and Two-Family Residential*
4 *District.*

5 ATTORNEY STOLAR: You continued that, you don't
6 need to --

7 CHAIRMAN SALADINO: We continued that.

8 ATTORNEY STOLAR: Right.

9 CHAIRMAN SALADINO: So we're going to put a pin
10 in that.

11 625 First Street. Good night. *625 First*
12 *Street, Item No. 10. This is a discussion and*
13 *possible motion on the area variances applied for by*
14 *David Murray on behalf of Beth and David Dahle of*
15 *625 First Street. The property is located in the R-2*
16 *One- and Two-Family Residential District, also*
17 *located in the Historic District. The Suffolk County*
18 *Tax Map Number remains the same at zero -- 1001-2-6-35.*

19 Guys, what we doing? This is 6%.

20 MEMBER NYCE: Right.

21 CHAIRMAN SALADINO: Six percent lot coverage.

22 MEMBER NYCE: I do like the fact that you asked
23 that the neighbors that were here their feelings on
24 it, because, you know, we're talking about lot
25 coverage all the time, and at this point,

1 particularly with pools that are coming in. Where
2 two of these properties were different in that the
3 neighbors for the one property had complaints, the
4 neighbors here seemed to have no complaints at all
5 about the use of the property. The 6% is basically
6 the size of that covered porch that they're putting
7 on that, that 480 square feet, roughly 17-by-17,
8 right? So I'd -- the rest of them are all just sort
9 of housekeeping things, just they're existing on the
10 structure.

11 I do -- I do like the idea of at least stating
12 to the Building Department that it would be nice for
13 the one neighbor in the back, that we add additional
14 insulation around the pool equipment for noise, and
15 if there is lights and stuff, then that be shielded
16 to the property. I mean, I don't know that I'd put
17 that in there, in the variance itself, but --

18 CHAIRMAN SALADINO: Can we add that as a
19 condition, that we would recommend additional --

20 MEMBER GORDON: Well, a recommendation is not a
21 condition, but I think the recommendation is
22 appropriate.

23 ATTORNEY STOLAR: You can do that.

24 CHAIRMAN SALADINO: Then we'll certainly do
25 that.

1 ATTORNEY STOLAR: Sure. You can, because you
2 have the -- you have the other right, which is to
3 enclose it as a condition.

4 MEMBER NYCE: Correct.

5 ATTORNEY STOLAR: So if the condition is that
6 you don't want to impose it as a condition, but you
7 just want to recommend that it be incorporated --

8 CHAIRMAN SALADINO: And that's true, Brian.
9 The only problem with that is I --

10 ATTORNEY STOLAR: Only because you're adding
11 something, and not --

12 CHAIRMAN SALADINO: But I don't know about
13 that. To be honest with you, I always -- I had
14 always put my trust in the guys that know about it --

15 MEMBER NYCE: (Coughed).

16 CHAIRMAN SALADINO: -- the Building Department.
17 Salud. The guys that know about sound deadening and
18 decibel levels. I don't know about that. So I'm
19 willing to trust them, that they require something
20 that would satisfy the neighbor, you know.

21 MEMBER NYCE: It gets in a dicey area, right?

22 MEMBER GORDON: A reasonable neighbor.

23 MEMBER NYCE: Yeah. No, I --

24 CHAIRMAN SALADINO: I was like -- so we have
25 the -- did you have any comments about this

1 application before --

2 MEMBER GORDON: No. I will -- I'm waiting to
3 make a motion.

4 (Laughter)

5 CHAIRMAN SALADINO: She's putting the pressure,
6 she's putting the pressure on me. She's putting the
7 pressure on me, she does it all the time.

8 (Laughter)

9 CHAIRMAN SALADINO: I feel that with this --
10 just my comment is I feel that this piece of
11 property, 6% is not an intrusion, it's not -- it's
12 not overly, you know. And the rest of the things
13 like we're saying, the pool is -- aside from the lot
14 coverage issue, the pool is -- you know, I use this
15 word a lot now, zoning --

16 MEMBER GORDON: Significantly smaller pool
17 than --

18 CHAIRMAN SALADINO: And zoning compliant. It's
19 20 feet from everybody.

20 MEMBER GORDON: Right.

21 CHAIRMAN SALADINO: So, you know, to me, the
22 pool is not that big a deal. The 6%, I'm not sure I
23 could discern 6% out of 7500 square feet. So I'm
24 kind of okay with this. I'm also kind of okay with
25 not adding any conditions. I trust -- that's my

1 opinion. I trust the Building Department to do that,
2 I trust Alex to do that.

3 MEMBER NYCE: Yeah.

4 CHAIRMAN SALADINO: So didn't one of the
5 neighbors have one other concern, the windows?

6 MEMBER NYCE: Oh, the windows in the back,
7 yeah.

8 MR. NOONE: There are two windows facing her,
9 and could the windows somehow be covered, so that
10 there's additional --

11 MEMBER NYCE: Yeah. Again, it's shielding for
12 the light.

13 CHAIRMAN SALADINO: Would that be a negotiation
14 between the Applicant --

15 MEMBER NYCE: Yes.

16 CHAIRMAN SALADINO: -- and the Building
17 Department? Do we have to be involved in that?

18 ATTORNEY STOLAR: You're granting a setback
19 variance. If those windows are within the setback
20 area, you can dictate what you'd like. Not
21 aesthetics, but the noise.

22 CHAIRMAN SALADINO: I'm just saying, I don't
23 think the Zoning Board should decide if there should
24 be curtains, or, you know, shutters on the back of
25 somebody's barn. I think we would be like kind of be

1 persnickety if we did that. You know, I would be --

2 ADMINISTRATOR PALLAS: It wouldn't -- to be
3 clear, it wouldn't be -- as Counsel just said, it
4 wouldn't be for aesthetic purposes to have curtains,
5 so it would be --

6 CHAIRMAN SALADINO: Sound bending.

7 ADMINISTRATOR PALLAS: Sound and/or light.

8 CHAIRMAN SALADINO: From inside the building,
9 light, was that a concern?

10 ADMINISTRATOR PALLAS: Yes. Again, I thought
11 so, yes.

12 CHAIRMAN SALADINO: Oh, I thought the lights
13 were on the porch.

14 ADMINISTRATOR PALLAS: We heard it, so, I mean,
15 if you'd just like to make a recommendation or a
16 condition, either way, it's up to you.

17 CHAIRMAN SALADINO: Could we make a suggestion?

18 (Laughter)

19 MEMBER NYCE: That's where I was, just a
20 recommendation that the Building Department address
21 the neighbors' concerns.

22 CHAIRMAN SALADINO: I think we're getting too
23 deep in the weeds here. If you --

24 MEMBER NYCE: Too late for that.

25 (Laughter)

1 CHAIRMAN SALADINO: So are we okay? Before we
2 go through the -- before we do SEQRA, before we do
3 this balancing test, we're okay with just making a
4 suggestion, a recommendation to the Building
5 Department that they -- that they address the
6 concerns they heard from the neighbors here tonight?

7 ADMINISTRATOR PALLAS: I'm fairly certain
8 that's been on the record about four times now, so --

9 CHAIRMAN SALADINO: Perfect.

10 ADMINISTRATOR PALLAS: -- I think we're good.

11 CHAIRMAN SALADINO: I'm starting to get fed up
12 with you.

13 (Laughter)

14 ADMINISTRATOR PALLAS: You invited me.

15 (Laughter)

16 CHAIRMAN SALADINO: Okay. I'm going to make a
17 motion that the Zoning Board of Appeals declare
18 itself Lead Agency for the purposes of SEQRA. So
19 moved.

20 MEMBER GORDON: Second.

21 MEMBER NYCE: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER GORDON: Aye.

24 MEMBER NYCE: Aye.

25 CHAIRMAN SALADINO: And I'll vote aye.

1 This is a Type II Action, so no impact on the
2 environment, we all agree to that. We're going to do
3 a balancing test. I'm sure you know, there's five
4 questions here, and we'll vote at the end of it. I
5 think we covered most of the things here anyway, but
6 just so it's on the record, we'll do it anyway.

7 Question number one is whether an undesirable
8 change will be produced in the character of the
9 neighborhood or a detriment to the nearby properties
10 will be created by the granting of the area variance.
11 David?

12 MEMBER NYCE: No.

13 CHAIRMAN SALADINO: Dinni?

14 MEMBER GORDON: No.

15 CHAIRMAN SALADINO: And I'll vote no.

16 Whether the benefit sought by the Applicant
17 could be achieved by some method feasible for the
18 Applicant to pursue other than an area variance.
19 David?

20 MEMBER NYCE: No.

21 CHAIRMAN SALADINO: Dinni?

22 MEMBER GORDON: No.

23 CHAIRMAN SALADINO: And I'll vote no.

24 Whether the requested area variance is
25 substantial. David?

1 MEMBER NYCE: No.

2 CHAIRMAN SALADINO: Diana?

3 MEMBER GORDON: No.

4 CHAIRMAN SALADINO: And I'll vote no.

5 Whether the proposed variances will have an
6 adverse effect or impact on the physical or
7 environmental conditions in the neighborhood or
8 district. David?

9 MEMBER NYCE: No.

10 CHAIRMAN SALADINO: Dinni?

11 MEMBER GORDON: No.

12 CHAIRMAN SALADINO: And I'll vote no.

13 Whether the alleged difficulty was
14 self-created, which consideration shall be relevant
15 to the decision of the Board of Appeals, but shall
16 not necessarily preclude the granting of the area
17 variance. David?

18 MEMBER NYCE: Yes.

19 CHAIRMAN SALADINO: Dinni?

20 MEMBER GORDON: Yes.

21 CHAIRMAN SALADINO: And I'll vote yes.

22 I'm going to -- we're going to take the
23 variances en masse, right, all of them at once?

24 ATTORNEY STOLAR: Yeah.

25 CHRISTOPHER SHORES: Can I ask a question?

1 MEMBER GORDON: Un-huh.

2 CHRISTOPHER SHORES: I know my hearing was
3 already closed, but I just wanted to --

4 CHAIRMAN SALADINO: We're in the middle of --
5 we're in the middle of voting. I'm only kidding.
6 Ask your question.

7 CHRISTOPHER SHORES: Basically, I'm really not
8 that familiar, I just don't want there to be -- I
9 apologize for --

10 COURT REPORTER: I'm sorry, could you just go
11 to the microphone?

12 CHRISTOPHER SHORES: Oh, yeah. Christopher --
13 I don't know if this is on the record. Christopher
14 Shores, 218 South Street. I just -- I apologize for
15 not being more familiar with what you know about the
16 project due to the paperwork you have in front of
17 you.

18 CHAIRMAN SALADINO: Could I just interrupt? I
19 apologize. I don't want to set a bad precedence
20 here. I just -- we're just going to take 30 seconds --

21 CHRISTOPHER SHORES: Okay.

22 CHAIRMAN SALADINO: -- to vote here.

23 CHRISTOPHER SHORES: Sure.

24 CHAIRMAN SALADINO: The next, the next item we
25 have is any Zoning Board of Appeals business that

1 might come before this Board. That would be the
2 appropriate place for you to ask this question.

3 CHRISTOPHER SHORES: Got it, got it.

4 CHAIRMAN SALADINO: I apologize to the public,
5 to the Board Members, to everybody. I'm kind of --
6 and I lost my place again.

7 MEMBER NYCE: We were going to take the
8 variances in a group on the --

9 CHAIRMAN SALADINO: En masse.

10 MEMBER NYCE: Yeah.

11 CHAIRMAN SALADINO: In all the -- in all the --
12 including --

13 MEMBER NYCE: For 625 First Street.

14 CHAIRMAN SALADINO: -- the preexisting stuff
15 and the lot coverage, right?

16 MEMBER NYCE: Yes.

17 CHAIRMAN SALADINO: So I'm going to make a
18 motion that we approve this area variance -- these
19 area variances. So moved.

20 MEMBER NYCE: Second.

21 CHAIRMAN SALADINO: All in favor?

22 MEMBER GORDON: Aye.

23 MEMBER NYCE: Aye.

24 CHAIRMAN SALADINO: And I'll vote aye. Easy-peasy.

25 *Item No. 11, any other Zoning Board of Appeals*

1 *business that might come before this Board.*

2 CHRISTOPHER SHORES: Okay. I just -- I want to
3 avoid there being any surprises, once that is --
4 everyone reads that document I prepared. And in
5 terms of the status of the project, because I didn't
6 read it out, I regretted not reading it out, because
7 it's -- works been -- is being completed. It's not
8 like the beginning of the -- I just want to make sure
9 that I'm not -- I'm not misrepresenting the status of
10 the project, like it's just being -- like it's just
11 being proposed.

12 CHAIRMAN SALADINO: The first thing I heard you
13 ask is like are there going to be any objections to
14 what's written on that paper? Nobody here read that
15 paper, so I'm not going to say no.

16 CHRISTOPHER SHORES: Right.

17 CHAIRMAN SALADINO: You know, until we read it
18 and decide what's exactly on that paper -- you might
19 be asking for like an encyclopedia subscription or
20 something. Until we read it, until we have the
21 paper, until the Building Department gets us a copy.
22 But as far as the project, from looking at the
23 project on face value, I don't want to disclose any
24 secrets here or anything, but I don't -- I don't see
25 a problem.

1 CHRISTOPHER SHORES: Okay. All right.

2 CHAIRMAN SALADINO: I don't see any surprises.

3 CHRISTOPHER SHORES: I got home and I was
4 uncomfortable. Making sure that it's -- make sure I
5 had it all out on the table for everyone to read it
6 all out.

7 CHAIRMAN SALADINO: We would appreciate that.
8 We always like it, that when somebody comes, that
9 everything is there for us to consider. As you saw
10 in a couple of previous applications, things, things
11 got changed mid stream and stuff, and it got to be --
12 it got to be difficult, yeah. So with that, I would
13 like to get out of here, so if you're done.

14 CHRISTOPHER SHORES: Okay.

15 CHAIRMAN SALADINO: *Item No. 12 is a motion to*
16 *adjourn.* So moved.

17 MEMBER NYCE: Second.

18 CHAIRMAN SALADINO: All in favor?

19 MEMBER GORDON: Aye.

20 MEMBER NYCE: Aye.

21 CHAIRMAN SALADINO: Aye.

22 Happy Thanksgiving, folks, thanks for coming.

23 (The Meeting was Adjourned at 8:24 p.m.)

24

25

