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VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK: STATE OF NEW YORK  
-----X  
PLANNING BOARD  
WORK SESSION, PUBLIC HEARINGS & REGULAR MEETING  
-----X

March 22, 2024  
4:00 p.m.  
  
Station One Firehouse  
236 Third Street  
Greenport, New York

BEFORE:  
  
FRANCES WALTON, Acting Chair  
DANIEL CREEDON, Member  
ELIZABETH TALERMAN, Member  
PATRICIA HAMMES - Chairwoman (Absent)  
SHAWN BUCHANAN - Member (Absent)

ALSO PRESENT:  
  
JARED A. KASSCHAU - Village Attorney  
MICHAEL NOONE - Clerk to the Board

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2 ACTING CHAIR WALTON: So good  
3 afternoon. Welcome to the Village of  
4 Greenport's Planning Board meeting for Friday,  
5 March 22nd, 2024. It is 4 p.m. and I hereby  
6 call the meeting to order. This meeting is a  
7 public meeting. I'd like to start by letting  
8 folks know that I am filling in for our Chair  
9 who is unable to be with us this afternoon.  
10 And I'm new to this role, so please bear with  
11 me.

12 Our agenda for this afternoon  
13 includes potential acceptance of findings and  
14 determinations for Mark Riche, my apologies if  
15 I mispronounced that, on behalf of 11 North  
16 Street. A Public Hearing in respect of an  
17 application by Port 104 Inc., for an  
18 Entertainment Permit, as well as Public  
19 Hearings in respect to two applications from  
20 PWIB Claudio's Management II LLC, doing  
21 business as Crabby Jerry's; and PWIB Claudio's  
22 Management III LLC, doing business as  
23 Claudio's Waterfront for entertainment  
24 hearings. And finally, a presubmission  
25 conference regarding the application of

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Stirling Square LLC.

I'd like to note that a third application for Claudio's III, doing business as Claudio's Tavern and Grill has been received by the village, but not in time to be included on today's agenda. It will be considered at a future meeting.

The applicant requests a revision to its site plan to include exterior amplified music.

As a reminder, if you are speaking today, please start by slowly and clearly stating your full name, address and to the extent applicable, affiliation with a relevant application or applicant for the record. In addition, please remember that all comments should be addressed solely to the Planning Board and not to any applicant or any other person in the audience.

Thank you.

The first order of business is a Motion to schedule the next Planning Board Work Session, Public Hearing and Regular Meeting for 4 p.m. on Friday, April 12th,

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2024. I move to schedule that meeting.

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Do I have a second?

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MEMBER TALERMAN: Second.

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ACTING CHAIR WALTON: All in favor?

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(All Ayes.)

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ACTING CHAIR WALTON: Motion

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passes.

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The second order of business is a Motion to schedule a Planning Board session,

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Work Session, Public Hearing and Regular

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Meeting for 4 p.m. on Friday, April 26th,

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2024. I so move to schedule that.

14

May I have a second?

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MEMBER CREEDON: Second.

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ACTING CHAIR WALTON: All in favor?

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MEMBER TALERMAN: Aye.

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MEMBER CREEDON: Aye.

19

ACTING CHAIR WALTON: Motion

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passes.

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The third order of business is a

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Motion to accept the findings and

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determinations for an application of Mark

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Rishe on behalf of 11 North Street Sound LLC.

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in respect to a proposed curbcut for the

1  
2 property located 11 North Street. The  
3 property is located in the R-2-1 and Two-  
4 Family Residential District and is also  
5 located in the Historic District. It is  
6 located at Suffolk County Tax Map  
7 1001-4-3-22.5.

8 I'm going to ask Board Member  
9 Talerman to read the findings and  
10 determinations into the record at this time.

11 MEMBER TALERMAN: Whereas 11 North  
12 Street Sound LLC, 11 North Street, Greenport,  
13 Tax Map 1001-4-3-22.5, the premises, applied  
14 for an approval of a curbcut. Whereas, the  
15 Board discussed the application at its meeting  
16 on March 1st, 2024. Whereas, the applicant  
17 proposes to construct a curbcut in the  
18 location depicted on the site plan submitted  
19 with the application and denoted as proposed  
20 curbcut. Whereas, the curbcut is proposed to  
21 comply with the construction specifications  
22 and materials as required by Village Code  
23 150-30.1 (B) and (C). Whereas, the Planning  
24 Board has reviewed said application with  
25 regard to the criteria under the Village Code

1  
2 150-30.1 (E), and determines that subject to  
3 the conditions imposed herein; one, the  
4 proposed driveway entrance or curbcut will not  
5 interfere with the orderly and reasonable use  
6 of the adjacent properties or the properties  
7 across the street from the subject property.

8 Two, the proposed driveway entrance  
9 or curbcut will not create undo interference  
10 with vehicular traffic in the adjoining  
11 roadway.

12 Three, the proposed curbcut and  
13 driveway entrance or curbcut will not  
14 adversely effect the health, safety, welfare,  
15 comfort or convenience of village inhabitants.

16 Four, the issuance of a permit as  
17 provided herein does not constitute a waiver  
18 of any requirements respecting the subject  
19 property which may exist pursuant to statute  
20 law or ordinance.

21 Now, therefore, be it resolved the  
22 Village of Greenport Planning Board hereby  
23 approves the curbcut application of 11 North  
24 Street Sound LLC, 11 North Street, Greenport  
25 on the conditions that; A, the driveway be

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2 constructed with permeable material which  
3 construction shall incorporate methods to  
4 retain such material on-site; B, the existing  
5 curbcut sidewalk area and apron shall be  
6 restored in accordance with Village  
7 requirements within 12 months of filing of the  
8 application with the Village Clerk; and C, no  
9 plantings or fencing shall be placed or  
10 planted in the front yard of the premises that  
11 will reduce visibility of vehicles entering or  
12 exiting the driveway or vehicles traveling  
13 along North Street.

14 ACTING CHAIR WALTON: Thank you. I  
15 would like to make a Motion to accept the  
16 foregoing.

17 Do I have a second?

18 MEMBER CREEDON: Second.

19 ACTING CHAIR WALTON: All in favor?

20 MEMBER CREEDON: Aye.

21 MEMBER TALERMAN: Aye.

22 ACTING CHAIR WALTON: Motion  
23 passes.

24 The fourth order of business is a  
25 Public Hearing regarding the application of

1  
2 Port 104 Inc. The applicant is applying for  
3 an Entertainment Permit pursuant to Section  
4 150-51 of the Village Code requiring Planning  
5 Board approval. The property is located at  
6 104 Third Street, and is in the Waterfront  
7 Commercial District and is not located in the  
8 Historic District. It is located at Suffolk  
9 County tax map 1001-5-4-3.

10 As this section of the Code is a  
11 relatively new provision, I would like to make  
12 a few preliminary statements which pertain to  
13 all applications for Entertainment Permits  
14 being considered today and any other time.

15 The purpose of the Entertainment  
16 Permit process, as the Board understands, is  
17 to ensure; one, that business is hosting  
18 entertainment and/or catered events at their  
19 properties are complying with applicable  
20 Village Code provisions, including Chapter 88,  
21 relating to noise, and are not otherwise  
22 conducting such activities in a manner that  
23 would unduly interfere with public health,  
24 safety and welfare and the comfort,  
25 convenience and orders of the Village in



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2 general and the surrounding neighborhood in  
3 particular. And two, to provide the Village  
4 with a mechanism for enforcement of violations  
5 of Village Code arising in conjunction with  
6 the hosting of such events. It is also to  
7 confirm that businesses are otherwise  
8 operating in accordance with their currently  
9 effective approved site plans and/or  
10 conditional use approvals. To the extent that  
11 an existing business has outstanding Code  
12 violations, including site plan or conditional  
13 use approval violations, the approval by this  
14 Board of the issuance of an Entertainment  
15 Permit does not in any manner constitute a  
16 waiver of those violations by the Village or  
17 an endorsement of any deviation from currently  
18 effective site plans or conditional use  
19 approvals for the property.

20 As a general rule at this time, an  
21 outstanding violation standing alone will not  
22 be grounds for denial of the issuance of an  
23 Entertainment Permit, but in certain  
24 circumstances the Board may include additional  
25 conditions for the terms of the effectiveness

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2 of the Entertainment Permit that provides for  
3 a reasonable time period in which an applicant  
4 will need to resolve any such violations with  
5 the Village. This Board will be reviewing  
6 Entertainment Permits with a general  
7 assumption that entertainment and catered  
8 event activities are permitted as part of the  
9 conduct of business in the Village, so long as  
10 they are being conducted in accordance with  
11 the Code and not in such a manner as to be  
12 detrimental to the community.

13 With this in mind, any public  
14 comment on the issuance of an Entertainment  
15 Permit should be specific to the relevant  
16 property and proposed activity by the relevant  
17 business and not more generalized in respect  
18 to matters that would otherwise apply to any  
19 businesses hosting entertainment or catered  
20 affairs. Those type of generalized comments  
21 or concerns are more properly addressed to the  
22 legislative body of the Village, i.e., the  
23 Board of Trustees.

24 I would now like to ask the  
25 applicants to come to the podium.

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Thank you for your application.

Do you have anything you would like to highlight for the Board in connection with your application?

CLERK NOONE: He has to state his name and address.

MR. JONATHAN CEPELAK: Hi.

ACTING CHAIR WALTON: Before you do, I just want to -- well, do you want that first on the record?

CLERK NOONE: They need that on the record before the meeting starts.

ACTING CHAIR WALTON: But there is one other comment I was going to make first.

CLERK NOONE: Sure.

ACTING CHAIR WALTON: Which relates to some specific questions that we'd like you to address --

MR. JONATHAN CEPELAK: Sure.

ACTING CHAIR WALTON: -- and/or confirm.

As part of your presentation it would be helpful to the Board if you can address each of the following; the site plan

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2 elements that were approved previously by The  
3 Board, any manner in which your current  
4 operations may vary from those prior approvals  
5 and the proposed site plan changes today that  
6 you want us to consider today, including  
7 details relating to the proposed use of  
8 outdoor space for amplified music.

9 MR. JONATHAN CEPELAK: Okay.

10 ACTING CHAIR WALTON: With that,  
11 would you state your name?

12 MR. JONATHAN CEPELAK: Jonathan --

13 CLERK NOONE: Sorry.

14 MR. JONATHAN CEPELAK: Jonathan  
15 Cepelak. You want my home address? Or we can  
16 just do 104 Third Street, Greenport, New York  
17 11944.

18 As far as the site plan, there is  
19 no changes to the site plan for outdoor music.  
20 We don't change our seating or anything like  
21 that.

22 ACTING CHAIR WALTON: Yeah, sorry,  
23 just to clarify, the question is relative to  
24 the site plan as a whole.

25 MR. JONATHAN CEPELAK: Okay.

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ACTING CHAIR WALTON: So have there been any changes, you know, from what was originally approved as your site plan?

MR. JONATHAN CEPELAK: No, not to my knowledge.

ACTING CHAIR WALTON: Okay.

MR. JONATHAN CEPELAK: Yeah, I don't have any changes to the site plan, as far as I know.

ACTING CHAIR WALTON: Okay. Is that the extent your presentation today?

MR. JONATHAN CEPELAK: Sure. As far as the site plan goes, yes. Um, I just wanted to point out that with our live music we've always been in accordance with Town Code. I understand that Chapter 88 is still under review and revision, but we will always be in accordance and compliance with the Code. Um, we're not a late night restaurant. Typically, we like to make sure that our own guests are comfortable with live music as well, so we monitor very closely with our management team. Um, we have our own decibel reader on site, on premises, and we always --

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2 whatever the Code is and whatever it will  
3 change to be, I've studied the Code  
4 extensively at this point, and I know the  
5 timeframes and the limits of decibels as far  
6 as 50 feet from the property line and the  
7 receiving property. That being said, we are  
8 always in compliance, to my knowledge, and  
9 we'll always do our best to accommodate any  
10 changes that come with the Code as well.

11 ACTING CHAIR WALTON: Thank you for  
12 that.

13 MR. JONATHAN CEPELAK: Okay.

14 ACTING CHAIR WALTON: Any further  
15 -- I would just like to say, you know, since  
16 you have completed and submitted the  
17 application, I want to confirm verbally that  
18 you have reviewed the chapter which we just  
19 confirmed to 151 of the Code, and generally  
20 understand the requirements thereof, in  
21 particular, with the requirements of Section  
22 150-51 (D) of the Code relating to operations  
23 of property in connection with hosting of  
24 entertainment and catered events. Similarly,  
25 I want to confirm that you are aware of the

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2 provisions of Chapter 88 of the Village Code  
3 and any type of noise which are applicable to  
4 your business, and in particular, the  
5 provisions of 88-5, which relate to the use of  
6 sound reproduction devices which are commonly  
7 used in connection with entertainment.

8 I would note that Chapter 88 of the  
9 Code is currently being considered, as you  
10 have already noted, or amendments as for the  
11 public, we acknowledge that, by the Board of  
12 Trustees and the applicants should continue to  
13 ensure that it is aware of any amendments  
14 thereto that may apply to any activities  
15 covered by the Entertainment Permit.

16 Finally, I'd like to confirm that,  
17 to the best of your knowledge, that the  
18 information materials you have provided in  
19 your application do not conflict with or  
20 otherwise contemplate altering the premises in  
21 a way that would conflict with any existing  
22 approval applicable to the property including  
23 previous site plan approvals.

24 MR. JONATHAN CEPELAK: Yes. Yeah.

25 ACTING CHAIR WALTON: At this time

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I would also ask the Village to confirm whether it's aware of any outstanding Code or site plan/conditional use violations in respect to the relevant business.

CLERK NOONE: I can confirm there are no outstanding violations.

ACTING CHAIR WALTON: Thank you.

Does anyone from the Board have any questions or comments on this application which they would like to direct to the applicant at this time?

MEMBER TALERMAN: Do you?

MEMBER CREEDON: Yeah, I just have one.

You said that you will do your best to comply with the Code, right? I would prefer to hear you say we will comply with the Code.

MR. JONATHAN CEPELAK: Yes, we will absolutely comply with the Code. Whatever it does change to, we'll be following it very closely. As you can see, I'm following it as we speak (referring). So we will comply with the Code.



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MEMBER CREEDON: Thank you.

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MEMBER TALERMAN: I appreciate the thoroughness and thoughtfulness of your application. I have no questions.

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MR. JONATHAN CEPELAK: Appreciate it.

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MEMBER TALERMAN: Thank you.

9

ACTING CHAIR WALTON: Thank you.

10

I would now open it up for anyone from the public to address the Board in respect to this application.

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Would anyone from the public like to speak?

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(No response.)

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ACTING CHAIR WALTON: In that case, I will make a Motion to close the Public Hearing in respect of the application of 104 Port Inc. for an Entertainment Permit for their hosting any entertainment and catered events at the property located 104 Third Street.

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Do I have a second?

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MEMBER TALERMAN: Second.

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ACTING CHAIR WALTON: All in favor?

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MEMBER CREEDON: Aye.

MEMBER TALERMAN: Aye.

ACTING CHAIR WALTON: Motion  
passes.

VILLAGE ATTORNEY KASSCHAU: Members  
of the Board, at this point I recommend that  
the Board adopt the SEQRA determination  
establishing it as lead agency for this  
unlisted action that is not anticipated to  
have or to result in adverse environmental  
impact.

ACTING CHAIR WALTON: Do you have a  
Motion?

MEMBER TALERMAN: So moved.

MEMBER CREEDON: Second.

ACTING CHAIR WALTON: All in favor?

MEMBER TALERMAN: Aye.

MEMBER CREEDON: Aye.

ACTING CHAIR WALTON: Okay. I now  
am going to read through this determination  
that this Board is required to make in respect  
of the issuance of an application for  
Entertainment Permit prior to granting, the  
complete granting of an approval for such

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2 application. I will ask that each Board  
3 member indicate whether it agrees or disagrees  
4 with each such determination. In making such  
5 determination, the Board is relying on the  
6 information contained in the application as to  
7 factual matters, including proposed operations  
8 at the property, history of violations, and  
9 other such matters. It is also assuming that  
10 the applicant will operate under the  
11 Entertainment Permit in accordance with  
12 applicable Village Code, and its currently  
13 effective site plan and any applicable  
14 conditional use approvals as such may be in  
15 effect from time-to-time.

16 First, no responsible person has  
17 within the last five years been convicted of a  
18 felony or misdemeanor that is substantially  
19 related to the qualifications, function or  
20 duty of the proprietor or manager of the  
21 business, entity or property that hosts  
22 entertainment or catered affairs.

23 Do you agree?

24 MEMBER CREEDON: I will.

25 ACTING CHAIR WALTON: Based on the

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materials.

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MEMBER TALERMAN: Based on the materials, I agree.

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MEMBER CREEDON: Yeah.

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ACTING CHAIR WALTON: We are relying on -- again, we are relying on the materials submitted by the applicant and the provisions made in those, and also relying on the Village's confirmation that there are no outstanding Code violations. So all of these questions are to the extent that the information has been provided to us in the application materials.

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B, neither the applicant business, entity or property nor any responsible person has a history of pervasive Code violations in connection with the operation of a business providing entertainment or catered affairs.

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MEMBER TALERMAN: Based on the information provided, I agree.

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MEMBER CREEDON: We assume.

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ACTING CHAIR WALTON: Assume --

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MEMBER CREEDON: Presumably, yeah.

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ACTING CHAIR WALTON: Let's assume

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2 that all of these are based on information  
3 that has been provided to us by either the  
4 applicants or the clerk. The applicable  
5 business entity or property has not been the  
6 subject of pervasive -- I think I just read  
7 that one. In the immediately preceding five-  
8 year period.

9 The proposed entertainment and/or  
10 catered affairs will not unduly interfere with  
11 the public health, safety and welfare and the  
12 comfort, convenience and order of the Village  
13 in general or the residents of the immediate  
14 neighborhood in particular.

15 MEMBER TALERMAN: I agree.

16 MEMBER CREEDON: Yeah, I agree.

17 ACTING CHAIR WALTON: Next. The  
18 nature, scale and operating characteristics of  
19 such business entity or property in providing  
20 entertainment or catered affairs are  
21 compatible with existing and future land uses  
22 in the surrounding neighborhood.

23 MEMBER TALERMAN: Agreed.

24 MEMBER CREEDON: Agreed.

25 ACTING CHAIR WALTON: The proposed

1  
2 operating plan for the applicable business  
3 entity or property is sufficient to ensure  
4 compliance with applicable provisions of the  
5 Code or other applicable laws including in  
6 respect of occupancy limits, noise and other  
7 potential nuisances in the surrounding  
8 neighborhood.

9 MEMBER TALERMAN: Agreed.

10 MEMBER CREEDON: Agreed.

11 ACTING CHAIR WALTON: Appropriate  
12 buffering will be in place to reduce any  
13 impact of the proposed activities in respect  
14 to noise, light or other potential nuisances  
15 in the surrounding neighborhood.

16 MEMBER TALERMAN: Agreed.

17 MEMBER CREEDON: Agreed.

18 ACTING CHAIR WALTON: The proposed  
19 entertainment or hosting of catered affairs  
20 will not generate noise of such character,  
21 intensity or duration as to be detrimental to  
22 the health or quality of life of reasonable  
23 persons of ordinary sensibility.

24 MEMBER TALERMAN: Agreed.

25 MEMBER CREEDON: Agreed.

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2                   ACTING CHAIR WALTON: Speakers and  
3 any other noise generating equipment are  
4 oriented away from residential dwellings or  
5 areas.

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MEMBER CREEDON: Agreed.

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8                   ACTING CHAIR WALTON: And finally,  
9 it does not appear that the application  
10 contains any false or misleading material  
information.

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MEMBER TALERMAN: Agreed.

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MEMBER CREEDON: Agreed.

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14                   ACTING CHAIR WALTON: Based on the  
15 foregoing determination, I move that the Board  
16 approve the application for an Entertainment  
17 Permit for the property located at 104 Third  
Street doing business as Port 104 Inc.

18

Do I have a second?

19

MEMBER TALERMAN: Second.

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ACTING CHAIR WALTON: All in favor?

21

MEMBER CREEDON: Aye.

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MEMBER TALERMAN: Aye.

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ACTING CHAIR WALTON: Motion

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carries. Thank you.

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MR. JONATHAN CEPELAK: Thank you

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very much.

ACTING CHAIR WALTON: The fifth order of business for today is a Public Hearing regarding the application of Claudio's Management II, LLC, doing business as Crabby Jerry's. The applicant is applying for an Entertainment Permit which requires Planning Board approval. This property is located in the Waterfront Commercial District and is located in the Historic District. It is Suffolk County Tax Map Number 1001-5-4-38.1.

I will now ask the applicant, I'm not going to repeat all of the other things for the first one, and ask the applicant to come to the podium.

Thank you for your application. Do you have anything you would like to highlight for the Board in connection with your application? And I would also -- I understand that we are waiting updated site plan.

MEMBER TALERMAN: Agreed.

ACTING CHAIR WALTON: And so I want to ask you the same three questions that I had asked the previous applicant because we have



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to get that revised site plan.

MS. CELESTE FIERRO: Great.

Celeste Fierro. I'm here for Crabby's Claudio's Management located at 111 Main Street in Greenport 11194. Thank you.

We've been here forever. I took over the property about five months ago. Tory usually attended these meetings; I'm doing them now. I've been in the restaurant business forever, so I know all the ins and outs of how to, you know, apply and abide by certain laws and restrictions and we're here to follow the Code to the T. We'll have live music. We spelled it out between, usually between 1 and 9, and then usually our late night, which we're trying to, since I'm coming on board, we'll tone it down and more lounge and a little less late night, usually we're from 11 to whatever the Code says. I don't know what it will be, but we'll honor whatever that Code is. We do do catered events, we do social events, we do corporate events, we do weddings. Rarely do we have music, but if we do we'll follow the Code as well. I think we

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spelled it all out in our document. Anything else that you want to ask questions, I'm here to answer.

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ACTING CHAIR WALTON: Before we move to -- well, I guess one clarification, did you say that you rarely have music?

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MS. CELESTE FIERRO: No, no, no, for private parties. We rarely, yeah.

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ACTING CHAIR WALTON: Oh, okay.

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MS. CELESTE FIERRO: No, we have music all the time.

13

ACTING CHAIR WALTON: All the time?

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MS. CELESTE FIERRO: Yes. Private parties usually -- I mean, it's usually background music for the private parties, but very rarely do we have a band or a DJ, it depends if we do, but it will all fit in the timeframes I put in.

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ACTING CHAIR WALTON: Thank you.

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21

Since you completed and submitted the application, I do want to confirm verbally that you have reviewed --

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MS. CELESTE FIERRO: Yes, I have.

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ACTING CHAIR WALTON: -- Chapter

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2 150-51 of the Code, generally understand the  
3 provisions thereof, in particular the  
4 requirements of Section 150-51D of the Code  
5 relating to operations of the property in  
6 connection with the hosting of entertainment  
7 and catered events.

8 Similarly, I would like to confirm  
9 that you are aware of the provisions of  
10 Chapter 88 of the Village Code entitled,  
11 "Noise" which are applicable to your business,  
12 in particular, the provisions of Section 88-5  
13 which relate to the use of sound reproduction  
14 devices which are commonly used in connection  
15 with entertainment.

16 I would note that Chapter 88 of the  
17 Code is currently being considered as we have  
18 heard several times for amendment by the Board  
19 of Trustees and the applicant should continue  
20 to ensure that it is aware of any amendments  
21 thereto that may apply to any activities  
22 covered by the Entertainment Permit.

23 Finally, I would look to confirm  
24 that to the best of your knowledge that the  
25 information and materials you have provided in

1  
2 your application do not conflict with or  
3 otherwise contemplate altering the premises in  
4 a way that would conflict with any existing  
5 approvals applicable to the property including  
6 previous site plans.

7 MS. CELESTE FIERRO: Well, yes, we  
8 were just waiting on the site plan to be, you  
9 know, signed off on. So, yes, and that  
10 hopefully we are thinking it should be in by  
11 the end of the week. I mean, that's what our  
12 attorney said, but we're just waiting for  
13 Young & Young to submit.

14 ACTING CHAIR WALTON: Right. So  
15 I'll mention it again --

16 MS. CELESTE FIERRO: Yes.

17 ACTING CHAIR WALTON: -- but any  
18 approval, if any today, would have to be  
19 contingent upon.

20 MS. CELESTE FIERRO: Understand.

21 ACTING CHAIR WALTON: But I will  
22 mention that again in the Motion.

23 At this time, I'd like to ask the  
24 Village to confirm whether it's aware of any  
25 outstanding Code or site plan/conditional use

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violations in respect to the relevant business?

CLERK NOONE: There are no outstanding violations currently.

ACTING CHAIR WALTON: And we are awaiting the amended site plans?

CLERK NOONE: Yes, we are.

ACTING CHAIR WALTON: Does anyone from the Board have any questions or comments on the application which you would like to direct to the applicant at this time?

MEMBER CREEDON: No.

MEMBER TALERMAN: The only question I have is you talked about, um, more lounge and less late night. Could you explain that more specifically?

MS. CELESTE FIERRO: Sure. I think the late night that we were doing here was a little bit more on a, I wouldn't say it was a lounge, it more of a little bit of louder music and we are trying to tone that down and have lounge seating and a little less of the loud music. I know they had lights last year that we are not going to be doing. So we are

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really trying to focus more on the restaurant end of the business and more of a lounge than the late night business.

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MEMBER TALERMAN: Okay.

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MS. CELESTE FIERRO: You know, I'm in the restaurant business for years, not the lounge, you know, the more late night loud business, so.

9

10

MEMBER TALERMAN: Yeah. And lounge would include live music or --

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12

MS. CELESTE FIERRO: No, not at night, no.

13

14

MEMBER TALERMAN: Okay.

15

MS. CELESTE FIERRO: Just be background or the more mellow DJ music, not like we've been having.

17

18

MEMBER TALERMAN: Thank you.

19

MS. CELESTE FIERRO: You're welcome.

20

21

ACTING CHAIR WALTON: Anything?

22

MEMBER CREEDON: No.

23

ACTING CHAIR WALTON: If you're able to, I'd like you to address how you plan to position music on the pier. Well, this is

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Crabby's, so would you continue to position it where you have been in prior years?

MS. CELESTE FIERRO: Yes.

ACTING CHAIR WALTON: And is there any buffering around that music?

MS. CELESTE FIERRO: We have sound barriers that we've had a sound consultant come in, did all of that work, and we had a recording, we submitted that awhile ago. If you need to see it again, you can, but we have all the barriers and we will continue to put them up and make sure that they're there to control the level, as well as we will have, just like Jonathan said, our own wand that we will conduct our own and keep a logbook of what our sound tents are throughout the evening. You know, everyday we're gonna have either it will be an outside company do it or we have somebody in-house that just regulates our sound, you know, in-house that does it all the time. So we will have a few different things to check the level on noise.

ACTING CHAIR WALTON: And presumably those will be reflected in the

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revised site plan?

MS. CELESTE FIERRO: They actually are, yes, yes.

ACTING CHAIR WALTON: Yeah. Okay. Thank you.

MS. CELESTE FIERRO: No problem.

ACTING CHAIR WALTON: I now would like to open it up to the public for anyone who might like to comment or -- with respect to this application.

(No response.)

ACTING CHAIR WALTON: And we have no -- we have not received any written comments, correct?

CLERK NOONE: No, nothing, no.

ACTING CHAIR WALTON: Okay. Hearing none. Then, anything else?

MS. CELESTE FIERRO: Just so you know, this was for Crabby's. So Crabby's we are closing at 9 o'clock. So that was my mistake. I get Crabby's and Waterfront -- there won't be any music after 9 o'clock at Crabby's, unless it's a private party. We usually it just will be background music. And



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2 once in a blue moon if there is a wedding or  
3 something, there will be music. But usually  
4 we will be closed by 9 at Crabby's. Sorry, my  
5 mistake.

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ACTING CHAIR WALTON: Appreciate  
7 that clarification.

8

MS. CELESTE FIERRO: Yes.

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ACTING CHAIR WALTON: And we will  
be going back through all of this shortly for  
11 the Waterfront.

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MS. CELESTE FIERRO: Thank you.

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ACTING CHAIR WALTON: Okay. So  
hearing nothing more, I will make a Motion to  
close the Public Hearing in respect of the  
application for PWIB Claudio's Management II  
LLC, doing business as Crabby Jerry's, for an  
Entertainment Permit and for the hosting of  
entertainment and catered events at the  
property located at 111 Main Street.

21

Do I have a second?

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MEMBER TALERMAN: Second.

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ACTING CHAIR WALTON: All in favor?

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MEMBER TALERMAN: Aye.

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MEMBER CREEDON: Aye.

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ACTING CHAIR WALTON: And the  
Motion passes.

Jared.

VILLAGE ATTORNEY KASSCHAU: Yes.

Members of the Board, again, I  
recommend at this juncture that the Board  
adopt a SEQRA determination establishing it as  
lead agency for this unlisted action that is  
not anticipated to result in adverse  
environmental impact.

MEMBER TALERMAN: So moved.

ACTING CHAIR WALTON: Second.

MEMBER CREEDON: Second.

ACTING CHAIR WALTON: All in favor?

(All Ayes.)

ACTING CHAIR WALTON: Sorry to do  
this to everybody, but once again, I am going  
to read through the determinations that the  
Board is required to make in respect of the  
issuance of an application for an  
Entertainment Permit prior to granting an  
approval for such application.

I will ask that each Board Member  
indicate whether it agrees or disagrees with

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2 each such determination. In making such  
3 determination, the Board is relying on the  
4 information contained in the application as to  
5 the factual matters, including proposed  
6 operations of the property, history of  
7 violations and other such matters. It is also  
8 assuming that the applicants will operate  
9 under the Entertainment Permit in accordance  
10 with applicable Village Code and is currently  
11 effect -- and its currently effective site  
12 plan and any applicable conditional use  
13 approvals as such may be in effect from time-  
14 to-time.

15 So first, no responsible party has  
16 within the past five years been convicted of a  
17 felony or misdemeanor that is substantially  
18 related to the qualifications, function or  
19 duties of a proprietor or manager of a  
20 business entity or property that hosts  
21 entertainment or catered affairs.

22 MEMBER TALERMAN: Agree.

23 MEMBER CREEDON: Agree.

24 ACTING CHAIR WALTON: Agree.

25 Neither the applicant business

1  
2 entity or property nor any responsible person  
3 has a history of pervasive Code violations in  
4 connection with the operation of a business  
5 providing entertainment or catered affairs.

6 MEMBER TALERMAN: Agree.

7 MEMBER CREEDON: Agree.

8 ACTING CHAIR WALTON: The  
9 applicable business entity or property has not  
10 been the subject of pervasive Code violation  
11 in the immediately preceding five-year period.

12 MEMBER TALERMAN: Agreed.

13 MEMBER CREEDON: Agreed.

14 ACTING CHAIR WALTON: The proposed  
15 entertainment and/or catered affairs will not  
16 unduly interfere with public health, safety  
17 and welfare and the comfort and convenience  
18 and the order of the Village in general or to  
19 the residents in the immediate neighborhood in  
20 particular.

21 MEMBER TALERMAN: Agree.

22 MEMBER CREEDON: Agree.

23 ACTING CHAIR WALTON: The nature,  
24 scale and operating characteristics of such  
25 business entity or property in providing

1  
2 entertainment or catered affairs are  
3 compatible with existing and future land uses  
4 in surrounding neighborhoods.

5 MEMBER TALERMAN: Agree.

6 MEMBER CREEDON: Agree.

7 ACTING CHAIR WALTON: The proposed  
8 operating plan for the applicable business  
9 entity or property is sufficient to ensure  
10 compliance with the applicable provisions of  
11 the Code and other applicable laws including  
12 in respect of occupancy limits, noise and  
13 other potential nuisances to the surrounding  
14 neighborhood.

15 MEMBER CREEDON: Agreed.

16 MEMBER TALERMAN: Agreed.

17 ACTING CHAIR WALTON: Appropriate  
18 buffering will be in place to reduce any  
19 impact of the proposed activities in respect  
20 of noise, light and other potential nuisances  
21 in the surrounding neighborhood.

22 MEMBER TALERMAN: Agree.

23 MEMBER CREEDON: Agree.

24 ACTING CHAIR WALTON: The proposed  
25 entertainment and/or hosting of catered

1  
2 affairs will not generate noise of such  
3 character, intensity or duration as to be  
4 detrimental to the health or quality of life  
5 of reasonable persons of ordinary sensibility.

6 MEMBER TALERMAN: Agreed.

7 MEMBER CREEDON: Agreed.

8 ACTING CHAIR WALTON: Agreed.

9 Speakers and any other noise  
10 generating equipment are oriented away from  
11 the residential dwelling or area.

12 MEMBER TALERMAN: Agree.

13 MEMBER CREEDON: Agree.

14 ACTING CHAIR WALTON: It does not  
15 appear that the application contains any false  
16 or misleading material information.

17 MEMBER TALERMAN: Agree.

18 MEMBER CREEDON: Agree.

19 ACTING CHAIR WALTON: We did the  
20 SEQRA -- based on the foregoing determination,  
21 I move that this Board conditionally approve  
22 the application for an Entertainment Permit  
23 for the property located at 111 Main Street,  
24 doing business as Claudio's Crabby Jerry's,  
25 subject to the receipt of approved site plan.

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It is my understanding, as I mentioned earlier, that the Village still awaits submittal of a revised plan for this application. I would like to --

MR. BRIAN DOYLE: Can I just clarify something? You're waiting for -- my name is Brian Doyle, I'm an attorney for PWIB. This is subject to the receipt of a completed site plan application?

VILLAGE ATTORNEY KASSCHAU: That's right.

MR. BRIAN DOYLE: Yeah, not a completed -- right, just the application, not a site plan approval?

VILLAGE ATTORNEY KASSCHAU: Well, it depends. I mean, if the site plan changes the use, then of course it may effect the entertainment.

MR. BRIAN DOYLE: It's not going to change the use, it won't change the use of the property. If it takes months to get an approved site plan, right, and an approval from the Board to approve the site plan, we have to be able to have entertainment, right?

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VILLAGE ATTORNEY KASSCHAU: Right.  
So it's conditioned based on what the  
Chairperson had said and what the Board --

MR. BRIAN DOYLE: Receipt of the  
application. Thank you. That's what I  
thought.

VILLAGE ATTORNEY KASSCHAU: Well,  
unless the application changes the use or  
any -- you know, to the extent as referenced  
before, if there is not a sound barrier around  
Crabby Jerry's, then that may effect.

MR. BRIAN DOYLE: That's fine.  
Yeah, the site plan will show that. If the  
approval takes months --

VILLAGE ATTORNEY KASSCHAU: Right.  
Mr. Doyle, I understand we have been waiting  
for these a couple weeks now.

MR. BRIAN DOYLE: Yeah, we've been  
waiting for Young & Young. I just want to be  
clear on the record that we are going to make  
the application. But are you waiting for the  
site plan application to be complete or the  
site plan approval?

VILLAGE ATTORNEY KASSCHAU: Well,



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we are waiting for the application to be submitted.

MR. BRIAN DOYLE: That's fine. That's fine. Okay. Thank you.

MEMBER TALERMAN: Can I make a point of clarification?

VILLAGE ATTORNEY KASSCHAU: Sure.

MEMBER TALERMAN: It may be that I don't understand how these things work completely, but a site plan application is going to be submitted with a new updated and completed site plan that shows existing conditions.

MR. BRIAN DOYLE: That's right. That's right. We are waiting for Young & Young to deliver that map to us. I spoke to them today, they said it's done. I asked them to sign it today and print it so I can bring it here. I haven't had it. I just emailed them again asking for it, so I should have it next week.

MEMBER TALERMAN: Okay.

ACTING CHAIR WALTON: I would like to note, as Jared did already, that we have

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2           been waiting, I should say, the Village has  
3           been waiting for, I understand it's coming  
4           from someone else, but for quite some time.  
5           We calendared this action today, you know, in  
6           the interest of trying to help move things  
7           forward, but clearly the site plan has to be  
8           submitted and has to be acceptable into the  
9           Village.

10                         MR. BRIAN DOYLE: We agree. I'm  
11           not a surveyor or engineer, so I can't draw  
12           it, right? I'm been speaking to Mr. Stolar  
13           (phonetic) about it, but I just wanted to be  
14           clear, we are working on it. It hasn't been  
15           on our end. Young & Young, from what I  
16           understand today, is done. They have  
17           corrected the LK -- LKMA (phonetic) comments  
18           that were in that -- their engineer's report,  
19           so I just want to be clear that you should  
20           have the map next week, okay?

21                         MEMBER CREEDON: So I just have a  
22           quick question, a clarification, I suppose  
23           also.

24                                 If we vote to approve pending  
25           receipt of the application and then -- is that

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2 right? And then the Village finds the  
3 application unacceptable and does not approve.  
4 Is that approval by us rescinded on the  
5 Entertainment Permit?

6 VILLAGE ATTORNEY KASSCHAU: There  
7 would have to be another application, I  
8 imagine, for the Entertainment Permit to the  
9 extent that the use is being changed or  
10 anything like that.

11 MR. BRIAN DOYLE: We are not going  
12 to change the use.

13 MEMBER CREEDON: Yeah, yeah, I hear  
14 that. Just a point of clarification, if that  
15 were the case, whether it be your business or  
16 another business.

17 VILLAGE ATTORNEY KASSCHAU: See,  
18 Mr. Doyle, the Board is taking this up today  
19 as a matter of efficiency in order to help  
20 your client move forward with this  
21 understanding that the summer and spring  
22 months are on the horizon. We're taking  
23 this -- we expected this site plan, we'd hoped  
24 that we had the site plan prior to the meeting  
25 today. The Board is being gracious and

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approving the application as it stands today.  
I don't know, they haven't voted yet, but I  
imagine -- well, they had just voted.

MR. BRIAN DOYLE: I just wanted to  
clarify that the approval was not subject to  
site plan approval, it is subject to our --

VILLAGE ATTORNEY KASSCHAU: Receipt  
of the site plan.

MR. BRIAN DOYLE: -- receipt of the  
site plan. That's all I wanted to clarify.

MEMBER CREEDON: I appreciate that.  
I think we are all looking for the  
clarification of the actual legal points.  
That's all.

MR. BRIAN DOYLE: Yeah, no, I just  
want to be clear because I heard her say  
something different.

ACTING CHAIR WALTON: Well, yeah,  
and it's an important distinction, and I'm not  
sure, I think in my mind it was an acceptable  
or a site plan, not just an application that  
still doesn't comply with the things that  
we've been asking for for awhile.

MR. BRIAN DOYLE: You'll have the

1  
2 ability to comment on the site plan. I'm not  
3 suggesting we are going to come in here and  
4 give you a plan that's completely inconsistent  
5 with anything that you've seen before or  
6 approved in 2020. I just wanted to be clear  
7 that if the site plan approval doesn't happen  
8 for a year and we deliver something to you  
9 that's consistent with our prior application,  
10 we can do business this summer, because there  
11 may be changes that happen at the site plan  
12 level when we come in, when you review the map  
13 and your engineer reviews it, you may have  
14 changes that you want to make or tell us to  
15 make. While that process is going on, the  
16 summer is going to be upon us and we might  
17 open the restaurant, right, and want to have  
18 music. So that's all I was trying to be clear  
19 on.

20 ACTING CHAIR WALTON: No, I  
21 understand what you're trying to clarify. And  
22 I just want to be clear that we can't sort of  
23 give a blanket approval for you to submit  
24 anything that's not acceptable.

25 MR. BRIAN DOYLE: What we submit

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has to be approved. I get that. Right? But

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what you're waiting for is for us to submit

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the site plan application. You're not --

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that's what you're waiting for, right? And

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that's on us, I understand that, but, you

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know, if it takes this Board a year to approve

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it, that's what I'm trying to say, that, you

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know, we can't wait a year.

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ACTING CHAIR WALTON: We don't want

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you to have to wait a year.

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MR. BRIAN DOYLE: I understand.

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ACTING CHAIR WALTON: We understand

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that, but, again, it's going to depend on what

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you submit.

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MR. BRIAN DOYLE: I understand

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that.

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ACTING CHAIR WALTON: Okay.

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MEMBER TALERMAN: And I do want

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to -- you just suggested this would be in

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accordance with what you submitted in the

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past.

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MR. BRIAN DOYLE: Well, the --

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ACTING CHAIR WALTON: The problem

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with what you had submitted in the past is

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original conditions were not reflected in what you submitted in the past. You had a plan in 2020 that got submitted, much of which -- many pieces of which were never executed and the original condition -- the current, sorry, the current condition of the property didn't match the plan submitted.

MR. BRIAN DOYLE: You're right about that.

ACTING CHAIR WALTON: So I want to make sure that you understand that that application should be accompanied by a site plan that does reflect the current condition.

MR. BRIAN DOYLE: We agree with you.

ACTING CHAIR WALTON: Okay, great. Thank you.

MEMBER TALERMAN: Right.

ACTING CHAIR WALTON: But to that point, if it doesn't, it simply -- a simple submission of the application is not sufficient.

MR. BRIAN DOYLE: I understand. What I'm going to -- I think we can all sit

1  
2 here now and recognize that there are going to  
3 be comments that are going to come from your  
4 end about the site plan that I give to you.  
5 They may not be material to the operation of  
6 the business. If your engineer says there's a  
7 meets and bounds missing in a particular area  
8 of the map, I'm going to ask you to approve  
9 the Entertainment Permit application while we  
10 go back and correct the map for something that  
11 may be ministerial. That's all I am saying,  
12 because there may be more than one meeting  
13 after April.

14 ACTING CHAIR WALTON: Yes. So  
15 we're potentially approving it today. We did  
16 this to accommodate you. We've been waiting  
17 for this plan for months.

18 MR. BRIAN DOYLE: Yes. Thank you.

19 ACTING CHAIR WALTON: Years, a  
20 year. I think this came up when Elizabeth and  
21 I first joined the Board.

22 MR. BRIAN DOYLE: Yeah.

23 ACTING CHAIR WALTON: So we are  
24 trying to work with you here and accommodate  
25 you.



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MR. BRIAN DOYLE: We appreciate that, we do.

ACTING CHAIR WALTON: Jared, do you have a comment?

VILLAGE ATTORNEY KASSCHAU: Yeah. I think we have an understanding. If it's a meets and bounds, ministerial issue, that shouldn't effect the Entertainment Permit, however, if there is a change in the layout of the premises such that it would effect --

ACTING CHAIR WALTON: Merely.

VILLAGE ATTORNEY KASSCHAU: -- noise or something like that, obviously that would be --

MR. BRIAN DOYLE: We agree with you.

ACTING CHAIR WALTON: Okay. So there's a level of materiality here that comes into play.

MR. BRIAN DOYLE: Agreed.

ACTING CHAIR WALTON: Okay. So having said all of that, do I have a second?

MEMBER TALERMAN: Second.

MEMBER CREEDON: What was the

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Motion?

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MEMBER TALERMAN: To conditionally

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approve.

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MEMBER CREEDON: Okay.

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ACTING CHAIR WALTON: Yeah.

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All in favor?

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MEMBER TALERMAN: Aye.

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MEMBER CREEDON: Aye.

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ACTING CHAIR WALTON: Motion

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carries.

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MS. CELESTE FIERRO: Thank you.

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ACTING CHAIR WALTON: So now we get

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to do this again.

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MS. CELESTE FIERRO: Go ahead.

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ACTING CHAIR WALTON: So the sixth

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order of business is a Public Hearing

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regarding the application for a Claudio's

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Management III LLC, doing business as

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Claudio's Waterfront. Applicant is applying

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for an Entertainment Permit pursuant to

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Section 150-51 of the Village Code requiring

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Planning Board approval.

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The property is located in the

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Waterfront Commercial District and is located

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2 in the Historic District, and is Suffolk  
3 County Tax Map Number 1001-5-4-38.1.

4 Once again, I will now ask the  
5 applicant to address the Board. Do you have  
6 any additional comments that you would like to  
7 make?

8 MS. CELESTE FIERRO: No, I think I  
9 stated them all before, but we are going to  
10 follow the Code. Like I said before, we are  
11 put -- we did put up sound barriers, we still  
12 have them. We're renewing all of that. We  
13 have our sound guy coming back that will  
14 regulate it and be on property all the time.  
15 Like I said, we are purchasing the wand so  
16 that we can do our own logbook to make sure  
17 that our noise levels are on point and within  
18 Code and keeping the level to a normal  
19 decibel.

20 ACTING CHAIR WALTON: So just one,  
21 similar to what I asked about Crabby Jerry's,  
22 and then on the pier there's been some  
23 discussion as to whether -- where the  
24 entertainment would get set up. Was it at the  
25 end of the pier facing back towards the

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Village, is it within the canopy facing out towards the water? What are your -- has that been resolved?

MS. CELESTE FIERRO: No.

ACTING CHAIR WALTON: What would you contemplate at this point?

MS. CELESTE FIERRO: Right now the stage is at the end of the pier, but we have barriers to put around it and that's what we have done. And they put an awning up and it cover -- it enclosed, encased the noise from the music from the band.

ACTING CHAIR WALTON: Does anyone have any questions from the Board?

MEMBER CREEDON: Yeah, I have comments really.

MEMBER TALERMAN: Mm-hmm.

MEMBER CREEDON: More than questions.

ACTING CHAIR WALTON: Sure.

MEMBER CREEDON: I am looking at the material you submitted and music on Saturdays at nighttime, Friday and Saturday, 10 to 2 a.m., which is --

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MS. CELESTE FIERRO: We changed it and changed it to the Code. Whatever the Code is, we will abide by.

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MEMBER CREEDON: I don't have it in front of me.

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MEMBER TALERMAN: They submitted a revised --

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CLERK NOONE: That was just early, early this week. There was an amendment to the -- they amended their application. It would have been delivered to your box and I sent it out via email.

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MEMBER CREEDON: And is that in a timely manner?

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CLERK NOONE: That's when the applicant submitted it.

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MEMBER CREEDON: Okay.

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ACTING CHAIR WALTON: So that concern was what we all had and was addressed in the provision.

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MEMBER CREEDON: I also have a couple other concerns.

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ACTING CHAIR WALTON: Sure.

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MEMBER CREEDON: I don't know if

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it's appropriate to say it now, but maybe I will.

Is it still the Code that an eight-foot public access, eight-foot wide public access is required or a public access around that pier of any width --

ACTING CHAIR WALTON: Yeah, so --

MEMBER CREEDON: -- 'cause right now on the east side it's less than eight feet, it's five or six feet. And on the west side, not only is it less than eight feet, but there's a gate constructed across it, a stockade gate, I presume to kind of give the kitchen more space, but I don't want to assume what the reason is. All I know is that it's my understanding it's supposed to be public access and eight-feet wide. It's less than eight-feet wide. Maybe that was for safety reasons, egress and emergency. I don't know what the reason is.

VILLAGE ATTORNEY KASSCHAU: So just for --

ACTING CHAIR WALTON: Jared, go ahead.

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VILLAGE ATTORNEY KASSCHAU: Because this is for only entertaining the Entertainment application now, I think that's more of a site plan issue probably.

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ACTING CHAIR WALTON: It is definitely a site plan issue.

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VILLAGE ATTORNEY KASSCHAU: Which goes back to the issue that it needs to be an approved site plan, Mr. Doyle. I'm just thinking this through, it needs to be an approved site plan. So, you know, it inures to your client's benefit to have that information to us as soon as possible. We are demonstrating our willingness to move as quickly as possible on this. We would really like to see that information so we can process it, make sure we had the opportunity to get before the Board and hopefully approved as soon as possible.

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MEMBER CREEDON: But these are two different applications.

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VILLAGE ATTORNEY KASSCHAU: Yes, we're just dealing with Entertainment.

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ACTING CHAIR WALTON: Yes. But

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this isn't the site plan application.

MEMBER CREEDON: No, I get that, but that site plan is not approved. The current conditions are out of compliance, to my knowledge.

ACTING CHAIR WALTON: That's right.

MEMBER CREEDON: And the other one, I don't think we had any reason to think that anything wasn't in compliance, it's just that we were saying as long as it comes back in compliance, we're good. If it doesn't -- well, that was our understanding, right?

ACTING CHAIR WALTON: Yeah.

MEMBER CREEDON: But that's not my understanding here. Here my understanding is that there is a situation which is currently noncompliant and it may be a safety factor, I'm not sure what the reason was, that the Village originally did that. I wasn't on the Board, it was some time ago. There's other violations too, which are not citations, and I've been listening to the music at my house half a mile away for 30 years.

ACTING CHAIR WALTON: I believe



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there is one site plan for both properties; am I correct about that?

CLERK NOONE: Correct.

MS. CELESTE FIERRO: Yes.

ACTING CHAIR WALTON: So just, Dan, so that --

MEMBER CREEDON: Well, that's problematic for Crabby Jerry's, not that I thought that before, but if -- maybe it's not, maybe you can separate them, you know, legally. I don't know how that all works. But if that's one site plan for the two businesses and one of them is not in compliance, I don't know how that effects the other one.

ACTING CHAIR WALTON: That's why they have to submit a revised site plan --

MEMBER TALERMAN: Right.

ACTING CHAIR WALTON: -- to address those concerns. And they will be doing that and we will have an opportunity to make these same comments and should be making these same comments at that time. That's also why our approval today is contingent upon the site

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plans.

MS. CELESTE FIERRO: Okay.

MEMBER CREEDON: I'm not satisfied, but I'm okay moving on if that's what you're asking me.

ACTING CHAIR WALTON: Well, what do you need? In what way -- what do you need to satisfy your concern today?

MEMBER CREEDON: I don't think it can be satisfied today.

ACTING CHAIR WALTON: Okay.

MEMBER CREEDON: I have no problem with Crabby Jerry's. It seemed like if anything was coming up, it can be easily addressed, but I think this is more serious.

MR. BRIAN DOYLE: When we submit -- Brian Doyle here. When we submit the map to you, LKMA is going to go out and look at it. And if there are violations on the site plan, we are gonna get comments back. We have to correct that, right? We will do that right away. So we'll address that concern if -- you know, I haven't visited the site. If there is a fence somewhere in a public right-of-way or

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something or over a deeded easement, that's got to come out, so that will take place. So your approval could be contingent upon --

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VILLAGE ATTORNEY KASSCHAU: The approval of the site plan.

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MR. BRIAN DOYLE: -- that site plan being approved.

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MS. CELESTE FIERRO: And it will be approved.

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MR. BRIAN DOYLE: You can do -- you can do a conditional approval as well which your attorney will say, you know, this is approved provided that fence is taken out within a week or something like that. We can do all of this.

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VILLAGE ATTORNEY KASSCHAU: That's correct.

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ACTING CHAIR WALTON: Any action we take today will be conditioned.

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VILLAGE ATTORNEY KASSCHAU: Upon them addressing, for example, that public right-of-way that you had mentioned.

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MEMBER CREEDON: Thank you.

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ACTING CHAIR WALTON: Okay.

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MS. CELESTE FIERRO: Thank you.

ACTING CHAIR WALTON: So I'm going to repeat language you've heard before.

Since you have contemplated and submitted the application, I would like to confirm verbally that you have received -- that you have reviewed Chapter 150 -- do I have to do this again? I was just thinking they just confirmed it. Should we do it separately for this?

VILLAGE ATTORNEY KASSCHAU: Yes.

ACTING CHAIR WALTON: 150-51 of Code and generally understand that there are requirements thereof, in particular with requirements of Section 150-50 (D) of the Code relating to operation of the property in connection with a hosting of entertainment and catered events.

Similarly, I want to confirm that you are aware of the provision of Chapter 88 of the Village Code and entitled, "Noise," which are applicable to your business, in particular, the provision of Section 88-5 which relates to the use of sound reproduction

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2 devices which are commonly used in connection  
3 with entertainment. I would note that Chapter  
4 88 of the Code is currently being considered  
5 for amendment by the Board of Trustees and the  
6 applicant should continue to ensure that it is  
7 aware of any amendments thereto that may apply  
8 to any activities covered by the Entertainment  
9 Permit.

10 Finally, I'd like to confirm that  
11 to the best of your knowledge that the  
12 information and materials you have provided in  
13 your application do not conflict with or  
14 otherwise contemplate altering the premises in  
15 a way that would conflict with any existing  
16 approvals applicable to the property including  
17 previous site plan approvals.

18 MS. CELESTE FIERRO: Yes, I do.

19 ACTING CHAIR WALTON: At this time  
20 I would like to ask the Village to confirm  
21 whether it's aware of any outstanding Code or  
22 site plan condition use violations?

23 CLERK NOONE: The Village is  
24 unaware of any violations outstanding.

25 ACTING CHAIR WALTON: Okay. Any

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additional questions? Thoughts?

MEMBER TALERMAN: No.

ACTING CHAIR WALTON: Thank you.

I would open it up for anyone from the public to address the Board in respect to the application.

And I assume no, no written comments?

CLERK NOONE: No, no written comments.

MS. LORRAINE KREAHLING: Lorraine Krehling, Central Avenue, Greenport. I live on Central Avenue, as I just said, and Claudio's has been a thorn in my side. And it did get better this past year. I mean, I want to thank you guys for making it better. Um, however, like often in the afternoon some of us actually like to work in our gardens and particularly this last summer it was like there was a vocalist and percussion, an off-key vocalist and percussion. So that's all you could hear, you couldn't hear the melody or the music, you could just hear this painful sound. And it was really unpleasant. And so,

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I mean, I think everybody should be able to

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listen to music that they like, and, um, I

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don't like that kind of music, unless I'm

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really, you know, smashed and dancing or

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something, and I'm not doing that in my

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garden. So I just want to say that I hope

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that those speakers are turned inward and

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that, um, I don't have to listen to it 'cause

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I don't think I should have to.

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ACTING CHAIR WALTON: Thank you.

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MS. LORRAINE KREHLING: Thank you.

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ACTING CHAIR WALTON: Would anyone

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else from the public like to address the

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Board?

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(No response.)

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ACTING CHAIR WALTON: In that case,

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I would like to make a Motion to close the

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Public Hearing in respect of the application

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of PWIB Claudio's Management III LLC, doing

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business as Claudio's Waterfront, for an

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Entertainment Permit for the hosting of

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entertainment and catered events at the

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property located at 111 Main Street.

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Do I have a second?

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MEMBER TALERMAN: Second.

ACTING CHAIR WALTON: All in favor?

MEMBER TALERMAN: Aye.

MEMBER CREEDON: Aye.

ACTING CHAIR WALTON: Jared?

VILLAGE ATTORNEY KASSCHAU: Yup.

Thank you. Again, at this point, I recommend that the Board adopt the SEQRA determination establishing it as lead agency for this unlisted action that is not anticipated to result in an adverse environmental impact.

MS. TALERMAN: So moved.

ACTING CHAIR WALTON: Thank you.

Second. I will second this.

All in favor?

MEMBER TALERMAN: Aye.

MEMBER CREEDON: Aye.

ACTING CHAIR WALTON: Aye.

And I guess I have to read the determinations again, Jared?

VILLAGE ATTORNEY KASSCHAU: Yes.

ACTING CHAIR WALTON: Okay. Once again, I'm going to read through the determinations this Board is required to make



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2 in respect of the issuance of an application  
3 for an Entertainment Permit prior to the  
4 granting of the approval for such application.

5 I will ask that each Board member  
6 indicate whether it agrees or disagrees with  
7 each such determination. In making such  
8 determination the Board is relying on the  
9 information contained in the application as to  
10 factual matters, including proposed operations  
11 of the property, history of violations or  
12 other such matters. It is also assuming that  
13 the applicant will operate under the  
14 Entertainment Permit in accordance with  
15 applicable Village Code and its currently  
16 effective site plan and any applicable  
17 condition -- conditional use approvals as such  
18 may be in effect from time-to-time.

19 So I'm going to read off each  
20 individually. No responsible person has  
21 within the past five years been convicted of a  
22 felony or misdemeanor that is substantially  
23 related to the qualification, function or  
24 duties of a proprietor or manager of a  
25 business entity or property that hosts

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entertainment or catered affairs.

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MEMBER TALERMAN: Agreed.

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MEMBER CREEDON: Agreed.

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ACTING CHAIR WALTON: Neither the

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applicant's business entity or property nor

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any responsible person has a history of

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pervasive Code violations in connection with

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the operation of a business providing

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entertainment or catered affairs.

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MEMBER TALERMAN: Agree.

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MEMBER CREEDON: No, I don't agree.

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ACTING CHAIR WALTON: So which part

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do you disagree with?

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MEMBER CREEDON: Read it again.

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ACTING CHAIR WALTON: Neither the

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applicant's business entity or property nor

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any responsible person has a history of

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pervasive Code violations in connection with

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the operation of a business providing

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entertainment or --

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MEMBER CREEDON: The ones I spoke

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about earlier.

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ACTING CHAIR WALTON: Those are not

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Code violations, to the best of my --

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MEMBER CREEDON: I believe they  
are.

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CLERK NOONE: There might have been  
prior violations, but there are no outstanding  
Code violations.

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MEMBER CREEDON: Without my  
agreement you have the majority.

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VILLAGE ATTORNEY KASSCHAU: No.

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MEMBER TALERMAN: No, because we're  
three.

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ACTING CHAIR WALTON: We don't have  
a quorum because there are only three members  
here today. Three votes represent a quorum  
and represent --

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VILLAGE ATTORNEY KASSCHAU:

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Majority.

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ACTING CHAIR WALTON: -- a vote.

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MR. BRIAN DOYLE: The items you  
referenced before, Mr. Creedon, they haven't

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been alleged, right? There are things that

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you think are in violation, but they haven't

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been alleged anywhere. If they show up on a

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map and they are in violation they have to be

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taken care of and they will.

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ACTING CHAIR WALTON: Correct.

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MR. BRIAN DOYLE: So they haven't  
been brought to court.

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ACTING CHAIR WALTON: They haven't  
been cited --

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VILLAGE ATTORNEY KASSCHAU: That's  
right.

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ACTING CHAIR WALTON: They haven't  
been cited as a violation.

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VILLAGE ATTORNEY KASSCHAU: That's  
right.

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MEMBER CREEDON: That's correct.

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VILLAGE ATTORNEY KASSCHAU: That's  
right.

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ACTING CHAIR WALTON: So, again,  
because this vote will be contingent upon  
applying.

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MEMBER TALERMAN: Yes.

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ACTING CHAIR WALTON: Well, if that  
is, in fact, a problem it will have to be  
addressed.

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MEMBER CREEDON: No problem.

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ACTING CHAIR WALTON: Next, the  
applicable business entity or property has not

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2 been the subject of pervasive Code violation  
3 in the immediately preceding five-year period.

4 MEMBER CREEDON: Agreed.

5 MEMBER TALERMAN: Agreed.

6 ACTING CHAIR WALTON: A proposed  
7 entertainment and/or catered affair will not  
8 unduly interfere with public health, safety  
9 and welfare and the comfort, convenience and  
10 order of the Village in general and of the  
11 residents of the immediate neighborhood in  
12 particular.

13 MEMBER TALERMAN: Agreed.

14 MEMBER TALERMAN: Agreed.

15 ACTING CHAIR WALTON: The nature,  
16 scale and operating characteristics of such  
17 business entity or property in providing  
18 entertainment or catered affairs are  
19 compatible with existing and future land uses  
20 in the surrounding neighborhood.

21 MEMBER TALERMAN: Agree.

22 MEMBER CREEDON: Agree.

23 ACTING CHAIR WALTON: The proposed  
24 operating plan for the applicable business  
25 entity or property is sufficient to ensure

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2 compliance with applicable provisions of the  
3 Code and other applicable laws, including in  
4 respect of occupancy limits, noise and other  
5 potential nuisances to the surrounding  
6 neighborhood.

7 MEMBER TALERMAN: Agreed.

8 MEMBER CREEDON: Agreed.

9 ACTING CHAIR WALTON: Appropriate  
10 buffering will be in place to reduce any  
11 impact of proposed activities in respect of  
12 noise like or other potential nuisances in the  
13 surrounding neighborhood.

14 MEMBER TALERMAN: Agree.

15 MEMBER CREEDON: Agree.

16 ACTING CHAIR WALTON: The proposed  
17 entertainment and/or hosting of catered  
18 affairs will not generate noise of such  
19 character, intensity or duration as to be  
20 detrimental to the health or quality of life  
21 of reasonable persons of ordinary sensibility.

22 MEMBER TALERMAN: Agreed.

23 MEMBER CREEDON: Agreed.

24 ACTING CHAIR WALTON: Speakers or  
25 any other noise-generating equipment are

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oriented away from residential dwellings  
and/or areas.

MEMBER TALERMAN: Agreed.

MEMBER CREEDON: Agreed.

ACTING CHAIR WALTON: It does not  
appear that the application contains any false  
or misleading material information.

MEMBER TALERMAN: Agreed.

MEMBER CREEDON: Agreed.

ACTING CHAIR WALTON: Jared, do we  
need to adopt SEQRA here?

VILLAGE ATTORNEY KASSCHAU: I think  
we've done that previously.

ACTING CHAIR WALTON: Oh, I'm  
sorry. I have it in the wrong place here.  
It's all sounding very familiar.

VILLAGE ATTORNEY KASSCHAU: Yeah.

ACTING CHAIR WALTON: Okay. So  
based on the foregoing determinations, I move  
that the Board conditionally approve the  
application of an Entertainment Permit for the  
property located a 111 Main Street, doing  
business as Claudio's Management III. Sorry,  
doing business as Claudio's Waterfront,

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subject to the receipt of, and, again --

VILLAGE ATTORNEY KASSCHAU: Site plan approval.

ACTING CHAIR WALTON: -- site plan approval. It's my understanding, again, that we're waiting for such site plan amendment.

Do I have a second?

MEMBER TALERMAN: Second.

ACTING CHAIR WALTON: All in favor?

MEMBER CREEDON: Just a little discussion on the Motion. It's conditionally conditioned on approval of that site plan, correct?

VILLAGE ATTORNEY KASSCHAU: That's right.

MEMBER CREEDON: And what is the -- what would be considered a timely manner for that? I know we have a lot of applications and we have many --

VILLAGE ATTORNEY KASSCHAU: You know, as soon as we --

MEMBER CREEDON: Well, I'm talking about from the Village's point of view --

VILLAGE ATTORNEY KASSCHAU: Oh, I



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don't know.

MEMBER CREEDON: -- how soon would we expect for that plan to be approved or addressed, like we said, if there was going to be a violation?

ACTING CHAIR WALTON: Well --

MR. BRIAN DOYLE: It's up to you.

MEMBER CREEDON: But you would need a determination from the Village --

MR. BRIAN DOYLE: Yeah.

MEMBER CREEDON: -- and I'm wondering how timely that would be? I apologize, but you can see I'm uncomfortable with this.

ACTING CHAIR WALTON: Yeah.

MEMBER CREEDON: I'm afraid that once it's approved, it gets lost in the air and it can be months and years before anybody addresses it.

ACTING CHAIR WALTON: Yeah. This is not going to get lost.

MR. BRIAN DOYLE: We will provide a map to you that your engineers are going to look at, and if there is something wrong with

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it, we'll have to correct what's wrong.

MEMBER CREEDON: I get that.

MR. BRIAN DOYLE: And if -- you can approve these Entertainment Permits conditionally on us doing those things, right? So if you were to give an approval and we didn't do it, then you could cite us or you can withdraw the site plan approval, right? So the onus is going to be on us to give you a map and to do the things that we're required to do under the approval that you give to us, right? So I will come in, as soon as I get a map to you, that's going to be the starting point 'cause really we need your engineer to look at it. Your attorney and I can't do that.

MEMBER CREEDON: No, I guess I would be more comfortable if we were operating from the other direction, whereas, if you read the Code and you saw that there was a violation and you corrected it before submitting an application, that would make me more comfortable.

MR. BRIAN DOYLE: Well, what -- we

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don't think what we are submitting to you has any violations on it.

MEMBER CREEDON: Maybe it doesn't.

MR. BRIAN DOYLE: Yes.

MEMBER CREEDON: Because I have not seen it either.

MR. BRIAN DOYLE: So, and I have not seen this fence that you're talking about. You know, so those are things though that engineers will go through and they'll say, this can't be here. And then I'll get comments back from Counsel maybe mid April or early April before we come in, and I'll tell Claudio's to go out and fix it and then I'll be able to come in here with an updated map that shows it's been fixed. You also have another entertainment application coming in before you on April 12th, right? So that belongs to us, so we are going to be here anyway.

MEMBER CREEDON: So we can expect to hear at one of the two April meetings that that has been addressed or if it needs to be addressed, whatever the case may be?

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2 MR. BRIAN DOYLE: Yeah. I mean,  
3 Young & Young has mapped the property, and  
4 I've seen the map, it's just not signed by the  
5 surveyor. I was hoping to have that for you  
6 today, but hopefully next week I'll have that  
7 and it will go to your engineer and we'll be  
8 able to get the two maps with the comments  
9 addressed, but the map that I am providing to  
10 you addresses the comments that Young & Young  
11 made in October of 2023.

12 MEMBER CREEDON: Yeah, so I'm  
13 uncomfortable with this, but I'll go ahead  
14 pending this being addressed (referring) at  
15 the April meeting.

16 ACTING CHAIR WALTON: It's  
17 definitely a conditional approval and the site  
18 plan has to be acceptable, it has to be  
19 received. Obviously, the Village has an  
20 obligation to act in a reasonable period of  
21 time, but how long it actually takes depends  
22 also on the cooperation, you know, on both  
23 sides.

24 So as we mentioned earlier, there  
25 is a third application from Claudio's for the

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main restaurant.

MS. CELESTE FIERRO: Tavern.

ACTING CHAIR WALTON: Tavern and Grill. And that will likely be on our next agenda. I didn't --

CLERK NOONE: That will be on the earliest -- it has to be noticed to be on the April 26th agenda.

ACTING CHAIR WALTON: The earliest.

MEMBER CREEDON: 22nd.

MEMBER TALERMAN: 26th.

ACTING CHAIR WALTON: And we have to consider if we have not yet received --

CLERK NOONE: Friday the 22nd.

MEMBER TALERMAN: The 26th.

MEMBER CREEDON: The 22nd is a Monday.

ACTING CHAIR WALTON: Yeah, so you had in the -- it's the 26th, Friday the 26th.

CLERK NOONE: 26th, correct. That would be the earliest one.

ACTING CHAIR WALTON: There was a typo in the agenda.

CLERK NOONE: Okay.

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MR. BRIAN DOYLE: That probably makes the best sense anyway. If a map were delivered to your engineer next week, you know, then we have a month to work out anything else, and then if there are comments, if Counsel delivers them to me from your engineer, I will get Young & Young to update the map so that when we come here on the 26th if we have the Entertainment Application and the site plan, everything will be correct and for your review.

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MS. CELESTE FIERRO: Or if there is any other restrictions, too, we'll have to fix.

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MR. BRIAN DOYLE: Yeah. Okay.

ACTING CHAIR WALTON: And hopefully then our action is not conditional on anything because we both have resolved. We will have received the site plan, resolved the issue.

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VILLAGE ATTORNEY KASSCHAU: And satisfied the condition.

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ACTING CHAIR WALTON: Right. Okay. So we are okay.

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VILLAGE ATTORNEY KASSCHAU: I think

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it was seconded.

ACTING CHAIR WALTON: So we had the discussion. So now there was a Motion and a second, and we had the discussion.

So all in favor?

MEMBER TALERMAN: Aye.

MEMBER CREEDON: Yeah, okay.

ACTING CHAIR WALTON: Aye.

MR. BRIAN DOYLE: Thank you everyone for your patience. Thank you.

VILLAGE ATTORNEY KASSCHAU: Thank you.

ACTING CHAIR WALTON: Thank you for being here today.

The seventh order of business is a presubmission conference regarding the application of Sterling Square LLC. The applicant requests a revision to its site plan to include exterior amplified music. The property is located in the Commercial -- the Commercial Retail District and is located in the Historic District. It is at Suffolk County tax map number 1001-2-3-10. The applicant proposes to amend the site plan to

1  
2 include amplified music. This application  
3 will require site plan approval -- I mean, the  
4 Planning Board approval. Since I'm gonna --  
5 sorry to do this to everybody, but since the  
6 presubmission conference procedure has only  
7 been adopted recently, and there's been no  
8 previous presubmission conference for this  
9 property, I'd like to provide some guidance as  
10 to the planned approach for the presubmission  
11 process.

12 First, we will give the applicant  
13 an opportunity to address the Board with  
14 anything it wishes to highlight in respect of  
15 the application. The members of this Board  
16 will then have the opportunity to ask  
17 questions of and/or to indicate areas of  
18 concern to the applicants. We will then open  
19 it up to the public for any concerns or  
20 comments they have in respect of the  
21 application which they would like to address  
22 to this Board for consideration as part of the  
23 presubmission conference process. We would  
24 ask the public to keep their comments brief,  
25 presumably to under two to three minutes, and



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2 if they have more extensive comments or input,  
3 to address this in writing to the Board. We  
4 are going to limit the initial presubmission  
5 conference for this application, you know, in  
6 terms of timeframe. I don't expect that to be  
7 a problem today since there are not too many  
8 members of the Board, to the public here.

9 And so a few additional comments  
10 given that this is a relatively new process.  
11 The presubmission conference is intended to  
12 address a development proposal on a conceptual  
13 basis in order for this Board to be able to  
14 provide the applicant's initial feedback and  
15 comment on the application including items  
16 which an applicant should consider addressing  
17 as part of the full application submission as  
18 well as identifying any specific information  
19 that the Board may require as part of the  
20 application process.

21 This is not otherwise specified in  
22 the applicable provision of Chapter 150. I  
23 will note at the outset, that Section 150-31  
24 (B) of the Code which governs presubmission  
25 conferences and consideration by this Board

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2 requires as part of the presubmission process  
3 that the applicant provide a narrative  
4 description of the jurisdiction for any  
5 conditional use taking into account the  
6 relevant provisions of Chapter 150 that  
7 governs the granting of conditional use  
8 applications.

9 As such, the Board will request  
10 from the applicant that prior to scheduling a  
11 continuation of the presubmission conference,  
12 other than for purposes of soliciting  
13 additional public input, that the applicant  
14 provide the Board with all of the materials  
15 required under Section 150-31 (B) to the  
16 extent that it has not already done so, and in  
17 particular, that it provide a written memo  
18 pursuant to Section 150-31 (B) (2) addressing  
19 each of the considerations set forth in  
20 Section 150-9 (B) (6), 150-29 (A), 150-29 (B),  
21 150-30 (A) and 150-30 (B) of the Code which  
22 will be applicable to the proposed  
23 application.

24 The applicant may also wish to  
25 consider providing any information that is

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2 already -- that it has already developed which  
3 is responsive to the information it will need  
4 to provide as part of the community impact  
5 report required as part of its final  
6 application in order to provide the Board as  
7 much information as possible so we can provide  
8 helpful and on point feedback in the  
9 application -- to the applicant prior to the  
10 submission of a complete application for  
11 approval.

12 With that in mind, I would ask the  
13 applicant or its representative to come to the  
14 podium, we've already done that, state your  
15 name and address for the record and give the  
16 Board a brief overview of the proposed  
17 application and any highlights it wishes to  
18 specify, specifically bring to the Board's  
19 attention.

20 As part of your presentation it  
21 would be helpful to the Board if you can  
22 address each of the following questions or  
23 points, the site elements that were previously  
24 approved by the Board, any manner in which  
25 your current operation varied from that

1  
2 previous approval, and proposed site plan  
3 changes including details relating to the  
4 proposed use of the outdoor space for  
5 amplified music.

6 MR. BRENT PELTON: Good evening,  
7 and thank you for volunteering to be on the  
8 Planning Board. This whole process, it's been  
9 a difficult process. Let me start with, Brent  
10 Pelton on behalf of American Beech, Stirling  
11 Square, 300 Main Street in Greenport.

12 It's been quite a process and we  
13 are looking forward to fully comply with the  
14 updated noise regulations. Ryan Farrell  
15 (referring), our general manager, has been  
16 with us for over eight years, was in a couple  
17 weeks ago in an effort to apply for the  
18 Entertainment Permit, and it appeared that our  
19 site plan did not include amplified outdoor is  
20 music. So we put the Entertainment plan on  
21 hold, or Entertainment Permit on hold, and  
22 were advised to submit an updated site plan  
23 that just detailed where the speakers were  
24 located. So that is exactly what we have  
25 done. So this is a presubmission hearing. We

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provided the site plan with the speakers and we would like to get this in for submission, have that be approved and notice the Entertainment Permit, and it sounds like the first available Entertainment Permit hearing that we would be able to do is I think April 26th you said?

ACTING CHAIR WALTON: I can't speak to the timing of --

CLERK NOONE: Well, I mean, it's based upon what you decide as far as the amendment to the site plan regarding the exterior amplified music. If you wanted to pursue -- if you wanted to accept their application, we can notice them for the Entertainment Permit and notice them for the amendment to the site plan for the 26th.

ACTING CHAIR WALTON: Together.

CLERK NOONE: Together. But you would obviously have to approve the amendment to the exterior amplified music and then you can deal with the Entertainment Permit.

VILLAGE ATTORNEY KASSCHAU: Just know this is the presubmission hearing, right,

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2 so there will be a formal submission after  
3 this hearing for that approval.

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ACTING CHAIR WALTON: Correct. And  
5 I think, Mike, you're saying it could be --

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CLERK NOONE: I mean, that's your  
7 decision if you wanted to have another  
8 hearing. Yes.

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MEMBER CREEDON: We don't vote.

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ACTING CHAIR WALTON: This is  
11 presubmission.

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VILLAGE ATTORNEY KASSCHAU: No, we  
13 don't, right.

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ACTING CHAIR WALTON: So there  
15 would be a submission of the --

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CLERK NOONE: This would be the  
17 submission of the application on the 26th.

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VILLAGE ATTORNEY KASSCHAU: This is  
19 presubmission hearing.

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ACTING CHAIR WALTON: Yeah. Okay.

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MEMBER CREEDON: So if I'm correct,  
22 we hear the submission and comments from the  
23 public.

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VILLAGE ATTORNEY KASSCHAU: That's  
25 right. This is broad conceptual ideas about

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what their plans are so that they can inform the Board as a prelude to the actual application, and the public has an opportunity to speak and be heard, and then we'll have a report that's issued after the presubmission hearing and then it moves on from there.

MEMBER TALERMAN: Okay.

MEMBER CREEDON: But no vote.

VILLAGE ATTORNEY KASSCHAU: Nope, no vote today.

MEMBER TALERMAN: We get this and we deliver a report and then formal submission is made.

VILLAGE ATTORNEY KASSCHAU: That's right.

MEMBER CREEDON: On the last couple of presubmissions they've gone over two meetings. I don't know if there is any reason for that or not. But they were carried over -- they were bigger projects, obviously, hotels and such.

ACTING CHAIR WALTON: And I think that was a direct function of the people speaking and, you know, the public's feedback.

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MEMBER CREEDON: Sure.

ACTING CHAIR WALTON: And so we don't yet know whether it will require an extension of this hearing. But the room isn't too crowded today, so it may be that we close the conference today, but then there is an actual application that has to be submitted. So it would just be the formal conference portion of it, but it depends on how the next part of the meeting goes.

Does that make sense? Am I saying that -- do I have that right?

VILLAGE ATTORNEY KASSCHAU: That's right. That's right. You will close the presubmission hearing, if there is no reason to keep it open. If there is a reason to keep it open, you'll continue the presubmission.

ACTING CHAIR WALTON: And the public would still have ten days to put something in writing; is that correct?

VILLAGE ATTORNEY KASSCHAU: I believe that's correct. I don't know off the top of my head, but I think that goes to the report that --



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ACTING CHAIR WALTON: Yes.

VILLAGE ATTORNEY KASSCHAU: -- so they'll accept both public testimony and any written submissions in relation to your presubmission report.

ACTING CHAIR WALTON: Yeah.

CLERK NOONE: I mean, this has to be noticed before we get any public comments, so.

VILLAGE ATTORNEY KASSCHAU: This is conceptual, this is not part of the formal process. It's a presubmission hearing, it's relatively new to the Code. It was just adopted, you know, within the last -- recently within the last six months or so.

ACTING CHAIR WALTON: Okay. So back to the applicant.

MR. BRENT PELTON: So we're looking forward to fully complying with the Entertainment Permit, but in doing so we'd like to update the site plan. So we're here today with the site plan showing amplified music and we are pleased, if there are any questions, I'm happy to respond. But

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otherwise, I'm hoping to move forward with it and be good neighbors and do everything we can to comply.

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ACTING CHAIR WALTON: So I guess I would like to start by just asking whether in looking at -- you know, I'd like you to address those three questions or points that, you know, what are the elements of the current site plan that was approved? Are there any things that have varied from that previous approval? And we already know for the third point, you know, proposed site plan changes, we already know that one of those is live music. So if you could address those because we want to confirm that the site plan is, in fact, current, that represents current conditions, and if it doesn't, you know, we want to hear about those today.

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MR. BRENT PELTON: Yeah.

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MEMBER TALERMAN: And amplified

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music.

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ACTING CHAIR WALTON: Live

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amplified music, meaning live music and other

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music that's not live amplified throughout the

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space.

MEMBER CREEDON: My reading of that previous agreement on the site plan -- is this the time for us to comment or no?

ACTING CHAIR WALTON: No, I think the applicant is still -- I have asked them to --

MEMBER CREEDON: Okay.

ACTING CHAIR WALTON: -- address those specific points.

MR. BRENT PELTON: To the three points, how things are different from the site plan? They have no speakers. It's very much -- it's very similar to this, there are some updated, the wood deck is a little bit -- now it's wood over the brick and there are a few minor variations, but it's largely the same as what this gentleman -- what was just submitted.

ACTING CHAIR WALTON: Are there any changes in use of -- in how the property is used?

MR. BRENT PELTON: There's the restaurant, there's the hotel rooms above,

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there's a retail shop, what was Bosso (phonetic) is now Black Llama, pizza place and it's all largely the same. It's not exactly the same, but it's largely quite similar. So no major changes in use.

ACTING CHAIR WALTON: So when the current -- when the previous site plan was approved, for example, was Bosso's -- was that space formally Bosso's not Black Llama, was that being used in the same manner that it is currently?

MR. BRENT PELTON: Largely so, yes.

ACTING CHAIR WALTON: Just as an example.

MR. BRENT PELTON: Largely so, yes.

ACTING CHAIR WALTON: Largely so, yes.

MR. BRENT PELTON: I mean, I don't know -- yes, they did prosciutto and they did meats and cheeses, but they had music and they served drinks, so yes, it's the same type of --

ACTING CHAIR WALTON: And they were served out on the deck area?

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MR. BRENT PELTON: Absolutely,  
absolutely.

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ACTING CHAIR WALTON: I think the  
configuration --

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MR. BRENT PELTON: They had both  
sides of the deck.

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ACTING CHAIR WALTON: Is that  
reflected in the current site plan?

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MR. BRENT PELTON: Yes.

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MEMBER TALERMAN: I'm looking at  
it, yes.

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MEMBER CREEDON: Is there lighting?

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MR. BRENT PELTON: I mean, yes,  
it's the menu.

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MEMBER CREEDON: Okay. Not much.

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MR. BRENT PELTON: Yeah, not that  
much. I mean, I don't know how picky we want  
to be, but there are some minor modifications,  
we're going back nine years.

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MEMBER CREEDON: I don't think  
we're interested if you moved chairs around or  
changed the menu.

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MR. BRENT PELTON: Yeah, so I think  
that it's all the same usage.

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ACTING CHAIR WALTON: Yeah. I was just noting that, you know, the patio for the restaurant shows dining area, you know. It says the wood deck for Black Llama is not -- and I just -- again, I'm out of my element here, I have to defer to Counsel as to whether or not that constitutes, you know, that needs to be reflected in a revised site plan.

VILLAGE ATTORNEY KASSCHAU: Well, that's what they're going to do after the presubmission report after the hearing is closed, right?

ACTING CHAIR WALTON: So we'll give guidance on that.

VILLAGE ATTORNEY KASSCHAU: Yes. There will be a presubmission report, you'll give feedback, it will inform their application, which is I think helpful for them, and they'll be able to move forward. The point of this today is to flush out what issues there are, hear from the public, hear from the applicant to see whether they have, you know, any different approach, whether their layout is going to be different. Help

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2 you inform your presubmission report so that  
3 you can give that feedback, coupled with what  
4 the public comment and they can make  
5 modifications or if they want to submit the  
6 application.

7 ACTING CHAIR WALTON: So I think  
8 it's hard to do standing here today on your  
9 phone, but I think in order to produce that  
10 report, which according to the Code we are  
11 responsible for doing, we'll need greater  
12 detail in terms of understanding what the  
13 differences are between what was approved and  
14 how it's now being used. Doesn't mean that  
15 there's anything wrong with those, but we  
16 would need to know if any of them constitute,  
17 you know, a significant change in the site  
18 plan that needs to be reflected. So is that  
19 clear?

20 MEMBER TALERMAN: If I may? In  
21 looking at this site plan, to be very  
22 specific, where the space that Black Llama is  
23 it shows clearly the domination of the space  
24 and the two wooden decks, but what's not on  
25 the site plan is the use of the space,

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meaning, in the interior space this is used for X and Y. You do that successfully on the brick patio, it says outdoor dining. So in each of the spaces as I'm reviewing this, I can see that the two-story existing frame building might indicate, to be more clear, ground floor dining, indoor dining, upper floors hotel or residences, however one delineates what that is.

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So I think throughout this map being very clear that the wood deck affiliated with where the Black Llama is should say if you plan to serve food or drink out there, dining, then same with the other, the wood deck and the other side.

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MR. BRENT PELTON: Okay.

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MEMBER TALERMAN: So that your site plan demonstrates the usage of each of the spaces such that it's clear to us. I know this one now has speakers on it, too, and I have a few questions about that. I'll defer until we're at that point. But hopefully that clarifies what we mean.

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MR. BRENT PELTON: So we will just



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2 get in an updated site plan. This is the  
3 presubmission, but between now and the next  
4 hearing we'll have an updated site plan,  
5 proposed site plan.

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MEMBER TALERMAN: Before the next  
7 hearing.

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MR. BRENT PELTON: Exactly.

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MEMBER TALERMAN: From this.

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MR. BRENT PELTON: That will say  
11 outdoor dining, etcetera.

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ACTING CHAIR WALTON: Reflect  
13 current conditions.

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MEMBER CREEDON: And speak to  
15 Mr. Noone about the adequate time you need to  
16 submit it prior to.

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ACTING CHAIR WALTON: Right. And  
18 we can work that out depending on when we  
19 receive things and it's noticed and we can  
20 work that out.

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MR. BRENT PELTON: Perfect.

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ACTING CHAIR WALTON: So now would  
23 be the time that you had a question?

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MEMBER TALERMAN: Sure, I do.

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As a point of guidance, you

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2 indicate the front and the back of speakers  
3 and locations, thoughtfully with a triangle,  
4 and one of the issues with a triangle is  
5 sometimes it's hard to figure out which point  
6 is which. So there are a few places that are,  
7 in my mind, a little more sensitive than other  
8 places, and those are places where the  
9 speakers is not buffered by a building, it's  
10 sort of on the ex -- towards the exterior of  
11 your space. So on the brick patio, for  
12 instance, I might be able to assume you mean  
13 those two speakers are pointing in, but if  
14 you're more explicit than just the shape  
15 'cause the triangle is confusing, you can take  
16 anything almost as the front or the back. If  
17 you mark the front of the speaker and the back  
18 of the speaker --

19 MR. BRENT PELTON: Absolutely.

20 MEMBER TALERMAN: -- it will be way  
21 more efficient for me to say you've taken all  
22 the measures, the sound is pointed in the  
23 direction that I'm assuming it should be. So  
24 just, again, just a little more explicitness  
25 on this map will be helpful (referring).

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MR. BRENT PELTON: Absolutely.

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MR. BRIAN DOYLE: Sound buffering.

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MR. BRENT PELTON: Yeah, we did put up some sound curtains and we'll show those on the site plan.

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MEMBER TALERMAN: Fantastic.

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And the last thing I'll say is, from the presubmission we will share a report with you so you have our comments in writing.

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ACTING CHAIR WALTON: That's

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correct.

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VILLAGE ATTORNEY KASSCHAU: Mm-hmm.

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MEMBER TALERMAN: And I will note that some of my comments will just identify any speakers where I feel like you want to address very specifically how this sound buffering will work. Again, that's because you've got speakers in the interior of the space and it's very clear they're not by the street, they're not anywhere in proximity to neighbors, but there are a few where you're adjacent. So I'll make sure to note the handful of speakers where you guys should definitely demonstrate how you're gonna deal

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with buffering that.

MR. BRENT PELTON: Absolutely.

ACTING CHAIR WALTON: Dan?

MEMBER CREEDON: Yeah. I know that we turned that music off on Main Street. The chairwoman obviously had mentioned to you we appreciate that, even though I know some of the other people may not have done so. I remember she also recommended to you that, you know, say that you would comply with the Code rather than giving certain times --

MR. BRENT PELTON: Absolutely.

MEMBER CREEDON: -- on this. And this is not a criticism but maybe a suggestion. On this substantial paper that you use, you have both weekday entertainment will cease no later than 9 or 10 p.m. Then down here it says you will comply with the Code. So I think that that was just recommendations to say that you would comply with the Code. But I don't want to put words in your mouth. You can do what you want.

MR. BRENT PELTON: We'll comply with the Code then.

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MEMBER CREEDON: And I don't want to misrepresent because it's just something that I noticed.

The other thing is more problematic. You have a site plan -- a site plan now, approved site plan that doesn't prohibit live music, to my knowledge, just amplified music. So you can have live music with no application and not need anything but an Entertainment Permit, you wouldn't need a site plan revision.

I forget what year it was, but it was five, six, seven years ago, whenever it was, where on that site plan your business and the Village agreed no amplified music. And I don't know what the process was, I wasn't involved, I don't know if there was a lot of residents who had something to say, or the Village was representing them or you were trying to respond to them, but I think it's a disservice to Village residents to change that site plan. That approval apparently came with that stipulation and that agreement by both sides, and I don't think it prohibits you from

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playing music, just amplified music. So I don't think that that would be in good faith to change that aspect, and I know that's one change, but that's my point of view on that.

ACTING CHAIR WALTON: Any other --

MEMBER CREEDON: No.

ACTING CHAIR WALTON: -- comments?

MEMBER CREEDON: Not from me.

ACTING CHAIR WALTON: I will now open it up to the public to address the Board. If there are members of the public speaking, please remember to state your name and address for the record, and state any association with the applicant, please also disclose that.

MS. LORRAINE KREHLING: Hi, I'm Lorraine Krehling, Central Avenue. I'm a Quaker, and we have this thing in Quaker meeting when we say this friend that speak my mind when Daniel spoke. Um, yeah, we have a deal with the public. We did have quite a bit of, um, back and forth about outdoor music, including with the restaurant next door, and they agreed not to have it, American Beech agreed not to have it and that's what's in the

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2 contract. And, um, they've already violated  
3 the contract. I'm sorry, I mean, it's a  
4 beautiful place, the food is great, everyone  
5 is nice, but a contract is a contract with the  
6 Village. And when you renege on your contract,  
7 you don't get to then revise it because you  
8 want to do it the other way. So that's really  
9 all I have to say. You know, there were many  
10 times when there was a lot of very loud music  
11 coming out of there last summer, and, again,  
12 if someone wants to have a fundraiser, God  
13 bless you, get a special permit, do it, but I  
14 really don't want to listen. You know, you're  
15 really on top of our neighborhood, that is  
16 American Beech, you're really on top of our  
17 neighborhood. And some of us like quiet  
18 dinners, you know? I really like silence and  
19 birds, honestly, and classical music, which  
20 you really can't hear with somebody banging  
21 away with, you know, the drums. So that's all  
22 I have to say.

23 ACTING CHAIR WALTON: Thank you.  
24 Please. Sorry, Ruth.

25 MR. IAN WILE: Sorry, I didn't see

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you.

MS. RUTH SHANK: That's all right.

MR. IAN WILE: Hi, sorry. Ian Wile, 234 Fifth Avenue. I apologize for the late entry. I was watching you all on TV and then I was stuck at my place. So I was watching some of it. I would like to, um, speak a little bit on behalf of the applicant and also some perspective.

I think I can remember 22 years ago when we first moved here going to some fairly I think raucous dance nights at Bay and Main, it's still Bay and Main. Clearly there has been noise from that property for well over a generation. That said, I remember from full tear down, I walked through that property when Brent, you know, stared into the abyss over there and saved that building. And I've been very proud as a resident to participate and enjoy what, you know, I find them to be very community minded. So I don't think there's any indication of, you know, ill intent, if there's concern about that in terms of concern for their neighborhood. It's always been from



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the very first day, now, some time ago, um, conversations about what Greenport needs.

So I feel like any site plan revision should reflect that. I think that if you're going through this process that is a new approach to rectify any of your outstanding concerns.

And then the other part that I have to say is, I'm not really sure, I think residents are still trying to -- and I think this Board is still trying to understand how the Entertainment Permit process will work, and it clearly is triggered this as a site plan review in order to get that Entertainment Permit reviewed. And one of the things that I was trying to wrestle with as I was watching the first applicant through here is I understand Claudio's Entertainment Permit was approved with a conditional site plan that would have a million other things on it. And I'm interested why this particular one puts this cart first? You know, to me that was interesting and I'm just trying to learn about it as a resident and as a business owner, you

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2 know, what -- kind of following along with  
3 what the new process is, what -- what opens  
4 up. I think what we all know is that things  
5 change over a decade, and that, you know, this  
6 podium has moved 100 million times since it's  
7 been in here but nobody has written down where  
8 it goes, right? We move things, we move  
9 tables, we change things as a result of  
10 banging our knee on the same table over and  
11 over again, and that's part of the new Code  
12 and that's what we've been enjoying, opening  
13 up those books and making material changes to  
14 Code.

15 I think this appears to be a good  
16 faith application. I know the Entertainment  
17 Permit was a good faith application, and I  
18 will just restate forever and ever and ever  
19 that this property is in a Commercial  
20 District, it's had music in a lively dance  
21 platform. For the number of people who told  
22 me about Symmetry before I got here plus Bay  
23 and Main, plus American Beech has been a long  
24 time as a community gathering space with music  
25 and drink and food, and I for one am proud of

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this iteration as a resident.

Thank you.

ACTING CHAIR WALTON: Thank you.

Is there anyone else from the public who would like to speak?

MS. RUTH SHANK: My name is Ruth Shank, 320 Carpenter Street, Greenport, New York. I live right behind American Beech on the corner, and I just want to say, I respect what they did when they restored the property, saved the building, but promises and promises and promises if they're not fulfilled are meaningless. And I've heard other people stand up here and say I'm gonna do everything, I'm gonna do this, I'm gonna do that, I'm going to abide by the Code and then it doesn't happen. I'm hoping that this new permit that you're coming up with is gonna put a stop to that. But over the last ten years I have over 50 pictures on my phone of garbage and trash behind American Beech and I'm really tired of it. So clean up the back of the building as well as the front. I don't think it's asking too much.

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Thank you.

ACTING CHAIR WALTON: Thank you.

Any further comments from the public?

MS. LORRAINE KREHLING: Symmetry was indoor music.

ACTING CHAIR WALTON: I'd like to thank the applicants for the time and presentation today and the public for being here and for their comments. We look forward to receiving some supplemental information which could be very helpful to us as described earlier in preparing our, we refer to it as a 45 day report. I don't anticipate it's going to take 45 days in this case, because there's less -- it's not a brand new site plan at presubmission.

So since there is no additional comment from the public and no additional comment from the Board at this time --

MR. BRIAN DOYLE: May I make a quick comment?

ACTING CHAIR WALTON: May Brian make a comment?

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VILLAGE ATTORNEY KASSCHAU: Yeah,  
absolutely.

MR. BRIAN DOYLE: Hi. Brian Doyle,  
417 Main Street and also an employee of  
American Beech. Really quickly, won't address  
this to members of the public, I came to  
address the Board, but after hearing comments  
made, I would agree a promise not fulfilled is  
a promise broken, but I can't speak to the  
actions of the past or those responsible.

I have been a GM since 2021, there  
were still other managers at play. I can only  
speak to the actions going forward and going  
forward, you know, I can't change the past,  
but I do endeavor to change the future and our  
behavior. We want to be in compliance. We  
want to respect the neighbors, but it's true,  
our business evolved through the years. I  
started off eight years ago, true, I was a  
bartender at the time, um, so all my focus and  
responsibility was just serving drinks and  
smiling, which had its place. But, yeah, I  
think we will endeavor to do better, but we do  
need the chance to do so.

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So I thank members of the public for their time and for coming forward and I thank the Board for its time as well.

Thank you.

ACTING CHAIR WALTON: Thank you.

And as I was saying, we look forward to receiving some supplemental information and also continuing the discussion and the action on this important project. No Motion or action that is taken -- or we do have to actually --

VILLAGE ATTORNEY KASSCHAU: If you don't --

ACTING CHAIR WALTON: -- close the -- right.

VILLAGE ATTORNEY KASSCHAU: So if you don't need any additional information for this presubmission hearing, you can close the hearing and then it would trigger the timeframe within which the Board to produce that presubmission report.

ACTING CHAIR WALTON: Right. So to that point, since we have asked for some additional information relating to existing

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conditions or that's not -- that will just be helpful in formulating the report, so --

VILLAGE ATTORNEY KASSCHAU: You could keep it open for that purpose or you can request that they submit it to you, you know, soon.

ACTING CHAIR WALTON: I think it makes sense to request that they submit it so that we can expedite the report back to them.

MEMBER TALERMAN: But then we would need another meeting before we close this part.

ACTING CHAIR WALTON: Then we would receive --

MEMBER TALERMAN: We could close this part --

ACTING CHAIR WALTON: That's what I'm saying.

MEMBER TALERMAN: -- now.

ACTING CHAIR WALTON: So what I'm saying is, we close the presubmission conference now --

MEMBER TALERMAN: Yes.

ACTING CHAIR WALTON: -- but we will

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still receive some additional information that will be helpful in preparing our response back to the applicant.

VILLAGE ATTORNEY KASSCHAU: And if you don't receive that information it will be included in your report.

ACTING CHAIR WALTON: It would.

MEMBER CREEDON: You're talking about the ten days that the public has to submit --

MEMBER TALERMAN: No.

MEMBER CREEDON: -- any information?

MEMBER TALERMAN: And the additional information that the applicant needs to submit to us.

MEMBER CREEDON: Right. But that would come on the actual submission, wouldn't it?

MEMBER TALERMAN: We'd like it to come before so we could make a report referencing updated documents, rather than waiting for the actual submission.

ACTING CHAIR WALTON: We would,



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though, then also I believe there's a ten-day period in which the public, you know, to your point, Dan.

MEMBER CREEDON: Yeah, yes.

ACTING CHAIR WALTON: There is a ten-day period.

MEMBER CREEDON: If what you just said would mean that they would be submitting two more times to us.

VILLAGE ATTORNEY KASSCHAU: So what the process is is, if we're done with the public comment today and you don't have any additional questions or there is no additional information that the applicant would, you know, like to present to the Board, you can close the presubmission hearing today. That will trigger the 45 days within which the Board has to prepare the report.

Now, you've asked for information that would help, you know, inform that report. If they don't provide that information in response to the feedback that they received today, that will be, I'm sure, reflected in your report to them, so that when they make

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their application, their formal application, then, you know, it will be included with that application when it's formally, you know, introduced to the Board for Public Hearing.

MEMBER CREEDON: So I guess it begs the question then that we have -- if we close this presubmission here, we have 45 days to get back to the applicant with our report, but we don't have to take the full 45 days, that report can be produced --

VILLAGE ATTORNEY KASSCHAU: Yeah, right.

ACTING CHAIR WALTON: Right.

MEMBER CREEDON: -- within ten days. So what's the timeframe for the applicant to get back with addressing those concerns with that 45 days?

VILLAGE ATTORNEY KASSCHAU: Well, it would need to be included in there in order to increase the likelihood of that it gets approved by the Board, it would be part of their formal application.

MEMBER CREEDON: So it would come after the issuing the report?

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VILLAGE ATTORNEY KASSCHAU: That's right. Your report is essentially, here's some constructive feedback that would help us approve your report. So it's done as an opportunity for the applicant to help inform conceptually what their plans are.

MEMBER CREEDON: Right.

VILLAGE ATTORNEY KASSCHAU: And then, you know, there's some feedback from both the public, from both the Board Members. Based on that feedback, the Board will develop this report, which it has 45 days to do, it could be done earlier. They'll use that information in hopes that they take the consideration that you've given them as part of what they're going to submit as a formal application to the Board subject to Public Hearing and ultimate approval.

MEMBER CREEDON: Right.

VILLAGE ATTORNEY KASSCHAU: Does that make sense?

MEMBER CREEDON: So they basically, they have two things before us then, a site plan application change and then --

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ACTING CHAIR WALTON: Not yet.

MEMBER CREEDON: Well, not yet, but  
and then after that an Entertainment Permit  
cause they haven't submitted one, correct?  
Because they --

ACTING CHAIR WALTON: They withdrew  
the previous application.

MEMBER CREEDON: They withdraw it  
because of the sound amplification. So I'm  
guessing they're coming back to us with two  
things, one has to be approved before the  
other.

MEMBER TALERMAN: Or maybe  
coincidentally.

ACTING CHAIR WALTON: I think  
they --

VILLAGE ATTORNEY KASSCHAU: I mean,  
you saw what happened with Claudio's a moment  
ago, to answer your question, sir.

ACTING CHAIR WALTON: Yeah.

VILLAGE ATTORNEY KASSCHAU: You  
know, they could come with both, they could  
come with one, it could be conditioned upon  
the other, but this is an opportunity to have

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that feedback so that it's, you know, intended to be a, you know, timesaving measure insofar as they get the feedback on the front end and they're able to submit an application --

MEMBER CREEDON: Right.

VILLAGE ATTORNEY KASSCHAU: -- and get it right the first time, so to speak.

MEMBER CREEDON: This time it would be conditioned upon our action not the applicants, correct?

VILLAGE ATTORNEY KASSCHAU: No.

ACTING CHAIR WALTON: Hopefully it wouldn't have to be conditioned on anything.

MEMBER CREEDON: Well, they can't submit that Entertainment Application in the way they would like if we don't approve the change in the site plan.

VILLAGE ATTORNEY KASSCHAU: That's right. That's exactly what just happened with Claudio's, right?

MEMBER CREEDON: Right.

VILLAGE ATTORNEY KASSCHAU: So there was an Entertainment Application based on existing site plan, but they are filing a

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new one --

MEMBER TALERMAN: Which is  
conditionally approved.

VILLAGE ATTORNEY KASSCHAU: -- they  
approved the Entertainment Permit conditioned  
upon the approval of the site plan.

MEMBER CREEDON: Right. But they  
have certain conditions to comply with the  
Code. I don't think that's the case here.  
Nobody suggested that they're out of  
compliance.

ACTING CHAIR WALTON: We don't know  
that.

VILLAGE ATTORNEY KASSCHAU: We  
haven't seen the site plan yet.

ACTING CHAIR WALTON: Right. We  
won't know that until we see the site plan.  
But I think it is possible that they could  
submit the site plan and the Entertainment  
Permit and have them be considered together.

MEMBER CREEDON: Well, maybe at the  
same meeting, but one before the other.

ACTING CHAIR WALTON: One before  
the other, yes. One would have -- the site

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plan would have to be approved, otherwise, it would have been conditional, but if they are at same meeting you might as well do it in the right order.

MEMBER CREEDON: Right.

ACTING CHAIR WALTON: Okay. So with that, I guess I would make a Motion to --

VILLAGE ATTORNEY KASSCHAU: Close the presubmission hearing.

ACTING CHAIR WALTON: -- close the presubmission hearing, if that's what you want to do.

MEMBER TALERMAN: Second.

ACTING CHAIR WALTON: All in favor?

(All Ayes.)

ACTING CHAIR WALTON: Okay. So the next item on the agenda would be any other Planning Board business that might come properly before the Board.

Does anyone on the Board have any other business they wish to discuss?

MEMBER CREEDON: I don't.

MEMBER TALERMAN: No.

ACTING CHAIR WALTON: In that case,

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I make a Motion to adjourn this meeting.

Do I have a second?

MEMBER CREEDON: Sure, second.

ACTING CHAIR WALTON: All in favor?

MEMBER CREEDON: Aye.

MEMBER TALERMAN: Aye.

ACTING CHAIR WALTON: Thank you.

And thank you all.

MEMBER TALERMAN: Thank you.

MEMBER CREEDON: Thank you.

(The Time Noted is 5:53 p.m.)



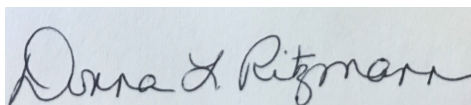
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CERTIFICATION

I, DONNA L. RITZMANN, a Notary Public  
in and for the State of New York, do hereby  
certify:

THAT the foregoing is a true and  
accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 2nd day of April, 2024.



\_\_\_\_\_  
DONNA L. RITZMANN