1	CHAIRMAN SALADINO: Folks, this is the
2	August 20th, 2019 regular meeting of the Zoning
3	Board of Appeals.
4	Item No. 1 is a motion to there's a
5	small typo on the agenda for the folks that are
6	looking. We didn't have a meeting last month.
7	But Item No. 1 is motion to accept the minutes of
8	the June 18th, 2019 Zoning Board of Appeals
9	meeting. So moved.
10	MEMBER TASKER: Second.
11	CHAIRMAN SALADINO: All in favor?
12	MEMBER CORWIN: Aye.
13	MEMBER GORDON: Aye.
14	MEMBER REARDON: Aye.
15	MEMBER TASKER: Aye.
16	CHAIRMAN SALADINO: Aye. And I'll vote aye.
17	Item No. 2 is a motion to approve the
18	minutes of the May 21st, 2019 Zoning Board of
19	Appeals meeting. So moved.
20	MEMBER GORDON: Second.
21	MEMBER REARDON: Second.
22	CHAIRMAN SALADINO: All in favor?
23	MEMBER GORDON: Aye.
24	MEMBER REARDON: Aye.
25	MEMBER TASKER: Aye.

1	CHAIRMAN SALADINO: And I'll vote aye. Any
2	abstentions?
3	MEMBER CORWIN: Abstain.
4	CHAIRMAN SALADINO: And one abstention.
5	Item No. 3 is a motion to schedule the next
6	Zoning Board of Appeals meeting for Tuesday,
7	September 17th, 2019, at 6 p.m., at the Third
8	Street Fire Station, Greenport, New York 11944.
9	So moved.
10	MEMBER TASKER: Second.
11	CHAIRMAN SALADINO: All in favor?
12	MEMBER CORWIN: Aye.
13	MEMBER GORDON: Aye.
14	MEMBER REARDON: Aye.
15	MEMBER TASKER: Aye.
16	CHAIRMAN SALADINO: And I'll vote aye.
17	I just wanted before we get to the
18	important application here, I'm going to skip to
19	Item No. 5. We'll get these out of the way, this
20	way we know exactly what's on our plate.
21	Item No. 5 is a motion to accept various
22	documents regarding findings and determinations
23	for the following properties:
24	110 South Street, 112 South Street, and
25	512 Second Street. I'm not going to get into the

accept them, best of my knowledge.

25

1	CHAIRMAN SALADINO: To my recollection.
2	MEMBER GORDON: Well, since you're signing
3	for it, we'll blame it on you if it's not right.
4	CHAIRMAN SALADINO: I don't care. As long
5	as there's no hitting involved, I don't care. So
6	I'll make that motion. So moved.
7	MEMBER TASKER: Second.
8	CHAIRMAN SALADINO: All in favor?
9	MEMBER GORDON: Aye.
10	MEMBER REARDON: Aye.
11	MEMBER TASKER: Aye.
12	CHAIRMAN SALADINO: And I'll vote aye.
13	MEMBER GORDON: Are you hesitating?
14	CHAIRMAN SALADINO: Any opposed?
15	MR. CORWIN: Opposed.
16	CHAIRMAN SALADINO: Okay. So we're going
17	to we're going to send these over to the Clerk
18	of the Board. Could you guys pass these down,
19	please, to Kristina?
20	Item No. 4, out of order, is a motion to
21	accept an application and schedule a public
22	hearing for the application of ANVK Holdings
23	Trust (the Greenporter Hotel). The Suffolk
24	County Tax Map No. is 1001-48-29, 30 and 31.
25	MS. RIVERA-PITTORINO: Hi. My name is

Deborah Rivera-Pittorino, and I'm here to talk to you a little bit about the project.

So in 1999, my husband and I came out here, came out to the North Fork for a wedding and fell in love with the area, and a few months later we were the owners of a motel. It was called Greenporter Motel at the time. And there was a lot of work to be done there. We bought the parcel with the property on it, and then we bought two adjacent properties. It was all one package, but it was, you know, three different items on the tax map.

So the first part of the project was to renovate the existing 15 rooms, and we put in a pool and a Jacuzzi, and then we added a restaurant, because at the time there weren't restaurants that our customers could walk to year-round. This was before Frisky Oyster and Noah's, and before all the other restaurants opened in town that now offer dining to guests year-round. But, at the time, a lot of the restaurants would close in the wintertime.

So we opened our restaurant, and my husband took a very large part in the restaurant. He had a restaurant background, I did not. And we moved forward with our business plan, and then the next part of the plan was to build another wing with a lobby and offices, and that brought us to a total room count of 30 rooms. And so at the time we had 30 rooms and we had the restaurant, which seated, I don't know, something like 45 people inside, and we had another 40 covers on the terrace.

And the restaurant was very popular. You know, we never had any problems with parking, so we always had, you know, 30 rooms and a very busy restaurant. And I think a lot of -- a lot of people from the neighborhood would walk there, so we had a lot of regulars that were from the area. And, obviously, our guests just had to walk out their door and maybe have dinner with us the first night, and then venture into the Village after that.

So, you know, a lot of things have happened in 20 years. It's amazing that it's been 20 years. So yeah. So Greenport's changed a lot in 20 years, for better or worse in some opinions. I see both sides. A lot -- you know, the Village has changed, my life has changed. I lost my husband last April after a four year battle with

pancreatic cancer. It was very tough. And since
he was really -- you know, he was the
front-of-the-house person for the restaurant, so
I really couldn't operate the restaurant without
him.

So this whole thing for us, I need to reevaluate my whole life and my whole business plan. And I have not been able to open the restaurant, and I won't, really don't want to do it without him. And then we've had other challenges, like all the other hotels and bed & breakfasts in the area.

We've remained competitive and afloat, thank God, because -- because of my primary business in Manhattan, and the years I worked in corporate America. I have a lot of contacts in corporate America, and I was able to bring a lot of corporate business to Greenport that comes during the week. And, you know, we send them downtown to the brewery, and to the stores, and to the restaurants, and we send them -- we arrange for private tastings and events at the vineyards. And it's the only way we've been able to stay competitive, because, quite frankly, Airbnb is really giving all, all legal hotels a

hard time. So I've been able to stay afloat by focusing on corporate business.

So this brings me to the next quandary, is that for a lot of companies, you need more than 30 guest rooms. You need -- to get on lists, you need 50 guest rooms. You can't get on a lot of these corporate lists without 30 guest rooms.

And I find that for me, changing the direction of my business is better for me, because, first of all, I'm not looking for my husband in the restaurant, and I can start a new life. And I can do something that I wasn't doing with him, because we didn't do corporate business together. And I think it gives the Village a lot. It brings in people when there aren't people. You know, we bring in -- we brought in the Discovery Channel in April, when there was nothing happening downtown. And we sent business to the restaurants downtown and to the brewery, and we sent them to the vineyards, and we sent them shopping.

And I think that it brings a lot to the area, and they're not -- the companies don't come in to get wasted and, you know, do crazy things.

They come in and they're very respectful, and

1 it's -- I think a lot of our local merchants 2 really benefit from that business. 3 And so I really need this third floor, 4 because I really need these additional rooms. 5 And I need this to continue to operate my 6 business year-round, and to continue to have a business that doesn't have to compete with the 7 8 Airbnb, because it's harder for how -- you know, 9 a lot of companies aren't going to rent houses 10 for meetings, they're going to rent hotel rooms. 11 And we use our restaurant for meetings. You 12 know, we set up meetings there. We have 13 Smart TV, and we have all the audiovisual, and 14 they can stay onsite, and then they go downtown for dinner, they go downtown for lunch. And it's 15 16 very peacefully. 17 You know, I run a very peaceful business. 18 There's nothing -- there's no rooftop parties, 19 there's no, you know, deck parties. There's -the business is guite open for anyone to see what 20 21 happens there. It's a very respectable business. 22 I run a family establishment. You know, it's me, and I've been in this community for 20 years. 23 24 And I would be really disappointed if I couldn't 25 move forward with this plan and continue to

employ local people year-round, and not have to put people on unemployment in the summer, like a lot of other companies have to do, because they don't have year-round business.

And I really hope that you think about what this means for my employees and for the people in the community that depend on this income, and for our business plan as a whole to be able to remain sustainable, because, quite frankly, the Village will never enforce the Airbnb laws. I mean, it's clear that's just never going happen, so we need a way to survive, and this is my way.

So if anyone has any questions, I'd be open to it. Any code questions, I will defer to our architects. But does anyone have a question about the general concept?

CHAIRMAN SALADINO: Members?

MR. CORWIN: I have a question.

MS. RIVERA-PITTORINO: Sure.

MR. CORWIN: Really, of the Architects, rather than yourself. The application package was very thorough and very good. But the one thing, if I could ask, I don't know if I could ask for it or not, is you have a view from the south, in other words, from Front Street, and I

1	think it would be helpful to me if I could see
2	the buildings, a couple of buildings on either
3	side of Front Street.
4	MS. BERRY: Sure.
5	MR. CORWIN: I don't mean something
6	elaborate, but I'm interested in the roof lines,
7	because, quite frankly, I think I made a mistake
8	in approving something that was a little too big
9	for the street, so I don't want to make the same
10	mistake twice.
11	MS. RIVERA-PITTORINO: We understand that,
12	and she's going to address that. I do want to
13	remind everyone that we're not changing our
14	footprint, our footprint is the same. We're
15	not our hotel is not on top of the sidewalk.
16	We have a huge setback, many, many feet setback,
17	and we're not changing the footprint of our
18	building. We're going up one floor, and that one
19	floor is actually set back even further than the
20	initial foundation. So it won't be an obtrusive
21	project. And it's a very different proposition,
22	so
23	CHAIRMAN SALADINO: If I could, I don't
24	have a view from the south. Do you
25	MR. CORWIN: I think there is one in the

1	big plan.
2	MS. BERRY: Right. Big plan.
3	CHAIRMAN SALADINO: Oh, in the big plan.
4	Maybe Glynis, maybe the Architect, we could get
5	something looking from the south.
6	MS. BERRY: Sure.
7	CHAIRMAN SALADINO: At the at the
8	property.
9	MS. BERRY: And, also, the Planning
10	Department asked us for many oh, sorry.
11	Glynis Berry. Also, the Planning Department
12	asked us for views from the neighbors, and, you
13	know, so we have a lot it's in this program,
14	so it's not articulated. But we've gotten a lot
15	of more views than we printed. So we can print
16	out more and give them to you so you can see.
17	CHAIRMAN SALADINO: Yeah, only because
18	you're asking us to deal with a question about
19	height
20	MS. BERRY: Sure.
21	CHAIRMAN SALADINO: and the third floor.
22	Normally, that would be you know, if that
23	request wasn't being made
24	MS. BERRY: Yeah.
25	CHAIRMAN SALADINO: I'm guessing we

1	wouldn't even if it was strictly about
2	parking.
3	MS. BERRY: Yes.
4	CHAIRMAN SALADINO: And unless do the
5	members have another I have another question.
6	I'm and this might be off topic, but I'm
7	looking at your application, and are you asking
8	for an interpretation, also?
9	MS. BERRY: Well, I guess what it is, is I
10	will take whatever you want to do. So if you
11	want to call if you want to address these all
12	as variances, that's fine. But I also had some
13	arguments that I wanted you to consider.
14	CHAIRMAN SALADINO: Well, it's your
15	application.
16	MS. BERRY: Sure.
17	CHAIRMAN SALADINO: And we have no problem
18	making an interpretation.
19	MS. BERRY: Okay.
20	CHAIRMAN SALADINO: But you realize,
21	especially here with your experience, you realize
22	that interpretations carry the weight of the
23	public hearing. So we would have to have a
24	public hearing on each interpretation.
25	MS. BERRY: Oh.

1	CHAIRMAN SALADINO: And then we would move
2	on to the variances, if there are any or
3	MS. BERRY: Okay.
4	CHAIRMAN SALADINO: So
5	MS. BERRY: I mean, it's totally up to you
6	what you think is the best way to move forward,
7	and, obviously, Building thought it was better to
8	move forward with the variances. So either is
9	fine. But let me give you some of my arguments,
10	and then maybe that will help guide you on
11	CHAIRMAN SALADINO: Well, again, we can't
12	change your application.
13	MS. BERRY: Right.
14	CHAIRMAN SALADINO: You know, you're going
15	to have to tell us. We can't change your
16	application.
17	MS. BERRY: Well, we were told that we were
18	applying for four variances.
19	MS. RIVERA-PITTORINO: Is that not correct?
20	CHAIRMAN SALADINO: But on the application
21	you're asking for an interpretation of 150-12 and
22	150-16, so
23	MS. BERRY: I mean, if you want to address
24	it as a variance, that's fine, but I'd like to
25	give the arguments, because maybe that will

1	CHAIRMAN SALADINO: Oh, we're certainly
2	going to give you the opportunity to make the
3	arguments.
4	MS. BERRY: Yeah.
5	CHAIRMAN SALADINO: But I'm just
6	MS. BERRY: I mean, whatever your precedent
7	is in how you address these issues, because I'm
8	sure you've addressed them before. So if your
9	interpretation of that is fine, then fine for
10	variances, but
11	CHAIRMAN SALADINO: Well, let me explain
12	our position.
13	MS. BERRY: Okay.
14	CHAIRMAN SALADINO: Our position is we've
15	made an interpretation
16	MS. BERRY: Oh, you have.
17	CHAIRMAN SALADINO: about a third floor.
18	MS. BERRY: Okay.
19	CHAIRMAN SALADINO: So the Zoning Board on
20	two occasions has made an interpretation for a
21	third floor. As you well know, interpretations
22	have the weight of precedence.
23	MS. BERRY: Okay.
24	CHAIRMAN SALADINO: So if you're asking us
25	if we think that a third story would need a

1	variance just by the record, or just by a
2	previous interpretation, the answer is going to
3	be yes.
4	MS. BERRY: Okay.
5	CHAIRMAN SALADINO: If you ask for that
6	interpretation, we're going to have to set a
7	public hearing for next month.
8	MS. BERRY: All right. No, I'm not going
9	to make you do that (laughter).
10	CHAIRMAN SALADINO: I just thought we kind
11	of been clear with that.
12	MS. BERRY: And just want I didn't know
13	all the past determinations of interpretations of
14	these items, so I'm happy to go along with
15	whatever you have decided. And I'm just raising
16	those issues, so
17	CHAIRMAN SALADINO: Okay.
18	MS. BERRY: For so for the building
19	height, the definition is from the crown of the
20	street to the highest point of the roof. So the
21	question is are railings and solar panels
22	considered part of the roof? If you look at the
23	building code, they're not, but, you know, it's
24	what you interpret it as, but so if you did
25	not consider the hand railings and the solar

panels, which are set back, they're not right on the outside wall, if you consider that part of the roof --

MR. ARIIZUMI: No.

MS. BERRY: If you don't consider them part of the roof, then we're under the 35 feet. But if you do consider them, then it's a variance of two feet. And we're not 100% sure, it could be lower, but we wanted to give ourselves a little leeway, because we haven't actually designed the attachment of the solar panels, so we wanted to give a little leeway.

The other thing about this is this site is unusual in that the lot is actually higher than the street. So the ground floor is four feet higher than the average crown, so we've lost four feet. So I think that's a good argument for considering us for a variance, because the actual height of the building is less, so it's only about 31 feet. So, you know, there's that leeway there, and I hope you consider the site limitations.

You already talked about the stories. The code says "or", so -- but, anyway, precedence.

The parking need, this one I was a little

1	confused on why we're not considered to be
2	covered by a couple of the code references.
3	First, I'll talk about the need.
4	There are 53 sleeping rooms in the
5	proposal, three of which are used by staff. So
6	the total need, when you count the staff back in,
7	is 55. And there are currently, there aren't
8	accessible parking spaces, so we've incorporated
9	them. And so there's a total of 29, and there
10	are an additional two spots that are for rental
11	or valet parking, so that total number of spots
12	is 31, and there's a differential of 24 parking
13	spaces. There's also a dropoff and loading area,
14	increasing the total number of spaces to 33.
15	Roughly
16	CHAIRMAN SALADINO: Can we consider those
17	parking spaces?
18	MS. BERRY: No, no. But I'm just saying
19	that we're providing them, so they're there for
20	moving.
21	Roughly, 35 to 47% of the guests arrive by
22	public transportation. It's walkable from the
23	train and bus. The demand for parking spaces has
24	only increased over the current use by four
25	spaces, and that's what everybody keeps

1	forgetting, because the permit is for a fully
2	operational restaurant, and we don't have that
3	parking need anymore. So when you look at that,
4	the differential is actually only four.
5	CHAIRMAN SALADINO: David, without shutting
6	you down a little bit, a lot of the things that
7	you're explaining here I'm thinking should be
8	part of the public record at the public hearing.
9	MS. BERRY: Yeah, okay.
10	CHAIRMAN SALADINO: Right now, we're just
11	going to debate about accepting or any
12	MS. BERRY: Okay.
13	CHAIRMAN SALADINO: Anything with the
14	application as far as as far as
15	MS. BERRY: Okay.
16	CHAIRMAN SALADINO: As far as what's going
17	on. After we accept this and after we schedule a
18	public hearing, and after we open up the public
19	hearing, that might be a better time. I don't
20	want to shut you down.
21	MS. BERRY: Okay.
22	CHAIRMAN SALADINO: I don't want to, you
23	know
24	MS. BERRY: Sure. No, I'll repeat myself.
25	I can bore people to tears.

1	CHAIRMAN SALADINO: Okay.
2	(Laughter)
3	MS. BERRY: The other thing that I forgot
4	to put in here is there's Section 150-16(A)(1),
5	and it says, "Land within the CR and WC Districts
6	which is improved as of January 1st, 1991, shall
7	be entirely exempt from off-street parking
8	requirements and from payments in lieu therefore.
9	Any land which is developed as a unit under
10	single ownership and control shall be considered
11	a single lot for the purpose of these parking
12	regulations."
13	So right now the we're getting zero
14	credit for predevelopment. I would argue that we
15	should get 100% compliance because of that
16	consideration of single ownership. The hotel
17	that was built in the '50s actually was on the
18	actual construction was on one of these lots, but
19	it was always one ownership.
20	And, also, when the addition was made, the
21	parcel was considered one parcel in terms of
22	setbacks. They weren't required to meet the
23	setbacks of every single lot. So it's always
24	been considered as one parcel, even though the
25	code doesn't allow people to amass lots, but it's

always been treated as one, even though it's three.

So I would argue that in this case, there should be no parking requirement at all. And then, if you want, because I think that what I just read applies, but even if you wanted to say -- took that one parcel that was developed, and I didn't count the parking spots needed for that one building, I'd be compliant with the number of parking.

So I kind of wondered why this project is not being given the same consideration that other previously developed parcels in the Village have been. Like even the Sparkling Pointe, you know, it went from a house to -- and that got approved and they don't provide any parking, you know. So I question if, you know, that is really fair.

CHAIRMAN SALADINO: Well, could the portion of the code that says the three lots would be considered one unit, could that be interpreted by someone, perhaps the Building Department, perhaps a member of this Board, as the new addition from 2002 or 2003, would have to make the entire property comply with 150-16?

MS. BERRY: I think either way you look at

1	it, if you look at the three lots considered as
2	one, we're obviously, there's no parking
3	requirement. And even if you look at just the
4	old wing and take that, and it's even more rooms,
5	because part of the other wing goes onto that
6	initial property, even if you just take the
7	parking requirement of the newer wing, we'd be
8	compliant with the parking requirement. So I
9	think either interpretation, and we didn't get
10	any credit for any preexisting development.
11	CHAIRMAN SALADINO: Well, when we open the
12	public hearing, I'm thinking we're going to hear
13	from the Building Department. We'll get their
14	reasoning.
15	MS. BERRY: Okay.
16	CHAIRMAN SALADINO: And the members will
17	hear their reasoning and hear your argument
18	again.
19	MS. BERRY: All right.
20	CHAIRMAN SALADINO: Because we're going to
21	make you repeat yourself.
22	MS. BERRY: I know, that's fine.
23	CHAIRMAN SALADINO: And we'll take it from
24	there, I think.
25	MS. BERRY: Okay. Do you have any

1	questions?
2	CHAIRMAN SALADINO: So, just so again,
3	so it's clear in my mind, we're going to take
4	150-12(B) off the table for an interpretation.
5	Are you still asking for an interpretation about
6	150-16?
7	MS. BERRY: In some ways I think it should
8	be, but it's up to Deborah if she wants to create
9	that delay.
10	MS. RIVERA-PITTORINO: I don't really want
11	to create a delay. And I think that, you know,
12	the word "interpretation" is that's what it
13	is, it's an interpretation. So it might be one
14	interpretation for this guy and a different
15	interpretation for this woman, you know?
16	CHAIRMAN SALADINO: Well, we try not to do
17	that. We try not to do that.
18	MS. RIVERA-PITTORINO: You try?
19	CHAIRMAN SALADINO: And but there's
20	other people to remind us not to do that,
21	because, again, interpretations have the weight
22	of precedent. So you, or your Architect, or your
23	Attorney could say, "Well, wait a second, in 2004
24	there was an interpretation about this." So to
25	say that we do it arbitrarily, maybe in 2004 they

1	did it, but they don't do it in 2019. So it's up
2	to you.
3	MS. BERRY: It's totally up to it's up
4	to Deborah.
5	MS. RIVERA-PITTORINO: I don't think it
6	works in my favor to ask for an interpretation,
7	because I don't I don't think I just don't
8	think I can benefit from it in any way. I just
9	don't think that it would.
10	CHAIRMAN SALADINO: Okay.
11	MS. RIVERA-PITTORINO: I think however I
12	ask for it, I just don't I don't know. Just
13	like, I mean, with the the height, you know,
14	everything I read in New York State code, solar
15	panels are treated like a chimney or like an
16	antenna, so I don't even know why the solar
17	panels are an issue with the height.
18	CHAIRMAN SALADINO: Well, you're still
19	going to need a variance for the third floor.
20	MS. RIVERA-PITTORINO: Right, yeah.
21	CHAIRMAN SALADINO: So when you talk about
22	a variance for adding a third story, somehow
23	railings and, you know, other stuff
24	MS. BERRY: Okay.
25	CHAIRMAN SALADINO: becomes the lesser

1	of the two evils. I don't want to say evils;
2	lesser of the two issues, so
3	MS. BERRY: So I guess the answer is we're
4	not asking for an interpretation so we don't slow
5	down the process.
6	CHAIRMAN SALADINO: That makes it easier,
7	too. That makes it easier for us, also.
8	Members, any questions for Ms. Berry?
9	MEMBER REARDON: I have a couple of
10	questions regarding the solar panels. I see
11	they're propped on an angle.
12	MS. BERRY: I was just trying to figure out
13	the maximum height that might we have not
14	you know, you go through the planning process,
15	but you don't know what you're going to be
16	allowed to do, so you don't spend time detailing
17	the plans until after you get the approvals. So
18	I just allowed that allowance in case they need
19	that slope to get the better treatment. Some
20	installations are flat, some are angled to
21	maximize, you know, the energy.
22	MEMBER REARDON: Right. But you see we're
23	zeroing in on the height, and now you have these
24	things pitched on an angle, which is going to
25	give you an additional three four feet of height

1	that
2	MS. BERRY: Oh, but the building is under
3	the 35.
4	MEMBER REARDON: I know, but you're dealing
5	with people that are looking at it.
6	MS. BERRY: Yeah.
7	MEMBER REARDON: And that's not flat on the
8	roof, you know. So people are going to
9	MS. BERRY: But that's
10	MEMBER REARDON: I'm just bringing this to
11	your attention.
12	MS. BERRY: Yeah. So that's the two feet
13	that we're asking for, you know.
14	MEMBER REARDON: Uh-huh.
15	MS. BERRY: Even measured to the crown of
16	the road
17	MEMBER REARDON: Right. No, I get it.
18	MS. BERRY: we're only
19	MEMBER REARDON: Your building is four feet
20	high, I get all that stuff.
21	MS. BERRY: Right. We're only 33 feet, you
22	know, so even with that loss, so and they are
23	set back. So, you know.
24	MEMBER REARDON: Okay.
25	MS. RIVERA-PITTORINO: And in the end,

1	honestly, if the deal-breaker with you is the
2	solar panels are flat or raised, I mean,
3	honestly
4	MEMBER REARDON: I'm just bringing it to
5	your attention. I understand all the logistics
6	involved.
7	MS. RIVERA-PITTORINO: Okay.
8	MS. BERRY: Yeah. We just put in the
9	maximum that we thought might happen
10	MEMBER REARDON: Uh-huh.
11	MS. BERRY: might be allowed for curbs,
12	because some details include curbs. You know, so
13	we just wanted to make sure we didn't have to
14	come back for an extra foot or something, you
15	know.
16	MEMBER REARDON: The other question I have
17	is more of a it's probably a learning curve
18	that I need to adjust to
19	MS. BERRY: Okay.
20	MEMBER REARDON: but it has to do with
21	the parking spaces.
22	MS. BERRY: Yeah.
23	MEMBER REARDON: And anybody who lives in
24	the town, which I do, you know, we all have, you
25	know, "Oh, my God, there's no place to park." So

1	I hear what you're saying, and I would appreciate
2	it if you wouldn't come to a meeting thinking
3	that, you know, you're a hotel and you don't
4	really have to abide by any parking, you know.
5	MS. BERRY: I'm just reading the code.
6	MEMBER REARDON: I understand, but in
7	reality, we've got a hotel that's looking for 50
8	rooms
9	MS. BERRY: Right.
10	MEMBER REARDON: and parking has to be
11	addressed.
12	MS. BERRY: Okay.
13	MEMBER REARDON: And it has to be addressed
14	in like a legitimate way.
15	MS. BERRY: Well, there are three aspects
16	to this project that I think help parking. One,
17	it's at the gateway, so it's pulling all those
18	people off the road before they actually enter
19	the Village. So anybody staying there, you're
20	actually reducing the load in the heart of the
21	Village.
22	MEMBER REARDON: Could you say that again?
23	I can't quite hear you.
24	MS. BERRY: The hotel is at the gateway of
25	the Village.

1	MEMBER REARDON: Oh, I understand.
2	MS. BERRY: So you're you know, most of
3	the people are coming from the west, so you're
4	actually stopping them, and most people will then
5	walk to the Village. So it's actually an ideal
6	spot.
7	The other thing is she does have the two
8	rental locations, so it appeals to people
9	that come
10	MS. RIVERA-PITTORINO: Don't have cars.
11	MS. BERRY: That don't have cars that come
12	by train or bus. They have options if they want
13	to, you know, drive somewhere. So they have the
14	option of just walking, or they have the option,
15	so that's a benefit.
16	And then if the demand gets too high, she
17	has valet parking, and it's a generous parking
18	lot compared to any of the other facilities. So
19	she can fit quite a few more cars with valet
20	parking.
21	MEMBER REARDON: So valet parking is more
22	efficient than customer parking?
23	MS. BERRY: Yeah, because you can fill in
24	the spaces, because you can move the cars
25	around

1	MEMBER REARDON: Gotcha, okay.
2	MS. BERRY: you know, depending on when
3	people want
4	MEMBER REARDON: How many can you cram in
5	there on valet?
6	MS. RIVERA-PITTORINO: Fifty-five.
7	MEMBER REARDON: Fifty-five, okay. Thank
8	you.
9	MR. CORWIN: One question I'll ask is you
10	claim that 35 to 40-something percent don't come
11	in a car, they come by bus or by train.
12	MS. BERRY: That's based on Deborah.
13	MR. CORWIN: Is there any documentation for
14	that number?
15	MS. RIVERA-PITTORINO: We have data, we do
16	have data. So when and I brought it to the
17	last meeting, but I don't think anybody was
18	interested in it, but I'm happy to bring it to
19	you.
20	MR. CORWIN: Well, I don't want to get into
21	that stuff until the public hearing. But I just
22	want to tell you that's the kind of question I
23	would ask
24	MS. RIVERA-PITTORINO: Sure, uh-huh.
25	MEMBER CORWIN: do you have some

T	documentation.
2	MS. RIVERA-PITTORINO: I agree with you.
3	And I hope that you haven't misunderstood. It's
4	not like we don't think that we need parking. I
5	know well, I mean, I've been there for 20
6	years, I know what our parking needs are. And
7	we're at the entrance of the Village, and
8	everybody else would know if our customers are
9	using other people's parking. And, quite
10	frankly, we have to guard our parking against
11	we have to police our parking, because so often,
12	even though we're full, the parking lot doesn't
13	look full. People try to use our parking lot, so
14	we have to police our parking, and then we have
15	to hire someone on weekends to police the
16	parking. And people say, "Well, you have
17	parking, you know, you should let us use it," but
18	the parking is for our guests. And it's true
19	that we often don't use all of it, but we need to
20	have it in case we do need it.
21	CHAIRMAN SALADINO: Oh, we certainly
22	understand.
23	MS. RIVERA-PITTORINO: Yeah. And the
24	reason we have the data is because so we have
25	a well. we have a thing called roomMaster.

1	which helps us collect all the data. We know
2	where people live, and when they when we're
3	taking the reservation, we ask them how did they
4	find us, or why are they staying with us, and a
5	lot of them say, "Because we can walk
6	everywhere." And we have customers who I'm sure
7	would rather stay on the water, but they want to
8	stay with us because they can walk everywhere.
9	CHAIRMAN SALADINO: Well, that doesn't mean
10	they're walking here.
11	(Laughter)
12	CHAIRMAN SALADINO: Yeah, that means
13	they're walking once they get here, but we
14	understand.
15	MS. RIVERA-PITTORINO: Yeah.
16	MS. BERRY: Yeah.
17	MS. RIVERA-PITTORINO: So there's, you
18	know, the fact that and then, you know, a
19	large part of our clientele comes from Manhattan.
20	You know, I mean, I still live in the City
21	part-time and, you know, it's impossible. It's
22	very hard to own a car in Manhattan, so people
23	just a lot of people don't have cars, and, you
24	know, they take the Jitney, they walk to the
25	hotel, and they leave their car the people

1	that come in a car leave their car there and they
2	Uber, or they rent a lot of bicycles and they get
3	around a lot on bicycles.
4	CHAIRMAN SALADINO: Anyone else from the
5	Board?
6	(No Response)
7	CHAIRMAN SALADINO: Paul, did you have
8	MR. PALLAS: Just a point of information on
9	the subject of parking.
10	The requirements that we placed in the
11	Notice of Disapproval were based on information
12	on the applicant's submittal that said that the
13	restaurant was only for guests. If the
14	restaurant were not for guests only, then it
15	would require an additional 15 spaces. We
16	didn't couldn't put that in the notice,
17	because the application didn't include that in
18	the site plan, but just so you're aware of it.
19	MS. RIVERA-PITTORINO: But, I'm sorry,
20	Paul, it's not that the restaurant is only for
21	guests. So we don't have a public restaurant
22	anymore. So the only thing that's served in the
23	restaurant is breakfast for guests of the hotel,
24	and once in awhile there's a private event that
25	everyone's staying on the premises. It's like, I

1	don't know, like the company has a dinner there,
2	or it could be a rehearsal dinner, but those
3	people are saying there. And sometimes there
4	will be people who know who maybe aren't
5	staying there who are you know, a lot of
6	people who have weddings on the North Fork who
7	have family in the area. So what am I going to
8	say, "Well, you're from the North Fork and you're
9	not staying at the hotel, so you can't park in my
10	parking lot, or you can't come to my restaurant"?
11	So it's not there's not a public restaurant
12	anymore.
13	CHAIRMAN SALADINO: Well, doesn't that
14	MEMBER GORDON: It's not a restaurant.
15	CHAIRMAN SALADINO: What? I didn't hear.
16	MEMBER GORDON: It's not a restaurant,
17	she's saying, which is
18	MS. BERRY: Yeah.
19	CHAIRMAN SALADINO: Well, sure, you can
20	you can say whatever you want, it's your time.
21	But just but just now, I just heard that
22	people that aren't staying at your hotel
23	MS. RIVERA-PITTORINO: If they're invited
24	to a rehearsal dinner. So let's say that, I
25	don't know, one of the Claudio kids one of the

1	Petrocelli kids gets married and they it's the
2	family that stays, they book the entire hotel,
3	they have a rehearsal dinner there. They know
4	probably 20 people in the area. So it's a
5	wedding party. It's a rehearsal dinner for that
6	family that book the entire hotel, but they know
7	some people in the area. Maybe they invited you.
8	So am I going to say, "You can't come to the
9	rehearsal dinner at the Greenporter because
10	you're not a guest there"?
11	CHAIRMAN SALADINO: No. What you would ask
12	me is where are you going to park? If I'm
13	someone if I'm someone
14	MS. RIVERA-PITTORINO: That's never been a
15	problem, though. I mean, I've been there for 20
16	years. We've never had I mean, I will for
17	the hearing, I will have our neighbors come
18	CHAIRMAN SALADINO: Okay.
19	MS. RIVERA-PITTORINO: because our
20	neighbors know. I mean, I can assure you that
21	most times when there's an issue, it's us letting
22	our neighbors park in our parking lot, because
23	whatever, snow removal, or, you know, something
24	broke down, the car and they need to use our park
25	lot. It's usually us lending our neighbors our

4	
1	parking lot. We don't we don't take other
2	people's parking spaces. Quite frankly, we don't
3	need to.
4	CHAIRMAN SALADINO: No. Right now, all I
5	think we're talking about is the use of the space
6	that was that's
7	MS. RIVERA-PITTORINO: It's for catering.
8	It's for catering. So you can't go in there for
9	dinner tonight. And my guests staying, one or
10	three, can't walk in the restaurant right now,
11	unless he booked the entire property for an
12	event, and we have maybe seven or eight of those
13	per year.
14	CHAIRMAN SALADINO: Anyone else? Dinni?
15	MEMBER GORDON: I don't have any questions
16	for them. I have a question for all of us, but
17	maybe that comes after this.
18	CHAIRMAN SALADINO: The only way we're
19	going know is if you ask it.
20	(Laughter)
21	MEMBER GORDON: Okay. All right. This is
22	not a question to the two of you, it's a question
23	about the code. I want to be sure I understand
24	what "or" means in 150-12(B), because if it means
25	that each individual property must comply I

1	mean, is it really clear that it's supposed to
2	that it's "or" rather than "and"? Because it
3	seems to me if if they were able to persuade
4	us that, really, it's only 35 feet, or that it
5	can be 35 feet, then it seems to me if we take
6	seriously the "or", then they could have three
7	stories.
8	So I just want to be sure that I understand
9	that this "or", and I might argue that, doesn't
10	mean "and", because I think the Notice of
11	Disapproval really treats this as though "or"
12	means "and".
13	MS. RIVERA-PITTORINO: We agree with you.
14	MEMBER GORDON: We're asking them their
15	we're asking them to justify, one, construction
16	of more than two stories, and two, an additional
17	two feet, which takes it beyond the Village Code
18	maximum requirement of 35 feet. So we're asking
19	them to satisfy both, not one or the other. So I
20	just want to be sure I mean, I guess I'm
21	asking for an interpretation, but I certainly
22	don't want to delay the process by a month.
23	CHAIRMAN SALADINO: You could ask.
24	MEMBER GORDON: What do we all think?
25	CHAIRMAN SALADINO: Well, for me, I thought

1	it was kind of clear because of two previous
2	interpretations, one for the Harbor Front Hotel
3	
	and one for the Menhaden. Actually, I kind of
4	thought it was settled, the fact that those two
5	applicants
6	MEMBER GORDON: So "or" means "and" in the
7	code, that's what you're saying?
8	MS. RIVERA-PITTORINO: Then why does it say
9	"and"? I'm just curious, like, because for me
10	"or" is "or" and "and" is "and".
11	CHAIRMAN SALADINO: Well, the only reason
12	sometimes there isn't there is a request for
13	an interpretation, because one or two words in
14	the code might be ambiguous, given it might mean
15	one or two different things. And it's one of the
16	jobs that we're charged with, is to interpret
17	what "or" in this case means. And in 2017 or
18	2018, I thought 2017? I thought we did. But,
19	again
20	MS. BERRY: I would just change the
21	language in the code to "and"
22	CHAIRMAN SALADINO: We don't get to do
23	that. We don't get to do that.
24	MS. BERRY: if your if that's your
25	understanding of the code.

1	MEMBER GORDON: But we can't do that.
2	MS. BERRY: Right.
3	CHAIRMAN SALADINO: We're not Thursday
4	nights, you go Thursday nights, they legislate
5	there.
6	(Laughter)
7	CHAIRMAN SALADINO: So, right new, we just
8	have to go by what we did in the past. And I say
9	"we". We are like all the Zoning Boards that
10	face this issue, the one in 2002, and the one in
11	2017, so.
12	MS. RIVERA-PITTORINO: Are there any
13	questions about the general project, like the
14	general just if you want to have a better
15	understanding of the general project.
16	CHAIRMAN SALADINO: I'm thinking we're just
17	kind of we're thinking you just want to make
18	your hotel bigger.
19	MS. RIVERA-PITTORINO: Just go I just
20	want to go up one story, and that one story is
21	set back. And I want to continue to run the same
22	kind of business I'm running, quiet. You know,
23	our you know, we're a green certified hotel.
24	Our guests are very concerned about the
25	environment, they're very respectful of our

1	neighbors of the area. They come to the North
2	Fork looking for the North Fork. They don't come
3	to the North Fork looking for something else.
4	They come here looking for the peace and quiet
5	and everything that's here.
6	CHAIRMAN SALADINO: We certainly we
7	certainly understand, but you also have to look
8	at it the dynamic in the Village now, you have
9	to look at it from I guess our point of view.
10	The dynamic in the Village now, parking is on
11	everyone's lips, everyone lips, it's a big
12	deal
13	MS. RIVERA-PITTORINO: And I have plenty
14	of it.
15	CHAIRMAN SALADINO: is parking.
16	MS. RIVERA-PITTORINO: I have more parking
17	than every other
18	CHAIRMAN SALADINO: Well, listen, we're
19	going to get second-guessed regardless what the
20	outcome of this is.
21	MS. RIVERA-PITTORINO: You're right, you're
22	right.
23	MS. BERRY: Yeah.
24	CHAIRMAN SALADINO: So and not to
25	belabor this point. We took care of 112

1	150-12, and we took care of 150-16, as far as you
2	asking for an interpretation. Are you going to
3	ask for an interpretation for
4	MS. BERRY: No. We're asking for
5	CHAIRMAN SALADINO: for 160 150-16,
6	too?
7	MS. BERRY: We're asking for a variance,
8	yeah.
9	CHAIRMAN SALADINO: Oh, for the size of the
10	spaces, we're asking for a variance?
11	MS. BERRY: Right, yeah.
12	CHAIRMAN SALADINO: Okay.
13	MS. BERRY: Their her former approved
14	plan had 9 feet, and there are widths that are
15	less than 9 feet currently. So if we moved
16	to 10, that's kind of a loss, and it's operating,
17	you know
18	CHAIRMAN SALADINO: You would have to
19	provide what, three, three extra four extra
20	spaces, I guess.
21	MS. BERRY: Probably, yeah. So
22	CHAIRMAN SALADINO: Can the Planning
23	Board
24	MS. BERRY: You know, it
25	CHAIRMAN SALADINO: My question is can the

1	Planning Board and I'm not asking you. I
2	think I'm asking the Board. Can the Planning
3	Board issue a variance?
4	MR. CONNOLLY: No.
5	MS. BERRY: No.
6	CHAIRMAN SALADINO: I mean, can the
7	Planning Board decide that
8	MR. CONNOLLY: No.
9	CHAIRMAN SALADINO: nine spaces is
10	appropriate?
11	MS. BERRY: No, you it comes to you.
12	CHAIRMAN SALADINO: I didn't think so. But
13	I though I would get that out of the way.
14	MS. BERRY: So that's a very clear variance
15	where we're asking for you know, to keep the 9
16	feet, so that we don't lose more spaces, because
17	we lost some by putting the handicapped in, which
18	we think we should have. You know, it's valid,
19	so and it's the law, so but, you know.
20	CHAIRMAN SALADINO: Okay. Anybody else had
21	any questions for the applicant? No? Nobody?
22	(No Response)
23	CHAIRMAN SALADINO: Then what's the
24	pleasure of this Board? Are we going to we're
25	going to accept this application and

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1	MR. CORWIN: I make a motion that we accept
2	the application before us.
3	CHAIRMAN SALADINO: So moved.
4	MEMBER REARDON: I'll second that motion.
5	CHAIRMAN SALADINO: All in favor?
6	MEMBER CORWIN: Aye.
7	MEMBER REARDON: Aye.
8	MEMBER TASKER: Aye.
9	MEMBER GORDON: Aye.
10	CHAIRMAN SALADINO: That was very lopsided.
11	(Laughter)
12	CHAIRMAN SALADINO: And I'll vote aye. Did
13	you vote aye?
14	MEMBER GORDON: I voted aye, yeah.
15	CHAIRMAN SALADINO: Okay. We're going to
16	set a date for the public hearing. I have I
17	have a date here, is
18	MEMBER GORDON: The 17th?
19	CHAIRMAN SALADINO: Is September 17th. We
20	set all the public hearings at 6 o'clock, you
21	know, so it will be 6 o'clock. And we're going
22	to go for usually, want a site inspection,
23	we're going to look around. What time are we
24	thinking? Maybe a little earlier, this way
25	it's we could walk around a little bit. Maybe

1	And there's just one other thing with
2	the with the application. I don't think
3	it's because I'm willing to wait until next
4	month for you to provide it. I know the Planning
5	Board, the Planning Board declared themselves
6	Lead Agency, so and they declared it an
7	Unlisted Action?
8	MS. BERRY: Yes.
9	CHAIRMAN SALADINO: And they asked you for
10	an EAF, the long form?
11	MS. BERRY: Yup.
12	CHAIRMAN SALADINO: Could we have that,
13	also?
14	MS. BERRY: Sure.
15	CHAIRMAN SALADINO: We have the short form.
16	MS. BERRY: Sure.
17	CHAIRMAN SALADINO: Is that okay with the
18	members, that they provide this next month for
19	us, or perhaps before that, so the Clerk of the
20	Boards could get it to us?
21	MS. BERRY: We'll give you the long form.
22	I was going to do it anyway, but then it said
23	short form, so we did the short form. But we'll
24	give you the long form, and we'll give you more
25	pictures with different angles and from

CHAIRMAN SALADINO: See you next month.

25

1	Item No. 6 is any other Zoning Board of
2	Appeals business that might properly come before
3	this Board. Anybody? Any member, anybody?
4	(No Response)
5	CHAIRMAN SALADINO: I have something. I
6	don't belong to social media, but occasionally I
7	get to read it. And two years after a past
8	decision that this Board made, I'm still reading
9	about people that didn't know what happened, or
10	still upset, and couldn't understand how people
11	could come to a conclusion like that.
12	In front of us now is not a very
13	complicated application, but a major application
14	for the Village. I mean, I would I would
15	suggest to anybody in the audience, or anybody
16	that might be watching this, or anybody any of us
17	talk to later on that perhaps they might want to
18	attend, or at least watch on television, the
19	public hearing, the discussion that's going to
20	happen next month, and this way any decision that
21	this Board makes, they can they can see the
22	reasoning behind it. This way we won't have to
23	hear 18 months from now or two years from now
24	about what's happening on Fourth Avenue, you

know. So that --

25

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