

1 VILLAGE OF GREENPORT

2 COUNTY OF SUFFOLK : STATE OF NEW YORK

- - - - -X

3

ZONING BOARD OF APPEALS

4

REGULAR SESSION

5

- - - - -X

6

Station One Firehouse

7

Third & South Streets

8

Greenport, New York 11944

9

10

11

April 21, 2021

12

6:00 p.m.

13

B E F O R E :

14

JOHN SALADINO - CHAIRMAN

15

DINNI GORDON - MEMBER

16

SETH KAUFMAN - MEMBER

17

CONNIE SOLOMON - MEMBER

18

19

20

ROBERT CONNOLLY - ZONING BOARD ATTORNEY

21

PAUL PALLAS - VILLAGE ADMINISTRATOR

22

AMANDA AURICHIO - SECRETARY TO THE BOARD

23

24

25

1 (*The meeting was called to order at 6:02 p.m.*)

2 CHAIRMAN SALADINO: Before I
3 introduce the new members, I want to
4 let the people know at home what is
5 happening. This is the Village of
6 Greenport Zoning Board of Appeals
7 regular meeting. And this evening, we
8 have two new members. We will
9 introduce them. One is Connie Solomon.
10 And Seth Kaufman. No applause?

11 (Laughter.)

12 CHAIRMAN SALADINO: And in the
13 interest of full disclosure, yesterday,
14 in way of introduction, Ms. Solomon,
15 myself, and one other member Diana
16 Gordon, we had run into each other at
17 Aldo's, and we had coffee. We
18 discussed no Zoning Board business,
19 past, present, or future. Only an
20 introduction, only. So if anybody out
21 there in the audience or in
22 Televisionland saw, it wasn't a secret
23 meeting. It was just -- it was just by
24 way of -- so we will get to the agenda.

25 (Whereupon, an off-the-record

1 discussion was held.)

2 CHAIRMAN SALADINO: Okay, item No.
3 1 is motion to accept the minutes of
4 the March 15, 2021 Zoning Board of
5 Appeals meeting. All in favor?

6 MEMBER GORDON: Second.

7 MEMBER KAUFMAN: Aye.

8 MEMBER SOLOMON: Aye.

9 CHAIRMAN SALADINO: And I'll vote
10 aye.

11 Item No. 2 is a motion to approve
12 the minutes of February 16, 2021 Zoning
13 Board of Appeals meeting. So moved.

14 MEMBER GORDON: Second.

15 CHAIRMAN SALADINO: All in favor?

16 MEMBER KAUFMAN: Aye.

17 MEMBER SOLOMON: Aye.

18 CHAIRMAN SALADINO: And I'll vote
19 aye.

20 Any abstentions?

21 (No response.)

22 CHAIRMAN SALADINO: No.

23 Item No. 3 is a motion to schedule
24 the next Zoning Board of Appeals
25 meeting for May 18, 2021 at 6:00 p.m.

1 at the Station One Firehouse, Third and
2 South Streets, Greenport, New York,
3 11944.

4 So moved.

5 MEMBER GORDON: Second.

6 CHAIRMAN SALADINO: All in favor?

7 MEMBER KAUFMAN: Aye.

8 MEMBER SOLOMON: Aye.

9 CHAIRMAN SALADINO: Item No. 5 is
10 a motion to accept the findings and
11 determinations for 429 Sixth Street.
12 This property is located in R-2 (one
13 and Two-Family) District and is not
14 located in the Historic District.
15 Suffolk County Tax Map No. 1001-6.-3-5.

16 So moved?

17 MEMBER GORDON: Second.

18 MEMBER KAUFMAN: I will abstain.

19 MEMBER SOLOMON: Abstain.

20 CHAIRMAN SALADINO: Okay, we have
21 two abstentions.

22 MEMBER GORDON: So we will put it
23 off until --

24 MR. CONNOLLY: Put it off --

25 MEMBER GORDON: And you skipped

1 No. 4.

2 CHAIRMAN SALADINO: I did? Well,
3 we are going to put that over.

4 MEMBER GORDON: So the two of them
5 will be next month.

6 CHAIRMAN SALADINO: Item No. 4 -
7 25 Washington Avenue, I am guessing the
8 new members want to abstain for that
9 also.

10 MEMBER KAUFMAN: Yes.

11 CHAIRMAN SALADINO: We will put
12 that off until next month.

13 ADMINISTRATOR PALLAS: Mr. Chairman, if I
14 may, as a clarifying question, I
15 recognize the need to skip these for
16 now and table them, but if the
17 applicants may request us to issue a
18 permit in advance of the findings of
19 the determinations, I just want to make
20 sure that's acceptable to the Board
21 given that it was through no fault of
22 their own.

23 CHAIRMAN SALADINO: Is it
24 acceptable to the board to issue
25 additional --

1 ADMINISTRATOR PALLAS: A permit in
2 advance of the acceptance of the
3 findings of the determinations.

4 CHAIRMAN SALADINO: If the
5 Building Department is good with that.
6 I mean, obviously, the only reason we
7 are not voting on this tonight is
8 because the members haven't made
9 themselves familiar with it, and we
10 have one member missing. So if
11 Building Department is comfortable with
12 these findings and issuing a
13 permit -- I will ask the members, are
14 they okay with that?

15 MEMBER KAUFMAN: Yes.

16 MEMBER SOLOMON: Yes.

17 ADMINISTRATOR PALLAS: Thank you.

18 CHAIRMAN SALADINO: That was the
19 first time that question was ever asked
20 of me.

21 Item No. 6 is 511 Carpenter
22 Street. It's a discussion and possible
23 motion on the area variances applied
24 for by Jenna and Donald Williams for
25 the property located at 511 Carpenter

1 Street, Greenport, New York 11944. And
2 Suffolk County Tax Map No.
3 1001-4.-3-32.

4 We had the public hearing for this
5 application. We closed it. The
6 applicant was agreeable to putting the
7 decision off until this month. Um --

8 MEMBER GORDON: The purpose for
9 leaving -- for not discussing it, but
10 closing it was to allow further
11 communication between last month and
12 this month. I thought we had left the
13 hearing open.

14 CHAIRMAN SALADINO: No, we closed
15 the public hearing. No, there was some
16 questions that we put to the applicant,
17 that we thought they might want to
18 respond to, about, perhaps,
19 accommodating the neighborhood with one
20 or two off-street parking spaces. And
21 also there was a question about the lot
22 coverage.

23 MR. CLAY COFFEY: May I heard?

24 CHAIRMAN SALADINO: Normally --
25 normally, the app --

1 MR. CLAY COFFEY: Isaac Clay
2 Coffey, architect for the owner and
3 applicant for the project.

4 CHAIRMAN SALADINO: There was a
5 question that came up about what, in
6 fact, the square footage was and what
7 the percentage of lot coverage was fact
8 instead of guess. I inquired to the
9 Building Department, and the deck
10 that's not permitted that you are
11 taking down and the new deck that you
12 are putting up, it's in the opinion of
13 the Building Department that since it's
14 affixed to the house and permanent, it
15 should go towards lot coverage.

16 MR. CLAY COFFEY: Okay.

17 CHAIRMAN SALADINO: So that would
18 add -- so that would add six to
19 seven to the lot number instead of 25.
20 It would add 260, your numbers --

21 MR. CLAY COFFEY: 260 square feet.

22 CHAIRMAN SALADINO: 260 square
23 feet. That would bring it to 59
24 percent as opposed to 52 percent. So
25 the ask is from -- to go from 52

1 percent lot coverage to -- where 30 is
2 allowed. So instead of a 22 percent,
3 um, variance, we are talking about 29
4 percent.

5 MR. CLAY COFFEY: But the existing -- the
6 existing lot coverage -- is existing --
7 the existing lot coverage is 52 percent
8 with the additional deck that's
9 attached. If that were to be approved,
10 that would be the 59 percent.

11 CHAIRMAN SALADINO: Well, we just
12 wanted to get for the record what
13 exactly --

14 MR. CLAY COFFEY: Sure.

15 CHAIRMAN SALADINO: -- we are
16 talking about. You know, how much
17 square feet we are talking about.

18 MR. CLAY COFFEY: Right.

19 ADMINISTRATOR PALLAS: Mr. Chairman,
20 may I can ask the applicant? My
21 understanding was that the calculations
22 on the plans did include the deck.
23 That's what we were told. We inquired
24 subsequent to, um --

25 MR. CLAY COFFEY: Correct. Their

1 original calculations did include the
2 deck, so --

3 CHAIRMAN SALADINO: I asked you
4 that.

5 MR. CLAY COFFEY: In a meeting, we
6 were -- we didn't have our -- the
7 public hearing was a little bit, you
8 know, confusing, so we didn't quite
9 have it accurate.

10 CHAIRMAN SALADINO: Did we make it
11 confusing?

12 MR. CLAY COFFEY: No. Probably, I
13 did. It is part of the -- it is part
14 of the calculations that we have in the
15 filed drawings, so that is what we have
16 updated with the Building Department.

17 CHAIRMAN SALADINO: Do we have
18 those numbers?

19 MR. CLAY COFFEY: It is the last
20 thing we submitted, yes. It was part
21 of the -- addition of 25 square feet.
22 I don't know that we -- and we can
23 amend our plans to show that aspect
24 directly, but it was part of them.

25 CHAIRMAN SALADINO: Because

1 remember, I asked you -- I asked you
2 if --if the deck was part of your
3 calculations, and you said you only
4 calculated what was on the roof. And I
5 went back to the agenda --

6 MR. CLAY COFFEY: Again, I was
7 wrong on that.

8 CHAIRMAN SALADINO: So what are
9 you asking us to approve, 52 percent?

10 MR. CLAY COFFEY: 52 percent.

11 CHAIRMAN SALADINO: Okay, thank
12 you.

13 MEMBER KAUFMAN: Is it 52 percent
14 or --

15 MR. CLAY COFFEY: We are
16 requesting 52 percent coverage.

17 MEMBER KAUFMAN: With the deck?

18 MR. CLAY COFFEY: With the deck,
19 correct.

20 MEMBER KAUFMAN: Where did the 59
21 percent come from? I just want to make
22 sure we are not missing --

23 CHAIRMAN SALADINO: At last
24 month's meeting -- we don't want to
25 belabor it. At last month's meeting,

1 the architect and I had a conversation.
2 And the deck that's currently there is
3 not permanent, and they want to take
4 that deck down -- am I getting this
5 right -- take that deck down and build
6 another deck.

7 So the new deck, at the time I had
8 asked the architect if the deck was
9 computed in lot coverage in square
10 footage. And we were both trying to do
11 the math, and we couldn't. And it came
12 out to 360 square feet.

13 MEMBER KAUFMAN: So just to -- I
14 don't want to -- I just want to ask
15 what you are proposing is 52 percent
16 lot coverage with A permanent deck
17 that's factored into that?

18 MR. CLAY COFFEY: Correct, yes.

19 MEMBER KAUFMAN: Okay.

20 CHAIRMAN SALADINO: Is that --

21 MR. CLAY COFFEY: And that is --
22 you are totally right. The deck that's
23 there is bigger. We were going to take
24 it down, create an accurate
25 staircase -- create stairs that's not a

1 deathtrap, to put it down that's to
2 code, yeah.

3 CHAIRMAN SALADINO: Okay, thanks.

4 I'm sorry. Before you sit down,
5 there was also a, um, a question
6 about -- they were -- dealing the cars,
7 and perhaps, find a way to, perhaps,
8 get one of the cars or cars or the car
9 off the street; was that ever discussed
10 with you or did they ever --

11 MR. CLAY COFFEY: So they -- I
12 don't know if this is to code or how
13 they have done it, they have created
14 some parking slope that's there.

15 CHAIRMAN SALADINO: There is no
16 parking on that side of the street.

17 MR. CLAY COFFEY: That's what I
18 keep telling them, so I don't think
19 that it's actually -- that what is done
20 is actually correct. They -- I mean,
21 there is no way for them to create a
22 off-street parking without fully
23 changing the way their building is, in
24 terms of creating -- basically, tearing
25 the wall down and creating a garage.

1 CHAIRMAN SALADINO: Aren't there
2 garage doors in front of the building?

3 MR. CLAY COFFEY: It's like a barn
4 door on the main building.

5 CHAIRMAN SALADINO: Okay.

6 MR. CLAY COFFEY: One of things
7 that we did, I think we said it back --
8 but I do think that, you know, the
9 community, there was a concern about if
10 the building, again, a two-family
11 building, I do think that the
12 building's code covers that concern in
13 that, if it were converted to a
14 multi-family building, it would need to
15 go back in front of your -- this whole
16 process, and it would -- because they
17 can't provide off street parking. So
18 it would be in use. We would need to
19 go back through the ZBA, and then it
20 would have to be determined if --

21 CHAIRMAN SALADINO: I don't
22 think -- I don't think that was the
23 concern ZBA --

24 MR. CLAY COFFEY: It was the
25 neighbors' concern.

1 CHAIRMAN SALADINO: The concern I
2 think at the time with the ZBA was it's
3 one of the narrowest streets in
4 Greenport, and the parking is already
5 congested, and because there is no
6 parking on that side of the street, I
7 believe one of the neighbors raised
8 that too as a question, that um,
9 that um -- and I think the applicant
10 admitted that they had two cars, not
11 that that matters. Anyway.

12 MR. CLAY COFFEY: Thanks.

13 CHAIRMAN SALADINO: Any reports
14 here?

15 MEMBER GORDON: As I understand
16 it, this is complicated today because
17 we have only two members who are -- who
18 had heard -- who were here and
19 participating in the hearing. The
20 third member is being a good son and
21 bringing his parents -- his elderly
22 parents from Florida to Ohio. That's
23 why he is not here, a good reason. And
24 the other board members are new and
25 haven't had a chance to visit your site

1 or participate in the hearing.

2 So it's going to be impossible or
3 just difficult to go --

4 CHAIRMAN SALADINO: I can't -- the
5 members -- we explained to the new
6 members that if they read the minutes,
7 if the members read the minutes and
8 felt they were -- they were versed in
9 the application, that they could --
10 they certainly could vote or, if that's
11 opposed, they could abstain.

12 MEMBER KAUFMAN: I have read it,
13 but I haven't been there, and it sounds
14 confusing enough that I would like to
15 see what the space looks --

16 MEMBER GORDON: It's a unique
17 property, there is no question.

18 CHAIRMAN SALADINO: The other
19 problem that arises is they saw none of
20 the -- the material -- the site plans,
21 survey, the construction drawings. So
22 again -- we said this last month -- we
23 have 62 days to make a decision.
24 Normally, I don't think we have ever
25 taken 62 days to make a decision.

1 Ever. But we are faced with two
2 abstentions and two members voting.
3 Regardless how those two members vote,
4 there won't be a decision.

5 MEMBER SOLOMON: That's correct.
6 You wouldn't have four.

7 CHAIRMAN SALADINO: So we are
8 going to have to -- I can poll the
9 members to make it official. I can
10 call the vote, but it seems -- it
11 seems -- so.

12 MEMBER GORDON: Is there any way
13 we can vote in between the meetings if
14 the two members have the materials and
15 if they make plans to visit the site?

16 CHAIRMAN SALADINO: And call a
17 special meeting? No, I am not prepared
18 to do that. Um, I think we are going
19 to just have to put it off until next
20 month.

21 MEMBER GORDON: And that --

22 CHAIRMAN SALADINO: Does the
23 Building Department have an opinion?

24 MEMBER GORDON: If that would be
25 the 62 days, right, it would bring us

1 up to the --

2 CHAIRMAN SALADINO: Well, it would
3 be -- we would ask the applicants or
4 the applicants' representative if he is
5 willing to extend the time. I think it
6 would be crazy not to agree, since if
7 they refused, the default answer is no.
8 Unlike the Planning Board, where the
9 default answer after 60 days is yes,
10 with the Zoning Board, the default
11 answer is no. So we will put the
12 question to you.

13 MEMBER KAUFMAN: But you had asked
14 the Building Department if they have a
15 process. Do you?

16 ADMINISTRATOR PALLAS: The only
17 concern I was going to suggest is
18 exactly what the chairman suggested,
19 that in order to -- in fairness to the
20 applicant -- to ask if they were
21 willing to extend the time beyond the
22 62 days, if needed. We would have no
23 other -- we would have no other input
24 on the decision-making process.

25 MEMBER KAUFMAN: I don't want to

1 hold anyone up. I am new, and this
2 seems like it's a complex enough an
3 issue that I don't know what the answer
4 should be yet. So I can't really vote
5 for this.

6 CHAIRMAN SALADINO: Well, will it
7 be 62 days from the --

8 MEMBER GORDON: We have one
9 month --

10 CHAIRMAN SALADINO: It's --

11 MEMBER GORDON: It's 61 days.

12 CHAIRMAN SALADINO: I think we are
13 looking for --

14 MR. CLAY COFFEY: I think it would
15 be over 62 days, because we have the
16 public hearing that closed, and then we
17 waited another 30 days. There was a --

18 CHAIRMAN SALADINO: How about
19 this? How about this? Instead of us,
20 somebody providing a calendar or
21 counting the days, how about we just
22 ask you; would it be okay to extend the
23 time?

24 MR. CLAY COFFEY: If it goes
25 beyond 62 days, what, I need -- I am

1 trying to understand if it goes beyond
2 62 days, what repercussions do we have?

3 CHAIRMAN SALADINO: If our
4 decision -- if we make no decision in
5 62 days, the default answer to your
6 application is denied. That would be
7 our default answer to you. Denied.
8 The Planning Board has a different set
9 of rules. We are not in front of the
10 Planning Board. You are not in front
11 of the Planning Board, obviously. They
12 have 60 days to make a decision. The
13 default answer to them if they doesn't
14 come to a decision in 60 days is yes,
15 is approval.

16 So I don't know why that's like
17 that, but that's the way it is.

18 MR. CLAY COFFEY: I think what we
19 are trying to do, obviously, in the
20 last public hearing, you recommended
21 that we waited. We did. Through no
22 fault of our own, we are now here
23 again. It's a complicated -- I
24 understand that you guys need to be
25 brought up to speed, but it's a

1 fairly -- we are trying to make a house
2 legal for a family.

3 CHAIRMAN SALADINO: Well, okay,
4 and that's a normal thing to do, but,
5 you also forget that two members have
6 been to the site. And we know -- we
7 know from personal observation that the
8 family is not, in fact, suffering by
9 our --

10 MR. CLAY COFFEY: I don't know
11 that you would say that without -- I
12 mean, that's -- I am not sure that you
13 could pass judgment if they are not
14 impacted by this decision or not,
15 because they are. They are having to
16 live in an unfinished basement that
17 they can't finish, they can't use.

18 CHAIRMAN SALADINO: They are
19 living in non-habitable living space
20 that's specifically prohibited by their
21 Certificate of Occupancy?

22 MR. CLAY COFFEY: Well, I think
23 what he was trying to do was be straightforward.

24 CHAIRMAN SALADINO: Do you want to
25 open that up?

1 MR. CLAY COFFEY: I'm sorry. What
2 we are trying to do -- we have been
3 trying very directly to work within the
4 bounds of the ZBA. We have. We have
5 been -- we have been very much trying
6 to obey the rules and work within it.
7 It's becoming a point in which, though,
8 it's going to take five months, and
9 it's -- and we could have had this vote
10 last month, and you recommended that we
11 waited. And now we have, and now we
12 have to wait another month. So I am
13 not sure the -- it feels like an undue
14 burden in some ways for this client.

15 CHAIRMAN SALADINO: Well, the
16 fifth member, his absence was
17 unexpected.

18 MR. CLAY COFFEY: I understand.
19 He also called us that week and told us
20 that he was going to vote for it.

21 CHAIRMAN SALADINO: I'm sorry?

22 MR. CLAY COFFEY: He also called
23 us and told us he was going to vote for
24 it, one of the members.

25 CHAIRMAN SALADINO: I didn't

1 understand that. What?

2 MR. CLAY COFFEY: Corwin called us
3 and told us that he was going to vote
4 yes for the project.

5 MEMBER GORDON: You know -- you
6 understand that situation.

7 MR. CLAY COFFEY: Absolutely. I
8 absolutely do. I just think it's -- we
9 are in a position that's -- we
10 understand that you guys are in a very
11 hard position as well, but I just think
12 that we are --

13 CHAIRMAN SALADINO: We are in an
14 untenable position. We have two
15 members that are going to abstain. We
16 have two members that are going to
17 vote. Regardless how the two members
18 that are going to vote, if we both
19 decide to vote yes, it's still a
20 nondecision, because there is -- there
21 is no majority vote.

22 MR. CLAY COFFEY: So we have no
23 choice, but to wait is what we are
24 being told?

25 CHAIRMAN SALADINO: Your choice

1 right now is to -- and we apologize for
2 the absent member, but it was
3 unexpected, and your choice right now
4 is to either grant the extension to the
5 Zoning Board or not. That's -- this
6 application is going to be put off
7 until next month because there could be
8 no decision tonight.

9 MR. CLAY COFFEY: Okay, I will let
10 the client know.

11 CHAIRMAN SALADINO: So --

12 MR. CLAY COFFEY: I mean, that's
13 fine. I mean, I think we could have
14 gone through that earlier.

15 CHAIRMAN SALADINO: Well, you make
16 it sound like -- last month we actually
17 thought we were doing you a favor by
18 suggesting that you wait for the
19 Board -- you wait for the full Board.
20 This way the discussion would have been
21 lively. It would have been
22 informative, but now, because of undue
23 circumstances, one member can't be
24 here. We have two members. We were
25 without a member for six months. Now

1 we have two new members that are just
2 getting up to speed. They are
3 uncomfortable. They are uncomfortable
4 voting on this application without all
5 the information. They don't have the
6 information that we have.

7 MR. CLAY COFFEY: I understand,
8 but it's also that they are never going
9 to have all of the information because
10 they weren't part of the public hearing
11 either.

12 CHAIRMAN SALADINO: The public
13 hearing are part of the minutes. The
14 site inspection and the construction
15 drawings and -- are not. These
16 drawings, they can get them and review
17 them.

18 MEMBER GORDON: Between now and
19 next month, we can certainly see that
20 those are provided, and they could make
21 a site visit.

22 CHAIRMAN SALADINO: That's what I
23 am saying.

24 MR. CLAY COFFEY: So can we
25 schedule another site visit; is that

1 possible? Is that something within the
2 recommend of the ZBA's?

3 CHAIRMAN SALADINO: Certainly, if
4 it's okay with you, it's certainly okay
5 with me, as the chairman. The entire
6 Board wouldn't have to go. The members
7 that feel they need the site visit, if
8 it's okay with the applicant.

9 MR. CLAY COFFEY: Absolutely, that
10 would be great. We would love to have
11 you over and take a look at the
12 project.

13 MEMBER KAUFMAN: From what I know
14 about this project, it's complicated
15 enough that I would have to see it.

16 MR. CLAY COFFEY: Sure, great.

17 MEMBER KAUFMAN: So I would very
18 much like --

19 MR. CLAY COFFEY: That would be
20 great.

21 CHAIRMAN SALADINO: We have
22 absolutely no problem, as long as the
23 members don't have -- do you two new
24 members don't have a problem with it.

25 MR. KAUFMAN: No --

1 CHAIRMAN SALADINO: I don't see
2 why, so why don't we --

3 ADMINISTRATOR PALLAS: Chairman,
4 if I may just add two things?

5 CHAIRMAN SALADINO: Sure.

6 ADMINISTRATOR PALLAS: As far as
7 the site visit, we can facilitate that.
8 My staff can facilitate that, so if you
9 let us know when your availability is,
10 we will communicate that to the
11 applicant.

12 The second thing I would offer in
13 terms of -- similar to what I just said
14 earlier about the findings and
15 determinations. If at next month's
16 meeting, it's in -- if -- if it's an
17 affirmative vote, um, to assist the
18 applicant, if we could move forward
19 with the project, um, without the
20 findings and determinations being voted
21 on, given the circumstances, if you
22 would be comfortable with that, then in
23 essence, if they do -- if you do
24 receive an affirmative vote, there is
25 really nothing lost because we would

1 have waited an additional month anyway
2 to issue any permits. So I would ask
3 if the board would be comfortable with
4 that?

5 CHAIRMAN SALADINO: The findings
6 and determinations from 511 Carpenter
7 Street?

8 ADMINISTRATOR PALLAS: Correct,
9 which would happen the following month,
10 but which would add another month. So
11 if you vote -- if you vote in the
12 affirmative next month, then we could
13 process the permit at that point, and
14 the findings and determinations the
15 following month after the fact.

16 CHAIRMAN SALADINO: I have -- I
17 have never had a problem with that.
18 That was always, in my opinion, up to
19 the Building Department when they
20 issued the permit. I always felt once
21 this Board voted yes for the variance,
22 the -- and I understand, not the
23 findings and determinations, but we are
24 kind of, like, out of the loop after
25 that, you know, so if the Building

1 Department is comfortable with that, I
2 will ask the members. Are we
3 comfortable with that?

4 MEMBER GORDON: Yes.

5 ADMINISTRATOR PALLAS: Thank you.

6 CHAIRMAN SALADINO: So the
7 Building Department is going to
8 schedule the site visit for the two
9 newer members, and you will communicate
10 with the Building Department.

11 MEMBER KAUFMAN: Sure.

12 MEMBER SOLOMON: Okay.

13 CHAIRMAN SALADINO: What's
14 convenient for you, and they will
15 communicate to the applicant, and they
16 will arrange that?

17 MEMBER GORDON: And the Building
18 Department will get them the materials,
19 the materials that we have.

20 CHAIRMAN SALADINO: I thought that
21 was understood.

22 ADMINISTRATOR PALLAS: If you
23 would like hardcopies, we will request
24 that, and the applicant -- they are
25 available online under Zoning Board

1 Agenda for the prior meeting. So if
2 you want hardcopies, you certainly
3 can --

4 MR. CLAY COFFEY: We will generate
5 two new sets of hardcopies, so everyone
6 has the same thing. That's not a
7 problem.

8 CHAIRMAN SALADINO: Okay, so as
9 far as Item Number 6, we are going to
10 put that off with the applicant's
11 permission. We are going to -- he
12 agrees to extending the time past 62
13 days.

14 MR. CLAY COFFEY: We agree.

15 CHAIRMAN SALADINO: So we are
16 going to put that off until next time.
17 That's all we have.

18 Item No. 7 is 449 Main Street.
19 Motion to accept the application,
20 schedule a public hearing, and arrange
21 a site visit to the application of
22 Bennett Brokaw -- am I getting that
23 right -- represented by Eileen Wingate,
24 for property located 449 Main Street,
25 Greenport, New York, 11944. This

1 property is located in the C-R
2 (Commercial Retail) District and is
3 located in Historic District. This
4 property requires area variance.
5 Suffolk County Tax Map No.
6 1001-4.-7-18.

7 Is the applicant present?

8 MS. WINGATE: (Indicating.)

9 CHAIRMAN SALADINO: Name and
10 address.

11 MS. WINGATE: Eileen Wingate; 2805
12 West Mill Road, Mattituck New York.
13 Bennett is not present. He is in
14 Puerto Rico.

15 CHAIRMAN SALADINO: Nice place to
16 be.

17 Is there something you would like
18 to tell us on behalf of the applicant?

19 MS. WINGATE: Oh, sure. What a
20 wonderful project it is. Bennett owns
21 this house for a long time, probably
22 about 14, 15 years maybe. Before
23 Bennett owned it, it was residential
24 use. It was a one-family house, and
25 when Bennett purchased it, he put two

1 businesses in it. He put one
2 downstairs, one upstairs, and the
3 backyard garage is just kind of sitting
4 there being unimproved and rotting in
5 place, frankly.

6 Bennett came up with the idea that
7 he would like to redevelopment the
8 property, to see if he can't provide
9 more housing. So we have come up with
10 this plan to take the existing garage,
11 modify it, do a small addition to it.
12 The small addition is, I think, about
13 120 square feet, and it's not located
14 in any of the required setbacks. So,
15 um, you are really, essentially, asking
16 for a variance for the existing
17 building, which is very close to the
18 property line on two sides.

19 CHAIRMAN SALADINO: Is it two
20 sides or three sides -- two sides?

21 MS. WINGATE: Well, actually, the
22 Notice of Disapproval says it's three
23 sides because, um, the code enforcement
24 officer decided that the patio was a
25 structure. So it's really not a

1 structure, so it's really only two
2 sides.

3 MEMBER GORDON: Excuse me --

4 CHAIRMAN SALADINO: Are you asking
5 for an interpretation?

6 MS. WINGATE: No, I am not. I am
7 here. I -- I am here.

8 MEMBER GORDON: You did not say,
9 it's going to add a story?

10 MS. WINGATE: It's adding a story,
11 correct.

12 MEMBER GORDON: You didn't say
13 that.

14 MS. WINGATE: Correct. It's a
15 two-story dwelling. It's two units.
16 One unit is one-bedroom.

17 MEMBER GORDON: At the moment,
18 it's only a garage and one-story --

19 MS. WINGATE: At the moment, it is
20 only a garage and one story, correct.

21 CHAIRMAN SALADINO: Okay.

22 MS. WINGATE: One-story garage.

23 CHAIRMAN SALADINO: Correct, and
24 THE addition, you said is 1 -- I have
25 it here -- 160 square feet, the

1 addition?

2 MS. WINGATE: Essentially, it's
3 the stair that gets you from the first
4 floor to the second floor.

5 CHAIRMAN SALADINO: Okay. And
6 before -- before -- we are not going to
7 hold the application up for this, but
8 we need -- we need the names of the
9 people in the LLC to avoid any conflict
10 with the board.

11 MS. WINGATE: Okay.

12 CHAIRMAN SALADINO: So there is no
13 conflict of interest with the board.

14 MS. WINGATE: Okay.

15 CHAIRMAN SALADINO: We need that
16 form that was supplied, we need that
17 notarized.

18 MEMBER GORDON: The authorization
19 is you --

20 MS. WINGATE: The authorization is
21 not notarized?

22 ADMINISTRATOR PALLAS: Mr. Chairman, the
23 authorization for -- to allow? We have
24 it.

25 CHAIRMAN SALADINO: Yeah, that's

1 notarized?

2 ADMINISTRATOR PALLAS: So sorry.

3 No, it's not. My bad.

4 CHAIRMAN SALADINO: For the next
5 meeting, maybe you will do that.

6 MS. WINGATE: Okay, that's easy.

7 CHAIRMAN SALADINO: And I don't
8 know if the members have any questions.
9 I have maybe one question. And then
10 the two commercial --

11 MS. WINGATE: Yes.

12 CHAIRMAN SALADINO: -- they are
13 going to stay?

14 MS. WINGATE: Yes.

15 CHAIRMAN SALADINO: They are going
16 to stay. And -- and let me -- I know
17 you know the answer. I am positive you
18 know I know the answer. The Board
19 probably knows the answer. We know --
20 did -- did the owner give any
21 consideration, even though it's not
22 required, did the owner give any
23 consideration to, perhaps, designating
24 a couple parking spaces for the tenant,
25 because I didn't see it on --

1 MS. WINGATE: Yeah, there are --
2 there are plenty. We didn't designate,
3 because we didn't have to, but there is
4 plenty of room. You can park about up
5 to six or seven cars back there.

6 CHAIRMAN SALADINO: Well, it's
7 1800 square feet, so by code, six cars.
8 It's 30 feet wide and 60 feet from the
9 front of the building to back of the
10 building, but according to your
11 drawing, the survey, so to code, 300
12 square feet.

13 MS. WINGATE: So --

14 CHAIRMAN SALADINO: No, no, that's
15 fine.

16 MS. WINGATE: There is plenty of
17 room for commercial traffic and
18 residential.

19 CHAIRMAN SALADINO: No, we
20 understand there is a lot of room, but
21 we just thought maybe if you are
22 willing to do it, even though you don't
23 have to, if you are willing to do it,
24 perhaps, just designate a couple of
25 spaces for the residential.

1 MS. WINGATE: Absolutely.

2 CHAIRMAN SALADINO: Okay. I don't
3 have -- I don't have any other
4 questions. I thought I did, but I
5 don't.

6 I will ask the members. Do we
7 have any questions?

8 MEMBER SOLOMON: No, I don't.

9 MS. WINGATE: Bennett is also
10 using the Housing Authority. He owns
11 other properties in the Village, and he
12 uses the Housing Authority because he
13 likes working with them, and he felt
14 that because these two apartments need
15 to be full-time, that he may consider
16 just turning them over to the Housing
17 Authority to put in some really fine
18 people, who are locals who need
19 housing. This is class --

20 CHAIRMAN SALADINO: That's a noble
21 gesture.

22 MS. WINGATE: This is classic
23 workforce housing.

24 MEMBER GORDON: They are very
25 tiny. They are very tiny spaces, and

1 we --

2 MS. WINGATE: There --

3 MEMBER GORDON: You must forgive
4 us because we see this sort of thing
5 all the time, and it does raise
6 questions about whether they really are
7 meant for year round -- year round
8 living, you know. We are all concerned
9 about not having too much short-term
10 housing.

11 MS. WINGATE: Um, this is
12 absolutely, absolutely, definitively --
13 he will sign -- he will sign away his
14 rights for short-term. That's just not
15 what he wants. It's not what the
16 Village needs. He has been here for a
17 long time, and he is very keen on what
18 he is doing.

19 MEMBER GORDON: Thank you.

20 Did you have questions?

21 MEMBER SOLOMON: No.

22 MEMBER KAUFMAN: I am just a
23 little interested when you say, "sign
24 away," like, what's the method for
25 that.

1 MS. WINGATE: There --

2 MR. CONNOLLY: You need to cover
3 the restriction.

4 CHAIRMAN SALADINO: Well, it's
5 part of the code anyway. The
6 apportionment code that we are talking
7 about that allows this to happen,
8 actually it's written in the code that
9 it has to be -- the conversion has to
10 be full time.

11 MS. WINGATE: Uh-hum.

12 CHAIRMAN SALADINO: So it's -- but
13 you know, it never hurts to be
14 redundant a little bit to kind of
15 remind the owner that he did sign
16 something that --

17 MEMBER KAUFMAN: Sure.

18 CHAIRMAN SALADINO: So --

19 MEMBER KAUFMAN: Can you tell us,
20 in terms of parking, that area between
21 the commercial building in the front
22 and this new construction, is that
23 hardscaped, or is that just grass?

24 MS. WINGATE: It's just gravel
25 now.

1 MEMBER KAUFMAN: It's gravel.

2 MS. WINGATE: It's an old
3 driveway, you know. Um, it's going to
4 stay an old driveway, but it can be
5 cleaned up. It can be resurfaced. It
6 can be re-graveled. Um, there is
7 actually -- it's -- each apartment has
8 their own door, so I am sure there will
9 be a little, a little garden space.

10 MEMBER KAUFMAN: That will be
11 useful for parking, actually use
12 parking as it is now.

13 MS. WINGATE: Absolutely.

14 CHAIRMAN SALADINO: Do the
15 commercial customers use the rear?
16 I --

17 MS. WINGATE: Not at all.
18 Actually, he had somebody, um, doing
19 some boat repairs, um, in the garage
20 and that just wasn't working out.

21 CHAIRMAN SALADINO: And the bottom
22 business is Special --

23 MS. WINGATE: No, the bottom
24 business is a massage therapist.

25 CHAIRMAN SALADINO: Is that

1 Special Effects?

2 MS. WINGATE: No, that's several
3 doors down. Actually it was exactly
4 right next door. Special Effects is
5 right next door. So it's the
6 mustard-colored building with the
7 little --

8 CHAIRMAN SALADINO: I know the
9 building, but I just never noticed what
10 was downstairs. Um, and not that it
11 matters, except, you know, if it makes
12 it harder for somebody, but you said
13 that the owner is willing to designate
14 a couple of spaces, which --

15 MS. WINGATE: And the other thing
16 about the size of the apartments, being
17 a city dweller, um --

18 MEMBER GORDON: Yes, but this
19 isn't the city.

20 (Laughter.)

21 MS. WINGATE: This is true, but I
22 don't think that -- I don't have my
23 numbers with me. You want me to get my
24 numbers?

25 CHAIRMAN SALADINO: As far as like

1 the space?

2 MS. WINGATE: Yeah.

3 CHAIRMAN SALADINO: 450 square
4 feet.

5 MS. WINGATE: Yeah, for the
6 smaller one. It's a studio. It's a
7 studio apartment. They are really, um,
8 in my opinion, kind of spacious for
9 single people.

10 CHAIRMAN SALADINO: Said the woman
11 that lives on a farm.

12 MS. WINGATE: It is truly -- this
13 is true. These were truly not designed
14 for families or even couples. These
15 are workforce housing. So -- for
16 single people.

17 MEMBER GORDON: One is 400 and
18 one is 450.

19 CHAIRMAN SALADINO: How much, one
20 is 400?

21 MEMBER GORDON: And one is 450.

22 CHAIRMAN SALADINO: Actually, the
23 law in New York State just changed or
24 New York City just changed.

25 MS. WINGATE: From what to what?

1 CHAIRMAN SALADINO: The minimum,
2 now they made it 360, so -- I don't
3 know, to live there. That's like a
4 hotel room in Las Vegas, but if
5 somebody is happy. If somebody is
6 happy, and that's approved, then fine.
7 Then that's fine.

8 Do we have something else?
9 Anything else we have to say?

10 MS. WINGATE: We will be going
11 before the Historic Board on its next
12 go round too.

13 CHAIRMAN SALADINO: You didn't go
14 before them yet? They didn't go before
15 them first?

16 ADMINISTRATOR PALLAS: No, they
17 needed to be here first.

18 CHAIRMAN SALADINO: I don't know
19 what -- this Historic Board is a
20 mystery to me, so I don't know.

21 MS. WINGATE: Okay, I am just
22 trying to check the boxes.

23 CHAIRMAN SALADINO: Okay. And,
24 um, anything else? Seth, perhaps, any
25 other questions --

1 MEMBER KAUFMAN: No.

2 CHAIRMAN SALADINO: All right.

3 Thank you. I am going to make a motion
4 that we accept this application.

5 So moved.

6 MEMBER GORDON: And schedule a
7 hearing.

8 CHAIRMAN SALADINO: Well, let's
9 accept the application first, and
10 then --

11 MEMBER GORDON: Second.

12 CHAIRMAN SALADINO: All in favor?

13 MEMBER KAUFMAN: Aye.

14 MEMBER SOLOMON: Aye.

15 CHAIRMAN SALADINO: Did you vote?

16 MEMBER GORDON: Yes.

17 CHAIRMAN SALADINO: Then I will
18 vote. All right. So we will schedule
19 a public hearing for, uh -- for, uh,
20 six o'clock. I know we set them all at
21 six o'clock. This way there is no
22 confusion.

23 And a site visit, uh, we are going
24 to do a site visit, what time is
25 convenient, do you think?

1 MEMBER GORDON: 5:30?

2 CHAIRMAN SALADINO: 5:30 is okay.

3 And --

4 MEMBER SOLOMON: Prior to the next
5 meeting?

6 CHAIRMAN SALADINO: I'm sorry?

7 MEMBER SOLOMON: Prior to the next
8 meeting?

9 CHAIRMAN SALADINO: We are going
10 to set the -- the public hearing would
11 be for May 18 at six o'clock, and the
12 site visit will be at 5:30 on May 18, a
13 half hour before the meeting.

14 The only thing we would ask,
15 Eileen, is that you stake out the
16 addition.

17 MS. WINGATE: Oh, sure.

18 CHAIRMAN SALADINO: And those two
19 documents, that you can have them for
20 us next time.

21 MS. WINGATE: (Nods head.)

22 CHAIRMAN SALADINO: All right. We
23 will see you on -- I don't know why
24 this is so hard for me to remember --
25 May 18. All right.

1 Item No. 8 is any other Zoning
2 Board of Appeals business that might
3 come before this Board.

4 Any questions? Any of the people
5 in the back have a question?

6 (Laughter.)

7 CHAIRMAN SALADINO: No? No?

8 Okay.

9 Item No. 9 is a motion to adjourn.

10 So moved.

11 MEMBER GORDON: Second.

12 CHAIRMAN SALADINO: All in favor.

13 MEMBER KAUFMAN: Aye.

14 MEMBER SOLOMON: Aye.

15 CHAIRMAN SALADINO: Jay, roll the
16 credits.

17 (Laughter.)

18 CHAIRMAN SALADINO: Thanks for
19 coming, folks.

20 (*The meeting was adjourned at 6:47 p.m.*)

21

22

23

24

25

1 C E R T I F I C A T I O N

2

3 STATE OF NEW YORK)

4) SS:

5 COUNTY OF SUFFOLK)

6

7 I, LAURIE DEBIASI, a Court Reporter and
8 Notary Public for and within the State of New
9 York, do hereby certify:

10 THAT, the above and foregoing contains a
11 true and correct transcription of the
12 proceedings taken on April 21, 2021, at
13 Station One Firehouse, Third & South Streets,
14 Greenport, NY 11944.

15 I further certify that I am not related
16 to any of the parties to this action by blood
17 or marriage, and that I am in no way
18 interested in the outcome of this matter.

19 IN WITNESS WHEREOF, I have hereunto set
20 my hand this 27th day of April, 2021.

21

Laurie DeBiasi

22

LAURIE DEBIASI

23

24

25

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