

VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD

REGULAR SESSION

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Third Street Firehouse
Greenport, New York

November 3, 2016
5:10 p.m.

B E F O R E:

DEVIN McMAHON - CHAIRMAN

BRADLEY BURNS - MEMBER

PETER JAUQUET - MEMBER - absent

LUCY CLARK -- MEMBER

JOHN COTUNGO -- MEMBER

JOSEPH PROKOP - VILLAGE ATTORNEY

GLYNIS BERRY - PLANNING BOARD CONSULTANT

EILEEN WINGATE - VILLAGE BUILDING INSPECTOR

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CHAIRMAN McMAHON: We're going to
begin the meeting.

This is the Village of Greenport,
Planning Board Regular Session for
November 3, 2016.

Item Number 1, corner of Front and
Third.

Pre-submission conference for Dan
Pennessi. Dan Pennessi represents
owner Mayland Shannon LLC and is before
the Board to discuss proposed uses and
development of the site located at the
corner of Front and Third Streets.

The pre-submission package
contains a revised site plan of the
proposed building.

The revised project has been
favorably considered in the request for
variances by the Zoning Board of
Appeals, with the exception of the
parking requirement and the loading
space. The Zoning Board is requesting
the Planning Board review the parking
requirements.

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The applicant has requested an additional work session meeting before submission of the final site plan review application is filed, to review the updated plans.

The property is located in the WC, Waterfront Commercial District, and the uses are listed as conditional uses.

Suffolk County Tax Map number 1001-5-4-5.

I don't believe we have anyone representing the applicant here.

MR. PROKOP: This is the discussion regarding the possibility of a parking waiver.

There will be a Zoning Board meeting this month between this meeting and our next work session meeting, so if anybody has general comments they might want to make now, otherwise, we can wait and see what action is taken by the Zoning Board.

The discussion was whether there was -- if there is to be relief

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considered by either board, whether it would be in the form of a waiver coming from the Planning Board or as a variance coming from the ZBA.

CHAIRMAN McMAHON: My personal opinion, as I said when the applicant first came before the Board, if the project is going to move forward and if a variance is going to be granted, it should be for the smaller number of parking spaces after the payment in lieu of parking spaces section of the Village Code was taken advantage of, that's my personal opinion.

I think the code was written in a way that was -- it was designed to have the option of payment in lieu of parking spaces in recognition of the fact that there are very few in the Village, and that money is then to be used to alleviate the larger parking concerns of the Village. I don't think -- I would not be in favor of voting for a plan that had received a

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1
2 full wavier from the ZBA for 30 parking
3 spaces without any reparation for the
4 Village or any sort of payment to
5 alleviate the parking concerns.

6 It is a restrictive code, that
7 makes it very difficult to build on the
8 lot right now, but I believe that is
9 the intention of the code, it's there
10 to prevent the exacerbation of an
11 already existing problem which is the
12 lack of parking within the Village.
13 That's my personal opinion.

14 I think the payment in lieu of
15 parking spaces is a viable option for
16 new construction in the Village.

17 My major concern actually is not
18 the number of parking spaces because I
19 think if we were to grant payment in
20 lieu of parking spaces for this
21 applicant, my biggest concern is still
22 how the vehicles that are going to be
23 parking there would get in and out of
24 the lot, the effect that would have on
25 traffic on the corner of Third and Main
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Street, Third and Front Street.

Those are my general thoughts on it. I'm waiting to see what the final plans look like.

I don't know if anybody else has any comments or questions.

MR. BURNS: You're suggesting you might avoid parking on that at all?

CHAIRMAN McMAHON: No. So my thought is if the plan, if this project is going to go forward, I think it would be prudent for this board to take advantage of the section of the code that allows a payment in lieu of parking. That's essentially all I'm saying. If the project goes forward, I would love to see a full, I believe they required 30 or so spaces, I would like to see those, the initial 20 spaces at the very least dealt with by the provision of the code that allows payment in lieu of parking.

MR. BURNS: I agree.

It seems to me the only other
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viable use for that lot would be a
 parking lot which it was. We used to
 park there years ago and go to the
 movies, but it doesn't make sense now.

Those are my thoughts. Anyone else have any thoughts?

No.

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1
2 MR. COTUNGO: I would just repeat
3 what I said last week, that I think
4 it's a great project, but the site is
5 too small for the project. You can't
6 build that big of a project on that
7 small of a site. It would be great for
8 Greenport to have such a project, but
9 you need three times this amount of
10 land to support that type of structure,
11 so it doesn't work in my opinion.

12 And I believe even the revised
13 parking plan does not work. Does not
14 work. The loading space does not work.
15 There are certain spots you could not
16 get out of. The aisle width is too
17 narrow. It just doesn't work, not even
18 the ten spaces.

19 CHAIRMAN McMAHON: Okay.

20 MS. CLARK: I'm in agreement with
21 John.

22 CHAIRMAN McMAHON: Okay.

23 We don't actually have anything,
24 this is a continuation of a
25 pre-submission conference, so I don't
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1 believe we actually have any formal
2 binding vote to make tonight. I was
3 hoping we would be able to discuss this
4 with the applicant. I don't know what
5 else to do at this point.
6

7 Anyone else have any comments or
8 questions?

9 MR. PROKOP: What about the idea
10 of -- so you're requesting opinions
11 about the project; what about the idea
12 of the parking waiver in terms of a
13 project at the site, how does the Board
14 feel about that?

15 CHAIRMAN McMAHON: What do you
16 mean, any parking waiver for any
17 development?

18 MR. PROKOP: Yes. The scope of a
19 parking waiver or the range of a
20 parking waiver that might be
21 considered.

22 CHAIRMAN McMAHON: I think there
23 would need to be -- you know, the
24 Village Code allows, I'm generally in
25 favor of sticking with what the Village
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1 Code allows, I'm not really trying to
2 deviate from that too much. The
3 Village Code allows a waiver of up to
4 20 parking spaces. I think that even
5 with waiver, you need to address the
6 existing concerns, there are other
7 access concerns besides simply the
8 number of spots, the loading zones and
9 the placement of the entrance to the
10 lot, you know, those are concerns. I'd
11 be more than willing to listen to any
12 compelling arguments to justify the
13 placement of it or any reasonable
14 accommodation or plan that would
15 clearly mitigate the parking concerns
16 and issues that we have addressed at
17 this meeting and when we first
18 discussed it a few months back.

19
20 Anyone else have any thought or
21 consideration for the lot?

22 MR. BURNS: I think the number is
23 a problem, but maybe that's the only
24 problem, maybe the fact that we have to
25 accommodate their need for parking and

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1 I don't know the money, the finances,
2 but in order to have a viable project,
3 you've got to have a certain amount of
4 floor space and I agree with John, it's
5 a large project for a small piece of
6 property, but we have other projects in
7 the Village on small lots that work,
8 and this might work well.

9
10 CHAIRMAN McMAHON: I mean, to me,
11 providing ten spaces, providing payment
12 in lieu of 20 other spaces and seeking
13 a variance from the ZBA, if they were
14 granted all of those things, I don't
15 think that would be a disqualifying
16 scenario for me, but there are still
17 other -- that wouldn't be the only
18 thing that would be disqualification
19 for me. It would be -- there are other
20 things that need to be addressed with
21 regard to that. I don't think it's
22 simply the number of spots, I actually
23 don't have an issue with that, it's
24 really the location, it's a difficult
25 place to have an intensity of use, so I
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don't know what a viable option is.

But again, with the applicant not being here, I don't know how much more I can talk by myself here.

MR. PROKOP: We can see what the ZBA says.

CHAIRMAN McMAHON: At this point I would suggest that we table this discussion until our next meeting and the ZBA weighs in and the applicant is here to contribute to our thoughts.

I will so motion.

MS. CLARK: Second.

CHAIRMAN McMAHON: All in favor?

MR. BURNS: Aye.

MS. CLARK: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

Motion to adjourn.

MS. CLARK: Second.

CHAIRMAN McMAHON: All in favor?

MR. BURNS: Aye.

MR. COTUNGO: Aye.

MS. CLARK: Aye.

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CHAIRMAN McMAHON: Motion carries.

(Time noted: 5:20 p.m.)

C E R T I F I C A T E

I, STEPHANIE O'KEEFFE, a shorthand reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on November 3, 2016.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of November, 2016.

Stephanie O'Keeffe

STEPHANIE O'KEEFFE

CHAIRMAN McMAHON: [14] 1/20 4/5 6/9 7/5 8/18 8/21 9/14 9/21 11/9 12/7 12/14 12/18 12/21 12/25 MR. BURNS: [5] 6/7 6/23 10/21 12/15 12/22 MR. COTUNGO: [3] 7/25 12/17 12/23 MR. PROKOP: [4] 3/13 9/8 9/17 12/5 MS. CLARK: [5] 8/19 12/13 12/16 12/20 12/24 - -----x [2] 1/3 1/6 1 1001-5-4-5 [1] 3/11 2 20 [3] 6/20 10/5 11/12 2016 [4] 1/8 2/6 14/7 14/13 3 30 [2] 5/2 6/19 3rd [1] 14/13 5 5:10 [1] 1/8 5:20 [1] 13/3 A able [1] 9/4 about [4] 9/9 9/11 9/11 9/14 absent [1] 1/14 access [2] 7/11 10/8 accommodate [1] 10/25 accommodation [1] 10/15 accurate [1] 14/6 action [2] 3/22 14/9 actually [4] 5/17 8/23 9/2 11/22 additional [1] 3/3 address [1] 10/6 addressed [2] 10/17 11/20 adjourn [1] 12/20 advantage [2] 4/14 6/14 after [1] 4/12 again [1] 12/3 ago [1] 7/4 agree [2] 6/24 11/5 agreement [1] 8/20 aisle [1] 8/16 all [5] 6/9 6/16 11/14 12/15 12/22 alleviate [2] 4/22 5/5 allows [5] 6/15 6/22 9/24 10/2 10/4 already [1] 5/11 am [2] 14/8 14/10 amount [2] 8/9 11/4 another [1] 7/12 any [13] 5/3 5/4 6/7 7/21 7/24 9/2 9/7 9/16 9/16 10/12 10/14 10/20 14/9 anybody [2] 3/20 6/6 anyone [4] 3/12 7/20 9/7 10/20 anything [2] 7/8 8/23 Appeals [1] 2/21 applicant [7] 3/2 3/13 4/7 5/21 9/5 12/3 12/11 applicant's [1] 7/25 application [1] 3/5 approaching [1] 7/15 are [10] 3/9 4/20 5/22 6/3 7/20 8/15 10/7 10/11 11/16 11/19 arguments [1] 10/13 as [4] 3/9 4/4 4/7 7/7 ATTORNEY [1] 1/18 avoid [1] 6/9 Aye [6] 12/16 12/17 12/18 12/23 12/24 12/25	because [2] 5/18 7/8 been [2] 2/18 7/13 before [3] 2/11 3/3 4/8 begin [1] 2/3 being [1] 12/4 believe [5] 3/12 5/8 6/18 8/12 9/2 BERRY [1] 1/19 besides [1] 10/8 between [1] 3/18 big [1] 8/6 biggest [1] 5/21 binding [1] 9/3 blood [1] 14/9 board [14] 1/4 1/19 2/5 2/12 2/20 2/23 2/24 3/17 3/23 4/2 4/4 4/8 6/13 9/13 BRADLEY [1] 1/13 build [2] 5/7 8/6 building [2] 1/20 2/17 BURNS [1] 1/13 C came [1] 4/8 can [3] 3/22 12/5 12/6 can't [1] 8/5 carries [2] 12/19 13/2 certain [2] 8/15 11/4 certify [2] 14/5 14/8 CHAIRMAN [1] 1/12 CLARK [1] 1/15 clearly [1] 10/16 code [9] 4/14 4/16 5/6 5/9 6/14 6/22 9/24 10/2 10/4 coming [2] 4/3 4/5 comments [3] 3/20 6/7 9/7 Commercial [1] 3/8 compelling [1] 10/13 concern [2] 5/17 5/21 concerns [6] 4/23 5/5 10/7 10/8 10/11 10/16 conditional [1] 3/9 conference [2] 2/9 8/25 consideration [1] 10/21 considered [3] 2/19 4/2 9/21 construction [1] 5/16 CONSULTANT [1] 1/19 contains [1] 2/16 continuation [1] 8/24 contribute [1] 12/12 corner [3] 2/7 2/14 5/25 COTUNGO [1] 1/16 could [1] 8/15 COUNTY [2] 1/2 3/10 D Dan [2] 2/9 2/10 day [1] 14/13 dealt [1] 6/21 designed [1] 4/17 development [2] 2/13 9/17 deviate [1] 10/3 DEVIN [1] 1/12 difference [1] 7/17 different [1] 7/15 difficult [3] 5/7 7/7 11/24 discuss [2] 2/12 9/4 discussed [1] 10/19 discussion [3] 3/15 3/24 12/10 disqualification [1] 11/18 disqualifying [1] 11/15 District [1] 3/8 do [5] 7/8 7/19 9/6 9/15 14/5 does [4] 8/13 8/13 8/14 9/13 doesn't [3] 7/5 8/11 8/17 don't [12] 3/12 4/23 6/6 8/23 8/25 9/5 11/2 11/14 11/21 11/23 12/2 12/4 E effect [1] 5/24 EILEEN [1] 1/20	either [1] 4/2 else [6] 6/6 7/21 7/24 9/6 9/7 10/20 enforcement [1] 7/14 entrance [1] 10/10 essentially [1] 6/16 even [4] 7/7 8/12 8/17 10/5 eventually [1] 7/16 exacerbation [1] 5/10 exception [1] 2/21 existing [2] 5/11 10/7 F fact [3] 4/20 7/9 10/24 favor [4] 4/24 9/25 12/15 12/22 favorably [1] 2/19 feel [1] 9/14 ferry [2] 7/13 7/16 few [2] 4/20 10/19 filed [1] 3/5 final [2] 3/4 6/4 finances [1] 11/2 Firehouse [1] 1/6 first [2] 4/8 10/18 floor [1] 11/5 form [1] 4/3 formal [1] 9/2 forward [3] 4/9 6/12 6/17 Front [3] 2/7 2/14 6/2 full [2] 5/2 6/18 further [1] 14/8 G general [2] 3/20 6/3 generally [1] 9/24 get [2] 5/23 8/16 GLYNIS [1] 1/19 go [2] 6/12 7/4 goes [1] 6/17 going [5] 2/2 4/9 4/10 5/22 6/12 got [1] 11/4 grant [1] 5/19 granted [2] 4/10 11/14 great [2] 8/4 8/7 GREENPORT [4] 1/2 1/7 2/4 8/8 H had [1] 4/25 hand [1] 14/13 has [5] 2/18 3/2 3/20 6/6 7/24 have [19] here [5] 3/13 7/25 12/4 12/5 12/12 hereby [1] 14/5 hereunto [1] 14/12 hopefully [1] 7/14 hoping [1] 9/4 how [3] 5/22 9/13 12/4 I I'd [1] 10/11 I'm [6] 6/4 6/16 7/18 8/20 9/24 10/2 idea [2] 9/9 9/11 initial [1] 6/20 INSPECTOR [1] 1/20 intensity [1] 11/25 intention [1] 5/9 interested [1] 14/10 intersection [1] 7/10 is [26] isn't [1] 7/18 issue [2] 7/18 11/23 issues [3] 7/12 7/17 10/17 it [17] it's [8] 5/9 7/7 7/7 8/4 11/5 11/21 11/23 11/24 Item [1] 2/7 J JAUQUET [1] 1/14 JOHN [3] 1/16 8/21 11/5
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