

VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK: STATE OF NEW YORK

-----X

PLANNING BOARD

WORK SESSION AND REGULAR MEETING

-----X

August 27, 2020  
4:00 p.m.

Third Street Firehouse  
Greenport, New York

B E F O R E:

WALTER FOOTE - CHAIRMAN

JOHN COTUNGO - MEMBER

REED KYRK - MEMBER

LILY DOUGHERTY-JOHNSON - MEMBER

PATRICIA HAMMES - MEMBER

ALSO PRESENT:

PAUL PALLAS - VILLAGE ADMINISTRATOR

ROBERT CONNOLLY - PLANNING BOARD ATTORNEY

AMANDA AURICHIO - CLERK TO THE BOARD

JAY WEBSTER

JUSTIN BALES, Homeowner

RYAN SIDOR, Representing Robert Brown

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2 (The meeting was called to  
3 order at 4:00 p.m. )

4 CHAIRMAN FOOTE: Good  
5 afternoon. This is the Village of  
6 Greenport Planning Board. This is  
7 a work session and regular  
8 meeting. It's August 27th, 2020  
9 at 4:00 p.m.

10 Item Number 1: Is a Motion  
11 to accept and approve the Minutes  
12 of the July 30, 2020 Planning  
13 Board Work Session and Regular  
14 Meeting.

15 Do I have a second?

16 MR. COTUNGO: Second.

17 CHAIRMAN FOOTE: All those  
18 in favor vote aye?

19 (Chorus of ayes.)

20 CHAIRMAN FOOTE: The Motion  
21 carries.

22 Item Number 2: Is a Motion  
23 to schedule the combined Planning  
24 Board Work Session and Regular  
25 Meeting for 4:00 p.m. on

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2 September 24th, 2020.

3 Do I have a second?

4 MR. COTUNGO: Second.

5 CHAIRMAN FOOTE: All those  
6 in favor?

7 (Chorus of ayes.)

8 CHAIRMAN FOOTE: Motion is  
9 carried.

10 Item Number 3: 110 South  
11 Street. This is a Motion to  
12 accept the findings and  
13 determinations for 110 South  
14 Street Greenport, Inc.

15 This property is located in  
16 the Retail Commercial District and  
17 is not located in the Historic  
18 District.

19 It's Suffolk County Tax Map  
20 1001-4-6-34.6.

21 I take it that my fellow  
22 board members had the opportunity  
23 to review the Motion? Rather the  
24 determination and findings which  
25 were circulated previously.

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2 And does anybody have any  
3 questions or do they accurately  
4 reflect what we agreed to?

5 (No response.)

6 CHAIRMAN FOOTE: And in  
7 that case, I move that we accept  
8 the findings.

9 Do I have a second?

10 MR. KYRK: Second.

11 CHAIRMAN FOOTE: All those  
12 in favor?

13 (Chorus of ayes.)

14 CHAIRMAN FOOTE: Motion  
15 carries.

16 Item Number 4: 4-4 -- I'm  
17 sorry, 439 First Street.

18 This is a review and  
19 approval regarding the site plan  
20 application of Eileen Wingate as  
21 agent for Justin Bales. The  
22 applicant proposes to remove and  
23 replace curbcut, apron and  
24 sidewalk, which was previously  
25 approved by the Historic

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2 Preservation Commission on  
3 August 8th, 2017.

4 This property is located in  
5 the R-2 (One and Two-Family)  
6 District and is located in the  
7 Historic District.

8 That's Suffolk County Tax  
9 Map 1001-4-6-40.

10 At this time would somebody  
11 like to speak on behalf of the  
12 applicant?

13 MR. BALES: Good afternoon.  
14 So as you can see --

15 CHAIRMAN FOOTE: I'm sorry,  
16 just I hate to go to the protocol,  
17 but if you could just announce who  
18 you are.

19 MR. BALES: Sure. Justin  
20 Bales, owner of 439 First Street.

21 We are continuing to  
22 renovate our home. This is our  
23 primary residence out here.

24 (Phone ringing)

25 MR. BALES: Excuse me. And

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2 we wanted to move the curbcut to I  
3 should say the -- what will be our  
4 future garage, it's not currently  
5 usable in its current format. And  
6 with -- I have little kids, and we  
7 are trying to just maximize the  
8 use of our yard there.

9 And, like I said, we've  
10 been working hard trying to  
11 renovate the home, and that's the  
12 next part of the process is to  
13 work on our barn. Is working on  
14 our barn.

15 CHAIRMAN FOOTE: Does  
16 anybody have any questions on the  
17 proposed curbcut?

18 MR. COTUNGO: I think it's  
19 a good idea.

20 CHAIRMAN FOOTE: Anybody  
21 else have any questions or  
22 comments?

23 (No response.)

24 CHAIRMAN FOOTE: Okay.  
25 Thank you very much. Appreciate

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2 it.

3 At this time, my  
4 understanding is that this is the  
5 type of application that does not  
6 require a Public Hearing, so I --  
7 I move that we take a vote on this  
8 application.

9 May I have a second on the  
10 Motion?

11 MR. COTUNGO: Second.

12 CHAIRMAN FOOTE: All those  
13 in favor of the application say  
14 aye?

15 (Chorus of ayes.)

16 CHAIRMAN FOOTE: The  
17 application carries.

18 Congratulations.

19 MR. BALES: Thank you.

20 CHAIRMAN FOOTE: So Item  
21 Number 5: 407 Main Street was  
22 originally scheduled for today.  
23 It's my understanding that the  
24 applicant would like to postpone  
25 the discussion and we're -- we're

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2 going to reschedule it for  
3 September 24th at our next  
4 meeting.

5 So we move on to Item  
6 Number 6: 300-308 Main Street.  
7 This is a Public Hearing regarding  
8 the site plan review application  
9 of Sterling Square, LLC. c/o  
10 Brenton -- excuse me, Brent Pelton  
11 represented by Robert Brown.

12 The applicant proposes  
13 interior and exterior renovations.

14 This property is located in  
15 the CR (Retail Commercial)  
16 District and is located in the  
17 Historic District.

18 This matter has been  
19 approved by the Historic  
20 Preservation Commission on  
21 August 20th, 2020.

22 It's located at Suffolk  
23 County Tax Map Number  
24 1001-4-07-29.1.

25 Would anybody from the



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2 public like to speak concerning  
3 this application at this time?

4 (No response.)

5 CHAIRMAN FOOTE: Okay.

6 Doesn't seem like there's going to  
7 be any public discussion of it.

8 So at this time, unless  
9 anybody from the board has any  
10 questions or further comment on  
11 this matter.

12 MR. KYRK: I thought he was  
13 going make some changes to the  
14 plans like the drain.

15 MS. HAMMES: There are new  
16 plans --

17 CHAIRMAN FOOTE: There are  
18 new plans.

19 MR. KYRK: But I didn't see  
20 the drains being addressed. We  
21 spoke about the drain. I picked  
22 up the new plans, but...

23 MS. DOUGHERTY-JOHNSON:  
24 Yeah, I couldn't tell what was new  
25 about the plan, but I didn't

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2 carefully --

3 MR. KYRK: Well, the two  
4 things I looked for I noticed were  
5 not changed, because we definitely  
6 spoke about that drain at the  
7 bottom of the stairway not just  
8 dumping as he writes onto the  
9 lawn, but going to a drywell, and  
10 I think he agreed to that, but I  
11 don't think we've shown it.

12 MR. PALLAS: If I -- if I  
13 may, Mr. Chairman and members of  
14 the board?

15 I met with the architect  
16 and the applicant on this project.  
17 We did discuss that something  
18 needs to be done, and they are  
19 going to -- he did commit to put  
20 in some kind of a different  
21 system, either a drywell  
22 underneath, since it's not  
23 specifically relevant to your  
24 approval, I can tell you  
25 affirmatively that I will not let

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2 an open permit be issued until  
3 there's some kind of a holding  
4 area, if you will, and only when  
5 that holding area can no longer  
6 hold the water that it will eject  
7 out, so there'll be a 55 gallon  
8 drum, for lack of a better  
9 description, to hold the water and  
10 if it breaches even that, then it  
11 would eject out, which would be  
12 minimal, minimal times, minimal  
13 dump.

14 MR. COTUNGO: As long as  
15 you assured me to do that, then  
16 I'm fine.

17 But the other issue was  
18 that front door, which I don't  
19 feel comfortable approving an  
20 application that is affecting the  
21 Planning Board where a front door  
22 opens up onto a ramp going down.

23 CHAIRMAN FOOTE: Yeah, I --  
24 my understanding, in my view,  
25 they've made the best of the

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2 situation. They are putting a  
3 ramp in. I understand your  
4 concern, John. They did in fact  
5 also it looks like include a  
6 push-button electric door opener,  
7 which I thought was a really good  
8 step in the right direction. You  
9 know, under the circumstances, I  
10 think that they've gone as far as  
11 they can really go to kind of make  
12 it work so it's accessible, it's  
13 not maybe optimally accessible,  
14 but it doesn't lend itself to  
15 being optimally accessible, so, in  
16 my view, I think I would accept it  
17 the way they framed it.

18 I don't know, does anybody  
19 else have an opinion on the front  
20 door and what they've done?

21 MR. KYRK: I'd like to -- I  
22 don't want to get all the way down  
23 in the weeds here, but it seems to  
24 me that the button has to be close  
25 enough to the beginning of the

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2 ramp that one could use both hands  
3 to continue up the relatively  
4 steep ramp, and that's the only  
5 thought I have on it, you know, if  
6 the button were relatively close  
7 to the sidewalk, that would make  
8 the most sense because it seems to  
9 me to be a, you know, a decent  
10 solution to a, you know, a  
11 situation that's just not great,  
12 you know, the layout just isn't  
13 great for it.

14 CHAIRMAN FOOTE: Well, are  
15 they putting a handrail in in the  
16 front or is it just a ramp? I  
17 can't tell from the, you know?

18 MS. HAMMES: It looks like  
19 it's just a ramp.

20 MR. COTUNGO: No rail, no  
21 railing.

22 CHAIRMAN FOOTE: So there's  
23 no rail, where are you gonna put  
24 the button? And you can't put it  
25 on the bottom on the ground.

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2 MS. HAMMES: It looks like  
3 they're just going to put it on  
4 the edge of the building, which is  
5 as close as they're going to be  
6 able to get to the sidewalk.

7 CHAIRMAN FOOTE: Yeah.

8 MR. COTUNGO: I would  
9 almost prefer leave it as it is  
10 and maybe have a button where some  
11 guy comes out and picks a guy up  
12 in a wheelchair or something,  
13 because by doing this ramp you're  
14 not only -- it's still not gonna  
15 be handicap accessible, but now  
16 you're endangering everybody who  
17 goes in there.

18 CHAIRMAN FOOTE: Why do you  
19 say it's not gonna be handicap  
20 accessible?

21 MR. COTUNGO: Because it  
22 doesn't meet the requirements.  
23 You have to have five foot  
24 completely horizontal before  
25 there's any pitch.

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2 CHAIRMAN FOOTE: Well,  
3 you're saying -- but that's not  
4 the same thing. You're saying  
5 it's not technically in  
6 compliance, but that doesn't mean  
7 it's not generically handicap  
8 accessible, it's, you know, a ramp  
9 sure beats a staircase for  
10 somebody in a wheelchair, right?

11 MS. DOUGHERTY-JOHNSON: But  
12 it kind of seems like the  
13 push-button sort of eliminates --  
14 I mean the idea is you don't want  
15 to be opening a door while you're  
16 on an incline --

17 CHAIRMAN FOOTE: Right.

18 MS. DOUGHERTY-JOHNSON:  
19 (Continuing) If do you the push-  
20 button and the door opens, then  
21 you can go up the ramp. It seems  
22 like, I mean, again, it's not like  
23 compliant, just it seems to solve  
24 the problem.

25 MS. HAMMES: Walter, I'm

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2 generally in line with your  
3 thinking.

4 CHAIRMAN FOOTE: Okay.

5 Well, all right.

6 Are -- Reed, just knowing  
7 what you know now, that there's  
8 not a handrail, are you okay?  
9 Would you be okay with the  
10 button's on the side of the  
11 building as with the plans?

12 MR. KYRK: Yes. I --  
13 that's -- when I looked at it,  
14 that's the only thing I thought, I  
15 mean it's just not a great  
16 situation and I guess I'd want to  
17 understand, are you saying, John,  
18 that because of the slope on the  
19 general sidewalk people, you know,  
20 able bodied people may trip over  
21 it?

22 MR. COTUNGO: Right.

23 MR. KYRK: Or anybody would  
24 trip over it, I guess, I see.

25 MR. COTUNGO: That's why



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2 I'd rather leave it the way it is.

3 MR. KYRK: I was ready to  
4 say as long as the button is  
5 accessible, you know, is  
6 accessible before you hit the ramp  
7 it's okay.

8 CHAIRMAN FOOTE: Well, that  
9 doesn't seem to be an option, so  
10 we're -- we're trying to determine  
11 whether we can take a vote on it.

12 MR. KYRK: At this point  
13 we're trying to assess whether we  
14 can take a vote on it leaving it  
15 as it is?

16 CHAIRMAN FOOTE: No, on  
17 what they proposed.

18 MR. COTUNGO: On what's  
19 proposed.

20 MR. PALLAS: Board members,  
21 if I may, if you can just please  
22 make sure you're speaking into the  
23 microphone for both the recording  
24 and the transcription, please, I  
25 apologize for interrupting.

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2 CHAIRMAN FOOTE: Yeah, no,  
3 no.

4 MR. KYRK: And we talked  
5 before it was about a six-inch  
6 height difference between the  
7 level of the sidewalk and the  
8 level of the door threshold,  
9 right? From memory that's --  
10 that's what I think it is.

11 MR. SIDOR: My name is Ryan  
12 Sidor. I'm representing Robert  
13 Brown tonight. And I confirm that  
14 six inches is the measurement from  
15 the sidewalk to the --

16 CHAIRMAN FOOTE: Right.

17 MR. SIDOR: -- finished  
18 floor of the space.

19 CHAIRMAN FOOTE: So the  
20 overall slope, it increases in  
21 height a total of six inches?

22 MR. SIDOR: Six inches,  
23 yes.

24 MR. KYRK: And -- and that  
25 would be six inches from -- from

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2 the edge of the building, if you  
3 will, from the beginning?

4 MR. SIDOR: From the door,  
5 yes.

6 CHAIRMAN FOOTE: From the  
7 door to the edge of the sidewalk?

8 MR. SIDOR: So there --  
9 there's a one-foot concrete apron  
10 that surrounds the building that  
11 separates the property from the  
12 sidewalk. And the slope goes all  
13 the way up until that sidewalk  
14 border, so I believe it sticks out  
15 from the building about a foot.

16 MR. KYRK: Okay. It sticks  
17 out into the -- into the sidewalk  
18 about a foot and so --

19 MR. SIDOR: Yeah.

20 MR. KYRK: -- there'd be an  
21 incline of, oh, a couple of  
22 inches, if you're running six feet  
23 over --

24 MR. SIDOR: Yeah, I'd say  
25 maybe like a hip joint, it would,

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2 you know, go on both sides.

3 MR. KYRK: Well, I

4 mean I --

5 MR. SIDOR: I don't know if

6 that's able to be something that

7 we can paint or, you know, just

8 change something just to notify

9 people of the slope, but --

10 MR. KYRK: Yeah, that's

11 what I was -- that's where I was

12 headed, I'm thinking, you know, it

13 better be, you know, yellow and

14 shout at you visually.

15 CHAIRMAN FOOTE: And what's

16 normally done in these situations?

17 MR. KYRK: I said that it

18 should be yellow and I actually

19 said shout at you visually. I

20 would rephrase that, but that's

21 what I said.

22 CHAIRMAN FOOTE: Is that

23 something that we can do?

24 MS. HAMMES: Would they

25 need Historic Board approval for

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2 that?

3 MR. PALLAS: Say that  
4 again?

5 MS. HAMMES: Would they  
6 need Historic Board --  
7 Preservation Committee approval  
8 for that?

9 MR. PALLAS: I don't  
10 believe so. If it's -- if the  
11 Village -- if the Building  
12 Inspector would consider it a  
13 safety issue, you know what I  
14 mean, and I don't believe it  
15 would, it would just simply be a  
16 simple yellow stripe, so I don't  
17 believe it would, I'll check with  
18 the Chair and the attorney, but I  
19 don't believe -- that would be a  
20 di minimus change, I think, and I  
21 think it's a, from the Village  
22 perspective, I think it's a good  
23 idea, depending on the reveal  
24 of -- of that ramp between the  
25 edge of the Village sidewalk and

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2 the wall, depending on the length  
3 of that reveal, how necessary  
4 the -- how high up it is at the  
5 wall, you know, there's no  
6 specific cross section, but  
7 looking at -- at this, I cannot  
8 imagine that that lip at that  
9 point is gonna be more than an  
10 inch at most at the wall --

11 MR. SIDOR: Yeah.

12 Mr. PALLAS: -- and that's  
13 all the way at the wall, and you  
14 wouldn't -- you know, I would have  
15 to see it to know if it, um, if it  
16 is needed based on the reveal of  
17 the contrast.

18 I can also, and if I may,  
19 as far as the location of the  
20 push-button, I can work with them,  
21 the Village will work with them,  
22 with the owners to locate it as  
23 access -- the push-button in an  
24 accessible spot as possible.

25 CHAIRMAN FOOTE: Okay.

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2 Well, I think we can put it  
3 to a vote now.

4 So at this time, do we  
5 first close the Public Hearing  
6 before we take it to a vote, is  
7 that the protocol?

8 MR. CONNOLLY: Yes.

9 CHAIRMAN FOOTE: Okay. So  
10 at this time I vote to -- a Motion  
11 to close the Public Hearing and  
12 take this application to vote.

13 Do I have a second?

14 MS. DOUGHERTY-JOHNSON:  
15 Second.

16 CHAIRMAN FOOTE: All those  
17 in favor?

18 (Chorus of ayes.)

19 CHAIRMAN FOOTE: Motion  
20 carries.

21 I propose that we approve  
22 this application as modified by  
23 the plans and under the conditions  
24 that have been discussed including  
25 sending it to the Building

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2 Department and Building  
3 Inspector's review to confirm  
4 whether or not it's necessary to  
5 provide some kind of line  
6 demarcation to show the slope as a  
7 warning of some sort.

8 And on that basis, all  
9 those in a favor of what the  
10 applicant discussed vote aye?

11 MR. KYRK: Aye.

12 MS. HAMMES: Aye.

13 MS. DOUGHERTY-JOHNSON: Aye.

14 CHAIRMAN FOOTE: Aye.

15 All those against?

16 MR. COTUNGO: I'm opposed.

17 CHAIRMAN FOOTE: Okay.

18 The Motion carries. The  
19 application approval carries by a  
20 vote of 4-1.

21 MR. SIDOR: Thank you.

22 CHAIRMAN FOOTE: Item  
23 Number 7: Is a Motion to adjourn.

24 Do I have second?

25 MS. HAMMES: Second.



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2 MR. KYRK: Second.

3 CHAIRMAN FOOTE: All those  
4 in favor?

5 (Chorus of ayes.)

6 CHAIRMAN FOOTE: So  
7 adjourned.

8 (4:17 p.m. the Meeting was  
9 adjourned.)

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CERTIFICATION

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5

I, DONNA L. RITZMANN, a Notary Public

6

in and for the State of New York, do hereby

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certify:

8

THAT the foregoing is a true and

9

accurate transcript of my stenographic notes.

10

IN WITNESS WHEREOF, I have hereunto

11

set my hand this 30th day of August, 2020.

12

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DONNA L. RITZMANN

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