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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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ZONING BOARD OF APPEALS

REGULAR SESSION

-----x

Third Street Firehouse
Greenport, New York

February 19, 2019
6:00 p.m.

B E F O R E:

JOHN SALADINO - CHAIRMAN

DAVID CORWIN - MEMBER

ELLEN NEFF - MEMBER

DINI GORDON - MEMBER

ARTHUR TASKER - MEMBER

ROBERT CONNOLLY - ZONING BOARD ATTORNEY

PAUL PALLAS - VILLAGE ADMINISTRATOR

KRISTINA LINGG - CLERK TO THE BOARD

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1
2 CHAIRMAN SALADINO: Good evening,
3 folks. This is the Village of Greenport
4 Zoning Board of Appeals Regular Meeting.

5 Item Number 1 is a motion to accept the
6 minutes of the January 15, 2019 Zoning Board
7 of Appeals meeting.

8 So moved.

9 MR. TASKER: Second.

10 CHAIRMAN SALADINO: All in favor?

11 MS. GORDON: Aye.

12 MR. TASKER: Aye.

13 MR. CORWIN: Aye.

14 MS. NEFF: Aye.

15 CHAIRMAN SALADINO: And I'll vote aye.

16 Item Number 2 is a motion to approve
17 the minutes of the December 18, 2018 Zoning
18 Board of Appeals meeting.

19 So moved.

20 MR. TASKER: Second.

21 CHAIRMAN SALADINO: All in favor?

22 MS. GORDON: Aye.

23 MR. TASKER: Aye.

24 MS. NEFF: Aye.

25 CHAIRMAN SALADINO: And I'll vote aye.

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Any abstentions?

MR. CORWIN: Abstain.

CHAIRMAN SALADINO: Item Number 3 is a motion to schedule the next Zoning Board of Appeals meeting for Tuesday, March 19, 2019 at 6:00 p.m. at the Old Schoolhouse on Front Street, Greenport, New York 11944.

For those that are wondering why, there is an election that night. They thought the election was more important than the Zoning Board meeting.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MR. TASKER: Aye.

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

Item Number 4 is a public hearing regarding the area variances applied for by the Miller Family Trust for the property located at 424 Fourth Street, Greenport, New York 11944.

Suffolk County Tax Map number is

Flynn Stenography & Transcription Service
(631) 727-1107

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1001-6-6-18.1.

For those that are interested, the public notice is attached to the agenda, and we are going to --

We have some mailings we're gonna read.

The applicant is here. Her representative is here.

The notice was published, right?

MS. LINGG: Yes.

CHAIRMAN SALADINO: We're gonna read the mailings.

We have Darice Clark, 8145 Alvahs Lane, Cutchogue, New York; Walter Burden III, Post Office Box 304, Greenport, New York; John Macomber, Jr., 421 Fourth Street, Greenport, New York; Angela Thornton, 403 Fourth Street, Greenport, New York; Long Island Railroad Company, care of North Ferry Company, Post Office Box 589, Shelter Island, New York; 345 Wiggins Street LLC, 46 Sea Cliff Avenue, Sea Cliff, New York; Northfork Housing Alliance, 116 South Street, Greenport, New York 11944; Walter Tilford, 10 Oak Place, Bayville, New York;

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1 Long Island Reliable Corp., Post Office Box
2 1238, Cutchogue, New York; Manta Ray
3 Properties LLC, 88 Morningside Avenue, New
4 York, New York; Carole Monsell, 525 First
5 Street, Greenport New York; Karrie Robinson,
6 424 Fourth Street, Greenport New York.
7

8 I'm not sure how to read --

9 Debra A. Roth, 15 West 72nd Street, New
10 York, New York; Bernice Legette, 405 Fourth
11 Street, Greenvale, New York; Jean Stratton,
12 424D Fourth Street, Post Office Box 483,
13 Greenport, New York.

14 Before we let the applicant -- or
15 should we let the applicant --

16 I have a letter from some neighbors.
17 This is dated February 12, 2019 to the
18 Greenport Zoning Board of Appeals.

19 We are the undersigned neighbors of the
20 Harbor Knoll Bed & Breakfast. We the
21 undersigned neighbors of the Harbor Knoll
22 Bed & Breakfast strongly object to the
23 granting of the variance being requested.

24 The request for the variance is an
25 attempt to skirt around the codes and

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1 regulations that govern bed & breakfasts in
2 the Village of Greenport which allow a
3 maximum of three rooms and the serving of
4 breakfast, period. These codes and
5 regulations were adopted to protect the
6 residential character of the neighborhood
7 and the property rights of the residents
8 surrounding the bed & breakfast.
9

10 From the day the Millers were granted
11 this privilege of the special use permit to
12 run a bed & breakfast in their home, they
13 have consistently abused the privilege.
14 They have misinterpreted the bed & breakfast
15 permit to mean that they have the right to
16 run a commercial inn on their property.
17 They even advertise Harbor Knoll as an Inn.

18 Over the years, they have routinely
19 rented up to six rooms, two on the third
20 floor in violation of the fire code. They
21 have catered numerous weddings at the bed &
22 breakfast, advertising the wedding business
23 with a slick brochure online. They offer
24 the serving of dinner at the bed & breakfast
25 and the chartering of a twenty-eight-foot

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2 sailboat from their dock, holding yoga
3 classes, advertising to hold special events
4 at the bed & breakfast, all in violation of
5 the conditions of the special use permit.
6 They seem or choose to forget that this is a
7 private home in a residential area, not a
8 commercial establishment.

9 The presence of Harbor Knoll Bed &
10 Breakfast, which is located in a residential
11 area on a very narrow right-of-way passable
12 by only one car at a time and shared with
13 four other homes, has already negatively
14 changed the character of our neighborhood
15 with increased traffic from the bed &
16 breakfast guests coming and going, trucks
17 making deliveries. There is a loss of
18 privacy and quality of life with strangers
19 constantly around.

20 A bed & breakfast with five rooms is
21 clearly a commercial business. You can't be
22 renting five rooms in your home with ten
23 strangers sleeping in your beds and having
24 this be incidental and subordinate to being
25 in your home which is a condition of the bed

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2 & breakfast permit.

3 This is not fair to the residents
4 surrounding the bed & breakfast who have the
5 given right of peaceful enjoyment of their
6 property. By allowing bed & breakfasts to
7 morph into commercial inns in residential
8 neighborhoods, residents rights are being
9 ignored. A bed & breakfast should remain
10 the renting of three rooms and serving of
11 breakfast in your home, period; otherwise,
12 it is just unfair to the neighbors.

13 We don't think the Millers should be
14 rewarded for abusing their special use
15 permit by legally allowing them to rent five
16 rooms. This will also set a very bad
17 precedent.

18 It is for all these reasons that we are
19 strongly opposing the above variance which
20 would further commercialize and deteriorate
21 our quality of life.

22 This is signed by Karrie Robinson, 424
23 Fourth Street, and Walter and Ken Tilford
24 also 424 Fourth Street.

25 And there was a packet enclosed of

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1 supporting documents that I don't think we
2 have to read.

3
4 Is that all we have from the neighbors?

5 MS. LINGG: Yes.

6 CHAIRMAN SALADINO: I think having read
7 that, we can hear from the applicant.

8 MS. MOORE: If I could get a copy of
9 that letter.

10 (Ms. Moore handing out papers to
11 members of the Board, Mr. Connolly, Mr.
12 Pallas and Ms. Lingg.)

13 You have our written request for the
14 addition of two rooms to what is already a
15 three-bedroom B&B.

16 To begin with, I wanted to put on the
17 record the character of the neighborhood and
18 the rental of both Airbnbs in the
19 neighborhood, VRBO and the general rental
20 properties in the area. We took from public
21 records and access to VRBO and B&B
22 advertisements, certainly it's a little
23 early in the season, so there may be more;
24 but what we did is identify for you what
25 appears to be from advertisements, the, very

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2 common now, listings of Airbnbs and VRBOs.

3 In addition -- I have two pages.

4 That's the first page.

5 And then the second page, I give you a
6 description based on the assessor's records
7 which shows the primary, a property that has
8 the primary address also at the property, so
9 we can assume it's being owner occupied;
10 then in blue, second homes; in pink, it
11 shows you owned by a group or LLC; and then
12 I show you where Harbor Knoll B&B is located
13 on the second sheet.

14 Returning to the first sheet that I
15 gave you. On this block, you have the
16 Harbor Knoll B&B on the south side of the
17 road; and on the north side of the road, you
18 have, the first house is a two-family house,
19 then you have -- which is tax lot 14; then
20 you have tax lot 15 which similarly is a
21 two-family house and it is currently rented
22 as a two-family house; then from the
23 records, we couldn't see anything more than
24 single-family for tax lot 16 and 17.

25 So you can see that this street has

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2 homes that were originally single-family
3 homes that have been converted to two-family
4 homes; and certainly because there is no
5 review process, any vehicles, any parking
6 has never been reviewed. So as far as
7 traffic onto the street, the B&B is -- this
8 B&B is actually a ten-bedroom home, and if
9 it was one-family not operating a B&B,
10 certainly if you occupy it from one room to
11 another as an entire family, it would be
12 quite a large family.

13 In this case, Mrs. Miller and her
14 husband, her husband is disabled right now,
15 and she is the only one home. He doesn't
16 drive. They have one car between all of
17 them.

18 And the B&B has been operating there
19 under the terms of the conditional permit
20 for many years. I gave you in writing how
21 we, in fact, do conform with the B&B
22 regulations and the description of the
23 conditions that are required, and that I
24 gave to you already in writing.

25 So I'd like to address really what

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2 has developed as something of an issue since
3 short-term rentals were added to the code.
4 In September of 2018 under Local Law number
5 8, the Village provided for owner-occupied
6 homes excluding B&Bs because they were
7 already regulated under the Zoning Board's
8 provision, so single-family homes that
9 wanted to rent would have to get a rental
10 permit and then their limitations on the
11 number of rentals would really be subject to
12 state building code. That would be about
13 the only limitation that they would possibly
14 face. That would be something up to the
15 Building Department when they issue the
16 rental permit because if a ten-bedroom home
17 rented more -- as an owner occupied, okay,
18 let's keep in mind that what we're talking
19 about on the short-term rental is
20 owner-occupied. Whether it's a two-family
21 or a single-family, the state building code
22 says they can rent up to five rooms and
23 still be considered a residential use and
24 still be able to operate under the state
25 building code, the international residential

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2 code which is the state building code for
3 residences, it's only if a property was
4 non-owner occupied and it could be
5 considered a boarding house, but again, has
6 to be non-owner occupied so it would not
7 qualify under the short-term rental. So the
8 provisions of the short-term rentals that
9 were adopted has undercut and has really
10 turned the B&B use upside down because what
11 you have is owners of B&Bs that are, again,
12 owner occupied coming in for approval from
13 the Zoning Board of Appeals through a pretty
14 rigorous process and a Planning Board site
15 plan review, and really there is absolutely
16 no difference between a B&B and short-term
17 rental. The only difference being that a
18 B&B would not have to get a rental permit,
19 it would have to operate under the B&B
20 regulations and the inspections that the
21 Building Department may undertake for a B&B.

22 That has been a significant issue
23 here, treating two homeowners unequally.
24 You have an owner of a B&B that is being
25 treated differently than a homeowner that

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2 can rent five individual rooms to ten
3 nonowner individuals but they are not put
4 through any paces other than just a typical
5 rental permit, which you give them a floor
6 plan, you'd show them where the rooms are
7 and then you'd operate under VRBO or Airbnb
8 or whatever, or your own private, you know,
9 word of mouth.

10 So with respect to this B&B
11 application, we came to this Board and made
12 an application for a B&B to try to present
13 the application in the most conservative way
14 which is as a B&B; but, quite frankly, she
15 could rent it under VRBO and it has
16 absolutely no limitations as long as it did
17 not exceed the number of rooms that the
18 state building code would limit you to.

19 There is very little to say, very
20 little more to say with respect to renting
21 two additional rooms.

22 One of the rooms, I think we've
23 provided you the description. The one extra
24 room is on the second floor which is with
25 the other three rooms that are already

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2 there. And the Board is very familiar with
3 that extra cottage that we had to remove the
4 kitchen in order to make it an additional
5 bedroom to the single-family house; so that
6 would be the extra room.

7 So, in total, when you are, really
8 the amount of change to the character of the
9 neighborhood, there is no change to the
10 character of the neighborhood by having the
11 two additional rooms rented. Those are --
12 there is certainly enough property. There
13 is enough parking. The road is passable.

14 And certainly if the neighbors
15 had -- if there is any issues with respect
16 to parking, it is only with respect to their
17 home because this property has it's own
18 parking area.

19 So we hope that you will grant the
20 additional two rooms. I know the Fordham
21 House, we went through this process in good
22 faith with the process that the Fordham
23 House had go through. If you recall, the
24 Fordham House really only had one extra room
25 that they could rent with the owner being on

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2 premises. They had to provide for one of
3 the rooms that was not in the basement for
4 the homeowner, and that that left one room
5 for additional rental; so that was the one
6 example that you raised last time I was
7 here, that you said, well, we only gave them
8 one extra room. That's true because they
9 only had one extra room that they could
10 possibly use as an extra B&B room.

11 CHAIRMAN SALADINO: We were only
12 correcting the record.

13 MS. MOORE: Pardon?

14 CHAIRMAN SALADINO: I said, by saying
15 that, we were only correcting the record.

16 MS. MOORE: Okay.

17 I'm here really to answer any
18 additional questions you might have. The
19 paperwork is pretty straight forward. I
20 think that the circumstances certainly have
21 changes significantly with respect to the
22 short-term rental provision.

23 I really think the Village is doing a
24 disservice to the B&B community by not
25 making B&B legislation a matter of allowing

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2 for the five rooms without that extra
3 variance hurdle to go through; but that is a
4 matter for the Trustees to consider, that's
5 not your purview. You have to address this
6 with respect to the standards of the B&B,
7 and we're here to answer whatever questions
8 you might have.

9 CHAIRMAN SALADINO: Members, any
10 questions for Ms. Moore?

11 (No response.)

12 Thank you.

13 MS. MOORE: That's it?

14 Okay.

15 CHAIRMAN SALADINO: Is there anyone
16 from the public that would like to speak?

17 MS. WALOSKI: Hello. My name is
18 Caroline Waloski. I live at 515 Main
19 Street.

20 I think that I would like to see a
21 house as large as Harbor Knoll that can
22 really accommodate an extra two bedrooms
23 without causing any problems to the
24 community but bringing in more people who
25 are staying a longer time in our Village,

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2 other than just day trippers and I would
3 love to see Harbor Knoll granted the extra
4 space.

5 Thank you.

6 CHAIRMAN SALADINO: Anyone else?

7 MS. LATHEN: I'm Sarah Lathem. I live
8 817 Main Street which is the Fordham House.

9 And I'm here tonight in support of the
10 Miller family's request to increase the
11 number of rooms at their B&B from three to
12 five.

13 As a member of the community of the
14 Village of Greenport, I was very happy with
15 the changes the Village Board made to the
16 code regarding short-term rentals.

17 As a bed & breakfast owner, however, I
18 feel that the existing code regarding bed &
19 breakfasts continues to put us at a
20 disadvantage. In fact, it is not clear to
21 me what the distinction is between a bed &
22 breakfast and a single-family home, which is
23 allowed by code to rent a portion of the
24 house, the remainder of which is owner
25 occupied or is occupied as a longterm

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2 occupancy; but, as Ms. Moore stated, that
3 would be a Village Trustee issue, but I just
4 want to bring that up, as well.

5 It's my understanding that the rooms
6 the Miller family is proposing to add to
7 their existing rental rooms are the
8 appropriate size for a bedroom within the
9 code. They also have adequate parking,
10 another restriction placed on bed &
11 breakfast and not short-term rental;
12 therefore, I feel strongly that the Board
13 should allow them to increase the number of
14 rooms at their bed & breakfast from three to
15 five.

16 Thank you.

17 CHAIRMAN SALADINO: Thank you.

18 Is there anyone else from the public
19 that would like to speak?

20 MS. ALLEN: Chatty Allen, Third Street.

21 I'm mixed with this. Yes, there is
22 enough room, but I have also been through
23 meetings where I've heard some of the issues
24 that have come up with this particular B&B.
25 I really think that the Board needs to look

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2 and to really take into consideration the
3 people that actually live around it that
4 deal with incoming traffic. There have been
5 problems up to this point, adding two more,
6 yes, it's gonna add more traffic in there.

7 I'm not opposed, per se, but I think
8 you have to, you know, think of the
9 neighbors as well. It is a very small
10 entrance in and out of there. If it's
11 passed, I hope that it's kept an eye on, so
12 you don't have issues that have been there
13 in the past.

14 Think of the neighborhood.

15 MR. MURRAY: Hi. My name is Dave
16 Murray. I live at 332 Fifth Avenue.

17 I'm here to support the Miller family
18 in their request.

19 I have had the pleasure of working at
20 this bed & breakfast. And, Chatty, I have
21 to dispute with you, I think there is
22 adequate turning space in the parking lot
23 for five bedrooms. There is plenty of
24 parking for big trucks. The trucks that we
25 worked off, it's been very adequate for

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2 that.

3 The house is kept immaculate, and I
4 think the way the Millers run their bed &
5 breakfast should be looked at as well. It
6 is a fine organization.

7 I hope this passes.

8 Thank you.

9 CHAIRMAN SALADINO: Thank you.

10 Anyone else?

11 (No response.)

12 Members, do we have any questions for
13 Ms. Moore or the applicant before we decide
14 on this public hearing?

15 MR. TASKER: Yes.

16 What about the possibility of
17 restricting it such that special events are
18 not permitted, which I think has been the
19 source of concern and complaint in the past
20 about the use of this property, so that it
21 is essentially limited to very small groups
22 within the number of permitted rooms?

23 CHAIRMAN SALADINO: Well --

24 MR. TASKER: I can ask the question
25 of -- maybe we can hear from the applicant.

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2 MS. MOORE: I just asked her and she
3 said she had no special events.

4 I said, well, in that case, you would
5 have no objection to the limitation on
6 special events.

7 She said, sure, no problem.

8 MS. GORDON: Special events would
9 include weddings.

10 MS. MOORE: Why don't you come up, they
11 seem to want to hear from you.

12 I don't want he said, she said because
13 then we start getting into the battle with
14 people that are not here and certainly I'll
15 let you speak for yourself.

16 MS. MILLER: Okay. On the issue --
17 Sorry.

18 Leueen Miller, 424 Fourth Street.

19 I think it's interesting to point out
20 that of the five very close neighbors I
21 have, only two object and they have
22 consistently objected long before. Every
23 time we sneeze, there is an issue.

24 But specifically on the issue of
25 weddings, we have had the house for almost

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2 fifty years, we have had, over that period,
3 four weddings; two of which were for my
4 children. I haven't had a wedding of any
5 kind or a special event of any kind, I
6 think, in the last five or six years.

7 And I would say that basically my
8 business runs from April, mid-April to end
9 of October and any of you can chose to come
10 down during the winter months and you won't
11 see an extra car. I'm out of the way. I'm
12 isolated. I don't do aggressive marketing
13 and the business, basically, is during those
14 few summer months.

15 If you have any other questions, I'd be
16 happy to clarify.

17 MR. CORWIN: I'd like to ask two
18 questions.

19 Newsday had an article about hideaway
20 places or something a week ago maybe, and it
21 had Harbor Knoll in there on the East End
22 places you would stay at the East End, a
23 couple of things. It referred to your
24 website, I guess Harbor Knoll's website, one
25 of the things on the website says a pool is

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2 available from 10:00 to 1:00, swimming pool;
3 and I think you represented to us
4 previously, the Zoning Board previously that
5 the pool was only for family use.

6 And the other thing that confused me
7 was it said there was access to a licensed
8 bar, and I was wondering what that was.

9 MS. MILLER: On the swimming pool, it
10 did at one point, come up on the website.
11 We have not used the pool at any time for
12 guests. And I'm waiting to take it off the
13 website.

14 Basically if you look through
15 criticisms, one or two guests have provided
16 negative comments that they thought there
17 was a pool and there wasn't a pool. So that
18 addresses that.

19 On the bar, yes, I have a license to
20 serve wine to guests. I have a little bar,
21 had it long before we had a B&B, and mainly,
22 I have to say, I hardly make any money, I
23 pay a bit to keep the license and mostly I
24 offer guests a free glass of wine before
25 they go out to dinner.

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2 I'm licensed to do so, and I was
3 advised that it was a wise thing to do
4 because if don't have a license, even if you
5 offer a guest a free glass of wine, you can
6 be liable for something that happens.

7 I hope that addresses that.

8 MR. CORWIN: Thank you.

9 MS. MILLER: I'm bonded and I'm
10 licensed. It's all correct.

11 CHAIRMAN SALADINO: Anyone else for Ms.
12 Miller?

13 (No response.)

14 Nothing.

15 Thank you.

16 What's the pleasure of this Board?

17 MR. TASKER: Since --

18 CHAIRMAN SALADINO: Are we going to
19 close the public hearing?

20 MR. CORWIN: Close the public hearing,
21 and leave it open for thirty days for
22 written comments.

23 MS. NEFF: Leave it open for what?

24 MR. CORWIN: Thirty days for written
25 comments.

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2 MR. TASKER: If that's a motion, I
3 would second.

4 CHAIRMAN SALADINO: Discussion first.

5 MR. TASKER: Sure.

6 CHAIRMAN SALADINO: Do we need -- who
7 are we expecting to comment?

8 MR. CORWIN: I don't know. Just to me,
9 there's a little bit of controversy here
10 because we have a letter from the neighbor
11 and we got local people saying there for it
12 and neighbor against it so there may be more
13 comments and it's my preference not to vote
14 on this this evening for the simple reason
15 that once you have a little controversy,
16 it's probably better to give it some time to
17 think about it.

18 CHAIRMAN SALADINO: Okay.

19 Just one other thing and I'm thinking
20 maybe I have to ask the attorney.

21 If we close the public hearing and keep
22 it open for thirty days for comments, does
23 that --

24 MR. CONNOLLY: -- the public hearing,
25 you're keeping the public hearing open for

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2 thirty days for bringing comments and --

3 CHAIRMAN SALADINO: So that would
4 negate any discussion of this application
5 tonight by this Board?

6 MR. CONNOLLY: Yes.

7 CHAIRMAN SALADINO: Is that your
8 intention, David?

9 MR. CORWIN: I think that's fair to
10 say.

11 MS. NEFF: Why does it restrict us
12 discussing it as a Board?

13 CHAIRMAN SALADINO: Because the public
14 hearing is open and we would be testifying.

15 MS. NEFF: Okay.

16 MR. CORWIN: Unless the rest of the
17 Board wants to discuss it tonight.

18 CHAIRMAN SALADINO: You made the
19 motion, Arthur seconded it.

20 Our opinions will be expressed in our
21 votes, right?

22 MR. CORWIN: Correct.

23 MR. TASKER: Let me also add a
24 suggestion that we, particularly if we're
25 going to proceed with David's motion, that

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2 in that intervening period that we ask the
3 Planning Board to opine on this application
4 since they, in the normal course of things,
5 are the primary approver, if you will, of
6 B&Bs in the Village of Greenport to get
7 their opinion.

8 CHAIRMAN SALADINO: We can make that
9 request.

10 MR. TASKER: I think we should
11 certainly make that request of them.

12 CHAIRMAN SALADINO: What would be the
13 difference --

14 MS. NEFF: Just one moment.

15 Did, in fact, the Planning Board send
16 it to us, for some reason, I thought --

17 MS. MOORE: Yes.

18 MR. TASKER: Without taking any action,
19 no --

20 MS. MOORE: They didn't have the
21 ability to take action.

22 CHAIRMAN SALADINO: There's a variance
23 attached to it.

24 MR. TASKER: Okay.

25 MS. NEFF: We're sending it back to

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2 them and what are we asking from them?

3 MR. CONNOLLY: You can ask for comments
4 on a proposed variance.

5 MS. NEFF: Okay.

6 CHAIRMAN SALADINO: So what would be
7 the difference -- aside from keeping the
8 public hearing open for thirty days for
9 comments, what would be the difference of
10 just keeping the public hearing open until
11 the next meeting?

12 MR. CORWIN: We could do that because
13 the applicant might want to come in and say
14 something.

15 MS. MOORE: Depending on what you get.
16 I may want to -- certainly we want to
17 respond to the letter we have received, but
18 that would be subject to written comments,
19 we would be able to. If someone else new
20 comes in, I would wouldn't know about it.

21 CHAIRMAN SALADINO: There is a motion
22 which is seconded. I'll call a vote.

23 David?

24 MR. CORWIN: Yes.

25 CHAIRMAN SALADINO: Dini?

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MS. GORDON: Yes.

CHAIRMAN SALADINO: Ellen?

MS. NEFF: Yes.

CHAIRMAN SALADINO: Arthur?

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

So we're gonna keep the public hearing open for thirty days for additional comments. We're gonna make a recommendation, a request to the Planning Board for their recommendation, their opinion.

MR. TASKER: Yes.

Since they have primary jurisdiction on B&Bs.

CHAIRMAN SALADINO: And, we'll see you next month.

Thank you.

Next we have Item Number 5, a public hearing regarding area variances applied for by Hideaki for the property located at 412-414 Carpenter Street, Greenport, New York 11944.

Suffolk County Tax Map number is

Flynn Stenography & Transcription Service
(631) 727-1107

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1001-5-1-8.

And for those that are interested, the public notice is attached to the agenda.

We have the mailings here.

The public notice was published?

MS. LINGG: Yes.

CHAIRMAN SALADINO: Mailings are, the neighbors notified were Arlene Hubbard, 176 Central Avenue, Greenport, New York; Jeffrey Rosa, 297 Burkran Road, Locust Valley, New York; Main & Central Realty LLC, 2760 Yennecott Drive, Southold, New York 11971; Marion Kruszeski, 285 Park Street, Greenport, New York; 502 Carpenter Street LLC, Post Office Box 389, Cutchogue, New York; Breakwater Properties, LLC, 4317 Bergen Avenue, Mattituck, New York 11952; Mac J. Cato, 500 Main Street, Greenport, New York; Susannah Leete, 215 Park Row, New York, New York.

And is the applicant here?

MR. STRECKER: Yes. I guess basically we --

Robert Strecker from Quogue, New York

Flynn Stenography & Transcription Service
(631) 727-1107

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1
2 representing my daughter.

3 I guess we'd like to proceed to the
4 public comments at this time.

5 CHAIRMAN SALADINO: Does the Board have
6 any questions for the applicant?

7 (No response.)

8 Thank you.

9 Does anyone from the public wish to
10 speak?

11 (No response.)

12 No.

13 What is the pleasure of the Board? Are
14 we going to close this public hearing?

15 MR. CORWIN: Yes.

16 I move to close the public hearing?

17 MS. GORDON: Second.

18 CHAIRMAN SALADINO: All in favor?

19 MS. GORDON: Aye.

20 MR. CORWIN: Aye.

21 MS. NEFF: Aye.

22 MR. TASKER: Aye.

23 CHAIRMAN SALADINO: And I'll vote aye.

24 Item number 6 is a motion to accept the
25 application, schedule a public hearing and

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1
2 arrange a site visit for the application of
3 David Murray for the property located at 137
4 Sterling Avenue, Greenport, New York.

5 The Suffolk County Tax Map number is
6 1001-3-5-11.

7 Is the applicant here?

8 MR. MURRAY: I'm David Murray, 332
9 Fifth Avenue, Greenport, New York.

10 I'm representing Jim and Eileen Getches
11 for the property at 137 Sterling Avenue.

12 Basically, what we're asking for is a
13 variance to do a covered front porch. The
14 house is two feet off the property line.
15 The house is probably over 110, 120 years
16 old.

17 We're asking to at least have -- they
18 have a little front porch going into the
19 front door now. We're looking to build a
20 covered porch across the front. To do that,
21 we need to get a side setback of
22 two-and-a-half feet, which the house is two
23 feet now.

24 We're also building a -- this is a
25 two-family dwelling. The occupants are

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2 currently living in the first, I'm sorry,
3 the top story. We're renovating both
4 stories. They're gonna be moving to the
5 downstairs. They're gonna be owner
6 occupied. The upstairs is gonna be a
7 full-time rental.

8 There is a side porch that we want to
9 construct for the main entrance for the
10 first level. The upper level, the main
11 entrance will be the front porch.

12 One of our variances that we are asking
13 for is a lot-coverage variance. We'll be
14 exceeding the lot coverage by 1.8 percent,
15 currently it's close to 35 percent now.

16 CHAIRMAN SALADINO: Okay.

17 Any questions for David?

18 MR. TASKER: No.

19 MS. GORDON: You say in your memo, your
20 notes, the requested variance only allows
21 owner to increase functionality of this
22 conforming use.

23 Is there no change at all in the use
24 and its workability?

25 MR. MURRAY: No.

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2 The use now is a two-family and it's
3 gonna be a two-family when it's --

4 MS. GORDON: And has it been rented
5 with long-time residents --

6 MR. MURRAY: Yes.

7 MS. GORDON: -- in the part that is not
8 owner occupied?

9 MR. MURRAY: That's correct.

10 Right now the first floor is long-term
11 rental, and the owners now live on the top
12 level. We're gonna be renovating the first
13 level and renting the top level because
14 they're getting a little older so they want
15 to get on the main level of the house.

16 But no, it's gonna be -- it's not a
17 short-term -- it's not gonna be on the
18 short-term rental list.

19 CHAIRMAN SALADINO: Anyone else?

20 MR. MURRAY: When you do a site visit,
21 you'll notice along Sterling Avenue, a lot
22 of the houses have covered porches that are
23 pretty close to the sidewalk throughout
24 its -- it's mixed up on Sterling Avenue.

25 CHAIRMAN SALADINO: I'm gonna make a

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1 motion to accept this application.

2 MS. GORDON: So moved.

3 CHAIRMAN SALADINO: Is there the
4 second?

5 MS. NEFF: I think Dini --

6 MS. GORDON: Second.

7 CHAIRMAN SALADINO: All in favor?

8 MS. GORDON: Aye.

9 MR. TASKER: Aye.

10 MR. CORWIN: Aye.

11 MS. NEFF: Aye.

12 CHAIRMAN SALADINO: All right.

13 We're gonna schedule the public hearing
14 for March 19th. It's gonna be at the
15 Schoolhouse because they seem to think they
16 want to have an election.
17

18 We set all the public hearings at 6
19 o'clock.

20 We're gonna do a site visit. What time
21 is -- 5:30 for the site visit?

22 MS. GORDON: Okay.

23 MS. NEFF: Okay.

24 CHAIRMAN SALADINO: We'll be at the
25 property at 5:30.

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2 If you can stake it out for us, let us
3 know exactly what you're doing.

4 MR. MURRAY: Okay.

5 MR. CORWIN: Before you --

6 MR. MURRAY: Yes.

7 MR. CORWIN: You gave us a sheet
8 showing the setbacks of the houses
9 surrounding it, and I think I saw in the
10 application that you used Google maps to
11 take measurements, so did you scale it off
12 Google maps?

13 MR. MURRAY: We actually took the
14 measurements from the sites. I did not --
15 but, actually, after speaking to somebody in
16 Village Hall, I actually took the wrong
17 measurements. I was supposed to take the
18 deepest measurements on a couple of those
19 houses, so prior to the site visit, I'll get
20 the exact measurements to the property
21 lines. So those are incorrect.

22 MR. CORWIN: All right. That's what
23 I'm after.

24 MR. MURRAY: Yeah. Those are
25 incorrect, they're off a little bit.

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2 MR. CORWIN: Let me note because I have
3 been a stickler on this before that
4 Mr. Murray did not have his application
5 signature notarized. He did have an e-mail
6 address on the application. I e-mail this
7 afternoon when I was going over this stuff,
8 and he has submitted a notarized
9 application.

10 MR. MURRAY: You have enough copies of
11 that, right?

12 CHAIRMAN SALADINO: Just one thing.

13 Since you brought up the subject that
14 perhaps some of the front yard measurements
15 might have been off, maybe before the public
16 notice goes out, you can square it away with
17 Village Hall and this way that's not --

18 MR. MURRAY: I will do that this week.

19 CHAIRMAN SALADINO: -- conflicting with
20 the public notice and the application.

21 MS. GORDON: I do have a -- in one
22 place, it says 138 Sterling Avenue and
23 another place, it says 137.

24 MR. MURRAY: Are you kidding me?

25 MS. GORDON: Would I kid you?

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2 It's in the short environmental
3 assessment form.

4 MR. TASKER: I saw that too and forgot
5 it.

6 MS. GORDON: I mean, it doesn't matter
7 a lot, but I think we should note which one
8 is correct.

9 CHAIRMAN SALADINO: Well, it's a
10 different house.

11 MR. MURRAY: I'm gonna recommend
12 somebody to hire an attorney next time.

13 Did I do that?

14 MS. NEFF: There's another application.

15 MR. TASKER: It's on hold.

16 MS. NEFF: This one is 137.

17 MS. GORDON: That's my mistake, but
18 somehow it's in our packet.

19 MR. TASKER: No, I saw it too, Dini.

20 CHAIRMAN SALADINO: I don't seem to
21 have it.

22 MR. MURRAY: I'll proofread better.

23 Sorry.

24 CHAIRMAN SALADINO: Okay.

25 Anything else for David?

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2 (No response.)

3 No.

4 See you next month.

5 MR. MURRAY: Thank you.

6 CHAIRMAN SALADINO: Item Number 7 is
7 Fourth Street and we decided we can't have a
8 discussion about that, the public hearing is
9 still opened.

10 Item 8 is 412/414 Carpenter Street.

11 Discussion and possible, motion on the
12 area variance for the property located at
13 412/414 Carpenter Street, Greenport, New
14 York.

15 The Suffolk County Tax Map is
16 1001-5-1-8.

17 Members, we went to the property. We
18 saw what was staked out. We see what the
19 applicant is asking for.

20 Anybody have any comments?

21 MS. GORDON: In the three-and-a-half
22 years that I have been on the Board, I have
23 been struck by what people seem to want most
24 unless they're doing a really major, major
25 change, and it's an improved kitchen and

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1
2 swimming pool. And it seems to me, these
3 are, sort of, inevitable results of
4 modernizing improvements of residential
5 houses.

6 I find it very difficult to figure out
7 how with this very narrow lot, and this
8 incredible lack of setback on the north side
9 of the house, how you could do anything else
10 other than what the applicant has done to
11 get a modern kitchen.

12 But maybe other people have other views
13 of this.

14 CHAIRMAN SALADINO: I don't.

15 I think in order to -- the reason there
16 is a Zoning Board is for occasions just like
17 this. I think the problems that arose with
18 this application is different reasoning as
19 it applies to this particular portion of the
20 code.

21 I have to be honest with you, it's
22 still not perfectly resolved in my mind, but
23 I'm not willing to hold this application up.

24 That's basically what I have to say. I
25 don't want to -- That basically what I have

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1
2 to say.

3 Anyone else have any comments about the
4 application?

5 MR. CORWIN: I would just like to make
6 one note. One of the things shown on the
7 plan is a covered porch proposed, and I went
8 there this afternoon at 2 o'clock to look at
9 the application or the stakeout by myself;
10 and I noticed that the slab of the covered
11 porch proposed is cracked. So that's a new
12 slab that's cracked already, and I'm
13 wondering if you're aware of that and if
14 you're going to make repairs to that. And
15 I'm wondering if there is any foundation
16 under that to support it or is it just slab
17 on grade with the no rebar?

18 MR. STRECKER: Again, my name is Robert
19 Strecker, and I'm from Quogue, New York. I
20 am representing my daughter.

21 You're talking about in the front on
22 the right side of the house, the slab?

23 MR. CORWIN: On the south side of the
24 house.

25 MR. STRECKER: So that slab is going to

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1
2 be under the porch and there is gonna be a
3 wooden deck over that. That's just a
4 scratch coat under there. That's just
5 basically to keep the dirt from popping up
6 into the porch because it's such a low.
7 It's gonna be so low to the ground, it's
8 gonna be sitting on the dirt otherwise.

9 MR. CORWIN: That's not a support
10 structure for the deck or the porch?

11 MR. STRECKER: No.

12 There are piers under there, but it's
13 just a scratch coat and wood decking will be
14 put over it.

15 MR. CORWIN: All right.

16 I will leave that to the building
17 inspector.

18 MR. STRECKER: If there's any other
19 questions, I'm here. I think we had a good
20 understanding at the site visit of what the
21 requests are.

22 CHAIRMAN SALADINO: Thank you.

23 What is the pleasure of the Board? Are
24 we prepared to vote?

25 MR. CORWIN: Yes.

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MS. NEFF: Yes.

CHAIRMAN SALADINO: Okay.

MR. CORWIN: Are we gonna do SEQRA first?

CHAIRMAN SALADINO: I'm going to make a motion that the Zoning Board of Appeals declare itself lead agency for this application for the purposes of SEQRA.

MR. CORWIN: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MR. TASKER: Aye.

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN SALADINO: I'm gonna make a motion that this is a Type 2 action.

So moved.

MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MR. TASKER: Aye.

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

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We'll go through these five questions and then vote on the variance.

Question number 1 is whether or an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created.

David?

MR. CORWIN: No.

CHAIRMAN SALADINO: Dini?

MS. GORDON: No.

CHAIRMAN SALADINO: Ellen?

MS. NEFF: No.

CHAIRMAN SALADINO: Arthur?

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance.

David?

MR. CORWIN: No.

CHAIRMAN SALADINO: Dini?

MS. GORDON: No.

CHAIRMAN SALADINO: Ellen?

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MS. NEFF: No.

CHAIRMAN SALADINO: Arthur?

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

Whether the requested area variance is
substantial?

David?

MR. CORWIN: No.

CHAIRMAN SALADINO: Dini?

MS. GORDON: No.

CHAIRMAN SALADINO: Ellen?

MS. NEFF: No.

CHAIRMAN SALADINO: Arthur?

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

Whether the proposed variance will have
an adverse effect or impact on the physical
or environmental conditions in the
neighborhood or district.

David?

MR. CORWIN: No.

CHAIRMAN SALADINO: Dini?

MS. GORDON: No.

CHAIRMAN SALADINO: Ellen?

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MS. NEFF: No.

CHAIRMAN SALADINO: Arthur?

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

Whether the alleged difficulty is self-created which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

David?

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Dini?

MS. GORDON: Yes.

CHAIRMAN SALADINO: Ellen?

MS. NEFF: Yes.

CHAIRMAN SALADINO: Arthur?

MR. TASKER: Yes.

CHAIRMAN SALADINO: I'll vote yes.

I'll make a motion to grant the area variance.

MR. TASKER: Second.

CHAIRMAN SALADINO: All in favor?

David?

MR. CORWIN: Yes.

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2 CHAIRMAN SALADINO: Dini?

3 MS. GORDON: Yes.

4 CHAIRMAN SALADINO: Ellen?

5 MS. NEFF: Yes.

6 CHAIRMAN SALADINO: Arthur?

7 MR. TASKER: Yes.

8 CHAIRMAN SALADINO: And I'll vote yes.

9 Next we have Item 9, 110 South Street,
10 motion to accept the application, schedule a
11 public hearing and site visit for the
12 application of 110 South Street, Greenport
13 Incorporated for the property located at 110
14 South Street, Greenport, New York 11944.

15 The Suffolk County Tax Map number is
16 1001-4-6-34.6.

17 (Mr. Olinkiewicz sets up display boards
18 for presentation to the Board.)

19 MR. OLINKIEWICZ: Good evening. James
20 Olinkiewicz, 110 South Street and 112 South
21 Street, Greenport, New York.

22 I'd like to just take a moment to do an
23 overview of the total project together and
24 then we can break it down to the two so
25 everybody's familiar and everybody gets an

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2 idea of what I'm trying to propose to do.

3 So can everybody see this?

4 MS. NEFF: Yes.

5 MR. OLINKIEWICZ: So we have the
6 Village, back in 1987, had owned the
7 property 110 South Street and there was a
8 small lot nextdoor, 112 South Street. The
9 Village took the exiting building --

10 MS. NEFF: Excuse me.

11 Can you say the rough dimensions of
12 those lots, how big is the small lot?

13 MR. OLINKIEWICZ: The big lot is
14 5,266-square feet. The small lot that the
15 Village had next to it which is a commercial
16 building lot is 1,797-square feet.

17 MS. NEFF: Okay.

18 Thank you.

19 MR. OLINKIEWICZ: So the Village took
20 the house that was on 110 South Street,
21 moved it over across the property line and
22 put an addition on the back of it, okay, and
23 crating the building that's existing now
24 over the property line which was COd back in
25 1990. Which is the first page of the

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1
2 handout that I gave you.

3 This is existing as it is now, okay.

4 What I'm proposing to do is take the
5 existing building, which this is the front
6 of the buildings as you see now when you're
7 on the street, I want to take it where the
8 property line is, I want to put a firewall
9 down to create the two properties, so you're
10 splitting the building, Splitting the
11 existing building that had the CO prior to
12 1990 down the center.

13 So you're putting a firewall, which is
14 the same thing as the hotel building next to
15 the movie theater; they each have a firewall
16 and they abut each other.

17 We would then have two separate pieces.
18 This piece would be on 110 South Street,
19 there would be a concrete wall in between,
20 this would be on 112 South Street.

21 From that, we would take the original
22 pieces that we have together and we would
23 build an addition onto each side. So we're
24 taking a nonconforming use, nonconforming
25 building with a conforming use and we're

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2 making it now a conforming building with a
3 conforming use by putting the concrete wall
4 there. Again, the old building was built
5 before and has a CO before 1990.

6 So we're putting an addition on this
7 wing and we're putting an addition on that
8 wing. So this is 110 South Street and this
9 is 112 South Street.

10 From that point you have the two
11 parcels put together, so now this is what
12 the front of the building would look like,
13 but it would have just a concrete wall down
14 the middle. So the building would still
15 have the aesthetics of the Village and the
16 aesthetics of the area, but you would have
17 two buildings on two separate lots with a
18 dividing partition wall.

19 Okay.

20 And then the lot coverage, which is a
21 little hard to see on this picture would be
22 a little bit bigger. It's in each of your
23 plans. So 110 would be a little bit larger
24 and 112 would be a little bit larger.

25 Now, as we have the original 112, if we

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1
2 put the concrete wall up and we're unable to
3 have an addition, we would have a parcel or
4 a house or building that's almost unusable
5 because of the size of it and everything
6 else.

7 So in my mind, I was coming here for
8 interpretations of the code, and we also
9 apply either interpretation of the need for
10 a variance. In my mind, the only variance
11 that I would be seeking would be lot
12 coverage on 110 South Street because in the
13 Village code, which is my handout that I
14 started with, there were a couple of issues.

15 If you can turn to the second page,
16 actually it's page 2, 3 and 4, Retail
17 Commercial District, I've highlighted on
18 page 4 about, there is an issue or request
19 in my denial about apartments over these
20 buildings; so depending on your
21 interpretation, I'm either allowed to have
22 accessory dwelling units without having to
23 go to the Zoning Board because there is an
24 accessory dwelling unit, there's a
25 one-bedroom apartment upstairs. Okay. Then

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2 downstairs is commercial, so it's already a
3 mixed-use building so --

4 MS. NEFF: You were just talking about
5 112 South Street?

6 MR. OLINKIEWICZ: No.

7 On the existing building that's there
8 now.

9 MS. NEFF: Okay.

10 MR. OLINKIEWICZ: There's already an
11 apartment upstairs and there's already the
12 building downstairs prior to 2002 when this
13 code was enacted because we have the CO from
14 1990.

15 Then if you go to the next page, I'm
16 sorry, I'm walking everybody through page 5
17 which is code 150-12, it says use or
18 adaptation, a change to the use of any
19 building in CR or WC District in existence
20 as of January 1991 is totally exempt from
21 off-street parking requirements.

22 We have a CO for a building that was
23 built prior, that has a CO for 1990.

24 Definitions, my attorney will go into
25 later on.

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2 We have a building, it's on two lots.
3 Each lot has a part of the building built
4 before 1990 and COd before 1990, so it's my
5 interpretation that I'm exempt from the
6 parking regulations for both pieces of
7 property.

8 Again, I reiterated on the next page
9 which is 150-16 Parking and Loading
10 Regulations. There is, land within the CR
11 and WC Districts which is improved January
12 1, 1991 shall be entirely exempt from
13 off-street parking requirements and for
14 payments in lieu of and at which time is
15 developed as a unit under single ownership.

16 Well, the Village had asked that I have
17 my title company do as the end result that
18 each lot is single and separate, so in the
19 eyes of the County and the State, these are
20 two single and separate lots. So it's two
21 single and separate buildings, so it's
22 existing prior to 1991 when the code was
23 enacted for parking.

24 I'm going to keep walking through as
25 I'm going.

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MR. TASKER: Can I interject?

MR. OLINKIEWICZ: Sure.

MR. TASKER: Single and separate buildings?

MR. OLINKIEWICZ: Well, it's single and separate lots.

MR. TASKER: I understand that.

MR. OLINKIEWICZ: Right.

MR. TASKER: I'm curious of how that happened, but we don't need to address it right now.

But single and separate buildings --

MS. MOORE: Well, it doesn't refer to buildings, it refers to construction.

MR. OLINKIEWICZ: Construction.

MS. MOORE: So that's -- if you look at the way the code is worded, the words are being used throughout the code, you have to look at the specific term that's being used.

So that's, I think, why right off the bat, it is, the property is improved and there is a structure on it.

MR. OLINKIEWICZ: Each one. Each one and then the Village Board when they --

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2 CHAIRMAN SALADINO: Excuse me.

3 I don't see structure in --

4 MR. OLINKIEWICZ: We have the
5 definition. Pat has that, I'm sorry.

6 CHAIRMAN SALADINO: I'm reading from
7 the code, a copy of the code that you gave
8 us.

9 MR. OLINKIEWICZ: Right.

10 Under single ownership or control shall
11 be considered a single lot for the purpose
12 of these parking regulations.

13 So but they were not single lots. The
14 Village never merged the two lots together.
15 They have always been two deeds, two tax
16 maps, two bills, two independent lots, so
17 then each lot has a structure on it.

18 Can we just go to the next page, and
19 we'll come back to this?

20 CHAIRMAN SALADINO: Sure.

21 MR. OLINKIEWICZ: On the next page,
22 Nonconforming Use and Nonconforming
23 Buildings, 150-21, nothing in this article
24 shall be deemed to prevent the normal
25 maintenance, repair, structural alteration,

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2 moving, reconstruction or enlargement of a
3 nonconforming building provided that such
4 action does not increase the degree or
5 create a new noncompliance with regard to
6 the regulations.

7 So we are enlarging the building.

8 Now that being said, 112, 110 South
9 Street's enlargement will not cause any
10 increase or degree or create any new
11 noncompliance because there is plenty of
12 room to go toward the parking lot that's
13 existing.

14 112 South Street, when it gets
15 enlarged, we are gonna have a new
16 noncompliance because we're gonna have lot
17 coverage. The new proposed building is
18 gonna give us new lot coverage of sixty-two
19 percent, which I have on the other maps or
20 handouts.

21 I'm just trying to go through generally
22 the whole building site first, then we can
23 break each one down.

24 Then the following page, on one of the
25 variances that was asked for was road

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2 frontage and on Section 150-14 Existing
3 Setback, no proposed nonresidential building
4 need have a setback greater than average
5 setback of the two existing nonresidential
6 buildings with greatest setbacks within
7 two-hundred feet of each side of setback
8 proposed.

9 It has -- we're asking for a variance
10 on road frontage, but in my response it has
11 been measured, I can have the engineer take
12 care of it, but that the average is 2.7 feet
13 and we are well beyond that. We're at
14 almost five-feet back on our setback so
15 based on in the plans.

16 The next item is just the planning with
17 Mr. Pallas saying it was okay to come for an
18 interpretation or a variance at the same
19 time. I just highlighted that.

20 MS. NEFF: You're talking about these
21 pages (indicating)?

22 MR. OLINKIEWICZ: Yeah, those pages
23 there. In the highlighting, it talks about
24 us being able the come ask for
25 interpretation or continue the variance

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1
2 process at the same time; so I don't have to
3 get the interpretation, be told yes or no,
4 and then start back, come back again to
5 start a variance.

6 CHAIRMAN SALADINO: Mr. Pallas told you
7 that?

8 MR. OLINKIEWICZ: Yes.

9 It's on the last page, page 41 and 42,
10 he did say, "They haven't voted, so I can't
11 say that, but if they refer it, than it can
12 go right away --" meaning to the Zoning
13 Board, "If they don't and you produce an
14 application for a Building Permit, than we
15 will send you a Notice of Disapproval and
16 you can either request an interpretation" --

17 MS. NEFF: Excuse me. I'm sorry.

18 What page are you reading from?

19 Okay, the last page.

20 MR. OLINKIEWICZ: "A Notice of
21 Disapproval and you can either request and
22 interpretation as I stated or request a
23 variance for both."

24 CHAIRMAN SALADINO: Well, that doesn't
25 say --

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1
2 MR. TASKER: This is a Planning Board
3 Work Session.

4 MR. OLINKIEWICZ: Correct.

5 This was just so I can ask for an
6 interpretation. If you deny my
7 interpretation and you come up with the
8 other thing, we can continue on and ask for
9 a variance and continue, hopefully not
10 having to go back to --

11 CHAIRMAN SALADINO: The only thing I
12 would say to that is --

13 Could I say something?

14 MR. OLINKIEWICZ: Of course.

15 CHAIRMAN SALADINO: The only thing I
16 would say to that is, we have had
17 experience, we have had experience with --
18 an interpretation requires a public
19 hearing --

20 MR. PALLAS: Mr. Chairman, if I may. I
21 apologize.

22 CHAIRMAN SALADINO: Go ahead.

23 MR. PALLAS: I'm reading what I wrote
24 in the transcript, I didn't say you can do
25 both at the same time, I said you can do

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1
2 both.

3 CHAIRMAN SALADINO: I didn't think you
4 overstepped.

5 MR. PALLAS: I wanted to correct the
6 record.

7 CHAIRMAN SALADINO: It's been our
8 experience -- first, I'm sure you know and
9 I'm sure Ms. Moore knows that an
10 interpretation requires a public hearing.

11 We have found, this Board has found
12 with one or two applications that when we,
13 when the applicant asks for an
14 interpretation and we take the
15 interpretation and the variances, assuming
16 that the interpretation came back that the
17 applicant needed a variance, in the same
18 public hearing, I can't speak for my
19 colleagues, all of them anyway, but it was
20 confusing.

21 MR. OLINKIEWICZ: Well, I would expect
22 to go to the next public hearing, not make
23 me have to start again and schedule a whole
24 nother [sic] public hearing.

25 CHAIRMAN SALADINO: We would hold the

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1 public hearing for the interpretation.

2 MR. OLINKIEWICZ: Right.

3 CHAIRMAN SALADINO: Then we would have
4 a separate public hearing for the variance.

5 MR. OLINKIEWICZ: Okay. Perfect. On a
6 separate -- the next month if we needed it.

7 CHAIRMAN SALADINO: Yeah. I'm
8 guessing. Right?

9 MS. MOORE: Were you going to give the
10 interpretation before the next public
11 hearing and schedule --

12 CHAIRMAN SALADINO: I think -- I don't
13 want to commit myself to say that we'll have
14 the public hearing, close the public
15 hearing, have the discussion and have the
16 result of the discussion for a vote that
17 night. It doesn't sound like we couldn't do
18 that, but I don't want to carve it in stone
19 that that's what we will do.

20 If you give us that kind of latitude
21 than, I think that that --

22 MR. OLINKIEWICZ: This is a confusing
23 property because there's so many moving
24 parts and this is unprecedented here in the
25

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1
2 Village because they built the building
3 across the property line.

4 CHAIRMAN SALADINO: Kind of amazing,
5 right?

6 MS. MOORE: Only the Village would do
7 that.

8 CHAIRMAN SALADINO: Wait a second,
9 we're here to defend the Village.

10 Jimmy, before you go further, just one
11 more question.

12 You quoted 150-21, Nonconforming
13 Building with Conforming Uses and lots of
14 times, what happens is, applicants quote the
15 first part of the code, we forget the second
16 sentence and stuff.

17 So if by you cutting the building in
18 half by your words, you say it makes it
19 unusable, it would be an unusual building.

20 MR. OLINKIEWICZ: The 112 South Street
21 wouldn't be usable, but it would be so tiny
22 that you would have an office.

23 CHAIRMAN SALADINO: So we're changing
24 that to office space.

25 But if we continue to read this, a

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1 noncompliant building contains conforming
2 use which has been damaged by fire or other
3 causes to the extent of more than fifty
4 percent of it's fair value shall not be
5 repaired or rebuilt unless such building is
6 made to substantially conform to bulk and
7 parking regulations.
8

9 MR. OLINKIEWICZ: Right.

10 CHAIRMAN SALADINO: The fact that
11 you're asking for an interpretation that,
12 perhaps, would affect relieving you from
13 parking, 150-21 actually, if we can decide
14 that the value of that building and
15 rebuilding of it would be, at least, fifty
16 percent of its value, you would be
17 obligated --

18 MR. OLINKIEWICZ: To provide parking,
19 right. I guess on the side that is --

20 CHAIRMAN SALADINO: All right --

21 MR. OLINKIEWICZ: Right, so this is why
22 we're here.

23 CHAIRMAN SALADINO: We haven't done
24 anything yet, but you're giving us a lot of
25 information and if I don't respond now,

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1 I'll, kind of, loose it.

2 MR. OLINKIEWICZ: Sure.

3 MR. CONNOLLY: That section of the code
4 you just quoted has to do with damaged
5 buildings.
6

7 CHAIRMAN SALADINO: Well, he put a wall
8 down the middle of it. He created a
9 building, by his own words, that is
10 unusable.

11 MR. OLINKIEWICZ: Well, I haven't
12 figured out how to use it. I can come back
13 with a use.

14 CHAIRMAN SALADINO: Okay. That's
15 something that -- I guess we can debate
16 that --

17 MR. TASKER: You're a creative guy.

18 MR. OLINKIEWICZ: I can come back with
19 a hallway and an office in the back.

20 CHAIRMAN SALADINO: I'm sorry.

21 MR. OLINKIEWICZ: We have that.

22 (Mr. Olinkiewicz handed out papers to
23 the Board.)

24 The Notice of Disapproval had asked for
25 a couple of thing which was, one, have the

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1 lot coverage. So these have the lot
2 coverage of the building on 110, and I have
3 the other, the lot coverage on 112; and he
4 wanted a new elevation on 112 because there
5 was a mistake by the engineer, he had the
6 building forty-three feet tall, which it is
7 not.

8
9 MS. MOORE: That was an error.

10 MR. OLINKIEWICZ: It's twenty-three
11 feet tall, but for some reason there was an
12 error. I brought everybody a copy, so they
13 have one. That's for 110 and these are --
14 oh, that would be 112.

15 MS. NEFF: Are the ones here, therefore
16 no longer --

17 MR. OLINKIEWICZ: They're all good
18 except for the front page. What this has,
19 it has, he asked for lot coverage, right, so
20 that we had that because there was not lot
21 coverage on the plan. There was just an
22 amendment to those to give you lot coverage.
23 This is just for lot coverage on the
24 property.

25 MS. MOORE: And height.

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2 MR. OLINKIEWICZ: And height that the
3 code enforcement officer had asked me to
4 produce, I had it prepared.

5 The lot coverage on 110 South Street
6 which he had asked about is 29.5 percent,
7 which is below the forty percent lot
8 coverage needed for a variance.

9 MS. NEFF: I'm sorry. 110 is, is that
10 what we're talking about?

11 MR. OLINKIEWICZ: 110, that's the
12 bigger one with the parking lot. It has a
13 lot coverage of 29-and-a-half percent. It's
14 on the plan you have.

15 The 112 South Street, which is the
16 smaller lot is a variance because that has
17 the 62-and-a-half percent, 62 lot coverage
18 when the building is added onto it. That
19 includes the ramps, the front porch, any
20 part of the structure.

21 So I don't know which way to go; I'm
22 putting it in -- right, I need
23 interpretations on all of this.

24 CHAIRMAN SALADINO: Well, on your
25 application --

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2 MR. OLINKIEWICZ: It says, it asked for
3 interpretation as well as.

4 CHAIRMAN SALADINO: True.

5 But the part that, perhaps, the part
6 that's not filled out, you checked
7 interpretation of Village code article blank
8 blank.

9 MR. OLINKIEWICZ: We put them all here,
10 we listed all --

11 CHAIRMAN SALADINO: -- one application.

12 MR. OLINKIEWICZ: -- all four of them
13 have to interpreted. It has to deal with
14 parking and apartments upstairs and
15 everything else.

16 CHAIRMAN SALADINO: The other thing is,
17 I'm going to differ to the attorney, the
18 Notice of Disapproval says that you need a
19 use variances and the application is on,
20 your applying for area variances.

21 MS. MOORE: If I could address the --
22 it looks like the Notice of Disapproval
23 number 1, right, issue 1, when the code was
24 read, the proposed use is a commercial first
25 floor and accessory apartment on the second

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2 floor. Those are permitted uses in CR. I
3 think that they misread or whoever was
4 reading the code was misreading it because
5 it had A, B and C; and when they read C, I
6 think they thought it was part of
7 conditional use permit; when, in fact, C is
8 an accessory use, B is the accessory
9 apartment; so you have to look at what --
10 it's taking a look at the code because when
11 we first looked at it, well, I'm not even
12 understanding what they're saying since the
13 use is commercial first floor and accessory
14 apartment on the second floor, that's listed
15 permitted uses in the CR.

16 CHAIRMAN SALADINO: Only if -- we're
17 gonna hear from the Village. We're gonna
18 hear their reasoning behind the Notice of
19 Disapproval, I think.

20 MR. OLINKIEWICZ: It's only if the
21 building was built after 2002.

22 CHAIRMAN SALADINO: We understand that,
23 but we would also like to hear the Village's
24 reasoning in deciding that, perhaps, the way
25 I understand it, these are new buildings,

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2 not existing buildings, the way the Village
3 sees it.

4 Jim, are you done?

5 MR. OLINKIEWICZ: Sure.

6 MS. NEFF: Before you put all those
7 away, I might ask you to go through them
8 again at this time and take one-and-a-half
9 minutes because we all know what they are.
10 I'm not looking for the ten-minute version.

11 MR. OLINKIEWICZ: Let me get them in
12 order and we'll be all set.

13 110 South Street has an existing
14 parking lot 112 South Street, which is the
15 smaller of the two commercial lots, okay,
16 taking the --

17 MS. NEFF: There is no wall down the
18 middle now, just --

19 MS. MOORE: No, they --

20 MS. NEFF: -- not the lot, but the
21 structure.

22 MR. OLINKIEWICZ: The structure, right
23 because --

24 MS. NEFF: Thank you.

25 MR. OLINKIEWICZ: -- property line as

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2 changed.

3 So as this, I drew where the wall, how
4 much would be left on each side when you put
5 the wall down. Right. So I could make this
6 an office, I could make this an office and
7 still have the apartment upstairs.

8 My proposal is to take the two pieces
9 though and make them better usage and
10 enlarge both sides which comes back together
11 and makes a bigger version of the original
12 building. Right. So you have the original
13 building that's here; this is the building
14 here.

15 MS. NEFF: Thank you very much.

16 MR. TASKER: You're gonna tie them
17 together with a single facade, correct?

18 MR. OLINKIEWICZ: Yes.

19 And they'll have a firewall in between
20 them so they're single and separate
21 buildings.

22 MS. NEFF: Actually, one thing.

23 The building that you end up with, the
24 fact that there are two lots, that's gonna
25 stay the same? No?

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MS. MOORE: Yes.

MR. OLINKIEWICZ: Yes, it stays the same.

MS. NEFF: But that wall, one of them is seventy-three feet wide and the other --

MR. OLINKIEWICZ: Right, you're gonna have a concrete wall in the center of the building.

MS. NEFF: I got that, but that building on this side is not gonna be twenty-three-feet wide; it's gonna be wider.

MR. OLINKIEWICZ: No. It's gonna be nineteen-feet wide, and then five foot handicap access up the side.

MS. NEFF: Okay. Thank you.

MR. OLINKIEWICZ: That's in your new elevated on 112.

This is now nineteen-feet wide and there is a handicap access up the side, and then this squares up and there is a handicap access up the side.

MS. NEFF: Okay. Thank you.

MS. GORDON: What happened to the parking lot?

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2 MR. OLINKIEWICZ: Parking lot's still
3 there. We don't touch the parking lot, the
4 parking still stays there, there's eight
5 spaces.

6 MS. NEFF: It didn't shrink at all?

7 MR. OLINKIEWICZ: Nothing at all.

8 Parking lot stays the same.

9 MR. PALLAS: Basically, John, you had
10 already said, I'll repeat our position.

11 Our position is that by putting this
12 wall in between creating two, the applicant
13 is creating two new buildings, one on the
14 one lot and one on the other.

15 If you look at these as two new
16 buildings, it would give rise to the
17 variance requirement that we enumerated in
18 both of the applications.

19 CHAIRMAN SALADINO: So the Village's
20 contention is that the two new buildings
21 would necessitate the need for use variances
22 because 150-9 says the building had to be
23 prior to 2002?

24 MR. PALLAS: Correct. Yes.

25 CHAIRMAN SALADINO: And the

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1
2 applicant --

3 MS. MOORE: I'm not sure I follow that.
4 How is the use variance applicable?

5 CHAIRMAN SALADINO: Because it's not a
6 permitted use.

7 I don't want to speak for the Village.

8 MR. PALLAS: It is not a permitted use.

9 MS. MOORE: What is not a permitted
10 use?

11 MR. PALLAS: Residential above a
12 commercial.

13 CHAIRMAN SALADINO: -- over commercial,
14 if the building wasn't --

15 MS. MOORE: If it didn't have the C of
16 O prior to a certain date. Okay. Got it.

17 MR. OLINKIEWICZ: So this becomes a
18 quandary to me because I can't take the
19 existing building on two separate lots and
20 just enlarge it and keep it the same because
21 it violates, right, all -- it violates
22 everything, right, because it's on two
23 separate lots. It's illegal to have two
24 separate lots in the Village, you got to
25 merge the lots. Then you merge the lots and

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2 you got more --

3 MS. NEFF: I didn't quite understand
4 that, but lets not stop to explain it. Go
5 right ahead.

6 MR. OLINKIEWICZ: It's illegal to merge
7 commercial lots in the Village. They only
8 allow that in residential, so you can't
9 merge lots in commercial. So then the
10 problem is that you have a nonconforming use
11 with a conforming building, so if you go to
12 enlarge and put more apartments upstairs, it
13 causes another kick out to the ZBA for -- I
14 have all those notes at home, I didn't think
15 of going there. So if you keep it the same,
16 you guys say okay, if you leave it the same,
17 you can do whatever you want. Well, if I
18 can do whatever I want, I can take out the
19 parking lot and enlarge the building to the
20 whole size of the property because it's
21 preexisting before 1991. It has the CO for
22 the building I'm just putting COs on the
23 existing building because it's exempt from
24 parking.

25 So by putting the concrete wall,

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2 they're saying that I'm shooting myself in
3 the foot where I can just apply and enlarge
4 it to whatever I want to.

5 CHAIRMAN SALADINO: So the request for
6 interpretation would be, is, in fact, the
7 building after the concrete wall is built
8 and the buildings are separated, not
9 physically separated but interior space is
10 separated, are those two buildings not new
11 buildings, but preexisting buildings?

12 Am I getting that right?

13 MS. MOORE: Yeah. I mean, you just
14 read your nonconforming, read the definition
15 of nonconforming building with conforming
16 uses and it specifically says, nothing in
17 this article shall be deemed to prevent
18 normal maintenance and repairs, structural
19 alterations. And structural alterations is
20 a defined term, any changes of supporting
21 members of the building, such as beams,
22 columns, girders. So it's nonconforming
23 building with conforming --

24 CHAIRMAN SALADINO: -- that's a little
25 bit --

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2 MS. MOORE: Keep reading, it says
3 moving, reconstruction or enlargement of a
4 nonconforming building.

5 So the code is pretty generous with
6 what he can do with a nonconforming building
7 with a conforming use. Right now it is a
8 conforming building with a conforming use.

9 MR. OLINKIEWICZ: It's not conforming
10 because it crosses the property line.

11 MS. MOORE: No. The portion that is
12 within the property line has a conforming
13 use on the first floor and conforming use on
14 the second floor, so an existing apartment
15 on the second floor and it's commercial
16 building rental space on the first floor.

17 MR. OLINKIEWICZ: So back to my adding
18 on, I could come to the ZBA and ask for two
19 lots to be merged; and if you merge the two
20 lots and I have a building that was built
21 prior to 1991 and has a CO, which would then
22 give me unlimited expansion on that new
23 building once you merge those lots, right,
24 because it's prior to 1991, so I would say,
25 be exempt from parking anyway by having you

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2 guys merge the lots. I get that. I get
3 that. Right. So it would be, but it
4 becomes a -- it's better to have two lots
5 than one kind of, for business purposes or
6 whatever, but, you know, if I merge the
7 lots, I can then tear out the whole parking
8 lot, put a twelve-foot driveway that needs
9 to have a dumpster and I'm totally exempt
10 from parking the whole property, so I can
11 have a six-thousand square-foot building, as
12 long as I met setbacks and everything and
13 have a second floor and all my apartments
14 are already approved because it had parking
15 prior to 2002, so all my expansion wouldn't
16 have to go through the ZBA.

17 CHAIRMAN SALADINO: Well, I'll throw a
18 monkey wrench into that concept or paradigm,
19 there is also a code restriction about
20 multi-family in CR, so if you have visions
21 of six thousand square --

22 MR. OLINKIEWICZ: -- I'm just trying to
23 say that there are so many different things
24 that come into play here --

25 CHAIRMAN SALADINO: Jimmy, to be honest

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2 with you, you know, you make a great case
3 for both applications, but we're not here to
4 write your application.

5 MR. OLINKIEWICZ: I understand, but --

6 CHAIRMAN SALADINO: -- so you're gonna
7 tell us what you want to do.

8 MR. OLINKIEWICZ: -- couple meetings
9 and it got bounced around and it got back
10 that --

11 CHAIRMAN SALADINO: So this is the
12 final thing.

13 MR. OLINKIEWICZ: -- where we're going
14 to put the wall up and see, you know, or get
15 the interpretation that the building was
16 prior to 1991 and is exempt from parking or
17 not.

18 CHAIRMAN SALADINO: Okay.

19 MR. OLINKIEWICZ: Because everything
20 else falls into place, all the other
21 requests for interpretation, kind of, fall
22 off the plate based off that vote.

23 CHAIRMAN SALADINO: We agree. Just --
24 Okay. Just that question for the
25 attorney again about the Notice of

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2 Disapproval being different than the
3 application. The Notice of Disapproval is
4 asking for a use variance. It says a use
5 variance is required, the application is for
6 an area variance.

7 MR. CONNOLLY: Then the application is
8 asking for an interpretation as well though?

9 CHAIRMAN SALADINO: As well.

10 MR. CONNOLLY: Maybe you can proceed on
11 the request for interpretation, then if the
12 interpretation yields the result that
13 variance is required, they have to fill out
14 the that portion of the application.

15 CHAIRMAN SALADINO: New application.

16 MR. TASKER: Mr. Chairman, with respect
17 to the interpretation, I'm a little
18 uncomfortable with the breadth of simply
19 siting the paragraph numbers in the code. I
20 would feel a lot more comfortable if the
21 request for interpretation were, what is
22 meaning of X in paragraph such and such with
23 respect to the proposed structure that we
24 are looking at. In other words, make the
25 request for interpretation specific to this

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1 application in the question itself, not just
2 tell me about Section 150-20.

3 I know you not being flip about that.

4 MS. GORDON: I would want to go further
5 than that. I would ask for a legal
6 memorandum about the applicant's
7 recommendation of how we should interpret
8 these things.

9 MR. OLINKIEWICZ: We could give that at
10 the public hearing. We could submit our
11 evidence based on that at the public hearing
12 so when the public speaks, this is why we
13 believe that this is pre-existing before
14 1991 and we are exempt from parking and our
15 reasons for it.

16 I mean, that's pretty much the
17 interpretation, that's the leading
18 interpretation we need.

19 CHAIRMAN SALADINO: What I was gonna
20 say in response to Dini's question is, I
21 mean, he gets to tell his side at the public
22 hearing. It would be nice to have it before
23 so we can read along, but I don't think we
24 can compel anybody to do. We can ask.

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2 MR. OLINKIEWICZ: We can try --

3 MS. MOORE: We can try to -- I had
4 something started, but quite frankly, I
5 needed to hear what the issues and the
6 questions were to try to focus.

7 MS. GORDON: I think a synthesizing
8 memo would be very helpful, and we can say
9 we don't agree, and it's also an advocacy
10 tool for you.

11 CHAIRMAN SALADINO: I think that would
12 be helpful. I don't think we could force
13 them to do that but that would be nice so we
14 could read along and we can see if you
15 change it.

16 Arthur, I think if we looked at 150-9A
17 in subparagraph 18C, and it's not an
18 interpretation how it effects the rest of
19 the world, I'm assuming we're gonna make an
20 interpretation how it effects this
21 application, so as far as any more, asking
22 for more of a narrative from the applicant,
23 as far as each interpretation -- but again,
24 I'll leave it to the members to decide if
25 that is necessary.

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2 MS. MOORE: I don't know how many other
3 buildings straddle, that the Village has
4 previously owned that straddled property
5 lines, so this is a little unique.

6 Only Jimmy will find them.

7 MR. OLINKIEWICZ: Right. It's a unique
8 issue.

9 CHAIRMAN SALADINO: What's the pleasure
10 of the Board, what are we thinking?

11 MR. OLINKIEWICZ: The number 1
12 interpretation, excuse me, would be to find
13 out about parking because once we make a
14 discussion on that, all the other
15 interpretations fall into place because they
16 either all disappear or they all pretty much
17 go in force because you have established
18 that the building is before 1990 and it's
19 exempt from parking, so that's pretty much
20 the major interpretation that we need to
21 find out.

22 MS. GORDON: If it's exempt from
23 parking, you're not saying you wouldn't
24 provide parking?

25 MR. OLINKIEWICZ: I'm gonna leave the

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1 parking lot that's there. I'm more than
2 willing to put that in a covenant that the
3 parking stays there. The issue of the small
4 lot, we're not gonna take away any of the
5 existing parking that's there, so we're
6 gonna still provide seven or eight, I think
7 it's redrawn as eight now for the handicap
8 spots. And then we're asking for relief,
9 pretty much, from one parking spot for the
10 big building and the six parking spots for
11 the small building.
12

13 MS. GORDON: I think I got it.

14 CHAIRMAN SALADINO: Okay.

15 So I'll ask again, anybody else,
16 anything?

17 Ellen?

18 MS. NEFF: I'm good.

19 CHAIRMAN SALADINO: Were you gonna wait
20 'til I make a motion?

21 MS. NEFF: No. I'm good.

22 CHAIRMAN SALADINO: Arthur?

23 MR. TASKER: Good.

24 CHAIRMAN SALADINO: So what are we
25 gonna do?

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2 MR. CORWIN: Before we accept this
3 application, I'd like to mention a couple
4 things.

5 CHAIRMAN SALADINO: Sure.

6 MR. CORWIN: The application package I
7 got, I didn't see a survey in there. I'm
8 not looking to hold this up, I'd like to get
9 this and everything else, but I didn't see a
10 survey there.

11 I make the assumption that you
12 submitted it to the Planning Board with a
13 seal on it.

14 MR. OLINKIEWICZ: Yes.

15 And the engineer took that to make the
16 site plan, so I didn't give the original
17 surveys to everybody, but we have them.

18 MR. CORWIN: But there is a survey in
19 the file, I ask staff. That is not a signed
20 survey in anything we have?

21 MR. PALLAS: I understand.

22 MR. OLINKIEWICZ: If not, I'll provide
23 them in the next day or two.

24 MS. MOORE: It's probably in the
25 Planning Board file.

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2 MR. OLINKIEWICZ: This is the Plan for,
3 done by the engineer taken from the survey
4 so he had used the CAD program for the
5 survey and used it from there, but we can
6 drop off stamped surveys.

7 MR. PALLAS: I don't see it in the
8 file. I do recall seeing it maybe in the
9 Planning Board file, if you're willing, it's
10 up to you folks if it's acceptable --

11 MR. CORWIN: I' sure he can supply a
12 stamped survey.

13 MR. OLINKIEWICZ: Yes.

14 MR. CORWIN: Fine. That's one issue.

15 The other thing, Mr. Olinkiewicz keeps
16 saying, the engineer and I see this sheet,
17 site plan --

18 MR. OLINKIEWICZ: Southold Building
19 Design.

20 MR. CORWIN: -- Southold Construction,
21 that's the engineer?

22 MR. OLINKIEWICZ: No.

23 Matt Sherman is the engineer from
24 Shelter Island, he reviewed --

25 MR. CORWIN: You have the --

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2 MR. OLINKIEWICZ: -- reviewed
3 everything, but he hasn't stamped everything
4 because there are so many different moving
5 parts.

6 MR. CORWIN: But Southold Construction
7 Design are the drafts people.

8 MR. OLINKIEWICZ: Drafts people, right.
9 Matthew Sherman is the engineer on the
10 project.

11 MR. CORWIN: The other thing I want to
12 say, this is more for staff than for you,
13 but when you get these sheets that are
14 twenty-four inches by thirty-six inches,
15 three or four, five of them, there's nothing
16 you can do with them. I see why it was
17 done, so you can make a display, and it was
18 a big sheet; but sheets like this I can't
19 take home the spread out on my dining room
20 table, it's covered with stuff from the ZBA
21 and Historic. I can't put it on the
22 drafting table because my tax computer is on
23 there; and I want to say to staff for future
24 information for you, I think it should be
25 policy that the big sheets, the preferred

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1 size of the sheet is ledger size. You can
2 fit a lot on there. If somebody has to
3 submit a sheet this big, fine, but like I
4 said, when you get a package like this, you
5 can't fit it in a file cabinet, you can't
6 review it at home.
7

8 That's just a thought to make these
9 things go a little easier.

10 CHAIRMAN SALADINO: Was that for him or
11 for the Village?

12 MR. CORWIN: Both.

13 CHAIRMAN SALADINO: Is that tough to
14 do?

15 MR. PALLAS: I can certainly ask
16 applicants to provide them. It's difficult
17 for us sometimes on a complex file project
18 for us to review them to the level
19 necessary, but as far as your packet is
20 concerned, I'm more than happy to request of
21 applicants that size drawing.

22 CHAIRMAN SALADINO: I don't think David
23 was saying that the Village should have the
24 smaller copy to review; you guys demand what
25 you demand, that's up to the Village. But

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1
2 is it possible for the Village to supply
3 this Board with smaller copies?

4 MR. PALLAS: I thought that's what I
5 was saying, that's what I meant.

6 CHAIRMAN SALADINO: Okay.

7 MR. PALLAS: We need the large size, we
8 will always need the larger sizes for review
9 purposes, but when packages are put
10 together, we can certainly provide you
11 either or both, that's entirely up to you
12 folks.

13 MR. CORWIN: I don't completely agree
14 with you. I think even a project like this
15 can go on a ledger-size sheet and be
16 reviewed.

17 CHAIRMAN SALADINO: Well, he's saying
18 he is willing to supply us with that.

19 MR. CORWIN: And I'm saying, when the
20 applicant comes in and gives staff sheets,
21 they most, this is a little bit of different
22 project but most projects, a lot come in
23 with big sheets and they're hard to deal
24 with. That's what I'm saying and we should
25 at least think about asking for smaller

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1
2 sheets.

3 MR. PALLAS: I will note that the
4 Planning Board require the larger sheet
5 but --

6 MR. CORWIN: You have to prove that to
7 me.

8 That's the end of that discussion.
9 Let's move on.

10 CHAIRMAN SALADINO: As long as we get
11 the smaller ones, we're happy with that.

12 Do you have something else, David?

13 MR. CORWIN: No.

14 CHAIRMAN SALADINO: I lost my place.

15 MS. MOORE: Trying to get to the next
16 meeting.

17 CHAIRMAN SALADINO: We're gonna vote to
18 accept this application and --

19 MR. OLINKIEWICZ: Both applications.
20 Are you gonna do 112 -- we joined them
21 together, 8 and 9 on the agenda, 110 and
22 112, do you want to separate both
23 applications or do them singularly?

24 MS. NEFF: Together.

25 MR. TASKER: There is an error in the

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agenda.

MR. OLINKIEWICZ: Yeah, they have --

MR. TASKER: Yeah.

MR. OLINKIEWICZ: -- change to 112
South Street.

CHAIRMAN SALADINO: Well, there's five
semi-smart people here, we can figure out
since the agenda --

MR. TASKER: The agenda doesn't control
anything.

CHAIRMAN SALADINO: Exactly.

So we're gonna vote to accept --

Did you say something?

We're gonna vote to accept the two
applications and --

MS. NEFF: 110 and 112 South Streets.

CHAIRMAN SALADINO: We're gonna vote
the accept the applications for 110 and 112
South Street, schedule -- lets do that
first, let's vote to accept both these
applications.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

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MR. TASKER: Aye.

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN SALADINO: I'll vote aye.

Any opposed?

(No response.)

We're gonna schedule a public hearing for both applications 110 and 112 South Street for interpretation at our next meeting, March 19th.

We schedule the public hearings at 6 o'clock. It will be at the Old Schoolhouse.

Are we gonna make a site visit?

MR. CORWIN: I think we need to.

MS. NEFF: For interpretation as well?

CHAIRMAN SALADINO: Depending on how the interpretation goes, there's gonna be a follow up, so we mine as well get the site visit out of the way.

We have a site visit a 5:30, perhaps we want to make this one 5 o'clock.

MR. CORWIN: Yes.

MS. NEFF: Okay.

All right, Jimmy, so 6 o'clock, you

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1 know the drill, 5 o'clock at the site.

2 I'm not gonna say which it's gonna be
3 110 or 112, depending on where I can park.

4 We'll see you then.

5 Is there anything else we need from
6 this applicant?

7 MS. MOORE: I'll try to get you a memo
8 as soon as possible.

9 Can I e-mail that to you?

10 CHAIRMAN SALADINO: Absolutely.

11 MR. OLINKIEWICZ: Thank you for your
12 time with this crazy application.

13 Did we vote on the site visit?

14 MS. MOORE: You don't have to vote on
15 the site visite.

16 MS. NEFF: No, it's scheduled.

17 CHAIRMAN SALADINO: Item number 11, is
18 there anyone that has any other Zoning Board
19 of Appeals business that might properly come
20 before this Board?
21

22 (No response.)

23 No.

24 Item number 12 is motion to adjourn.

25 So moved.

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MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MR. TASKER: Aye.

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN SALADINO: I vote aye.

Thank you, folks.

(Time noted: 7:47 p.m.)

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MS. LINGG: [3] 4/9 9/4 31/6

MS. MILLER: [3] 22/15 24/8
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