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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

April 6, 2017
4:32 p.m.

B E F O R I :

DEVIN McMAHON - CHAIRMAN

BRADLEY BURNS - MEMBER

NOAH THOMAS - MEMBER

MARY GIVEN - MEMBER

JOHN COTUNGO - MEMBER

JOSEPH PROKOP - VILLAGE ATTORNEY

GLYNIS BERRY - PLANNING BOARD CONSULTANT

EILEEN WINGATE - BUILDING INSPECTOR

KRISTINA LINGG - BUILDING CLERK

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I N D E X

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2 CHAIRMAN McMAHON: This is the Village
3 of Greenport Planning Board Regular Session
4 for April 6, 2017.

5 The first item on the agenda, item
6 number 1. Motion to accept the minutes of
7 the March 2, 2017 Planning Board Meeting.

8 I will so motion.

9 Do I have a second for that?

10 MR. COTUNGO: Second.

11 CHAIRMAN McMAHON: All in favor?

12 MS. GIVEN: Aye.

13 MR. BURNS: Aye.

14 MR. COTUNGO: Aye.

15 MR. THOMAS: Aye.

16 CHAIRMAN McMAHON: Motion carries.

17 Discussion and possible motion for the
18 use evaluation application of Weiskopf Real
19 Estate Holdings, Inc., represented by
20 Jonathan Weiskopf as lessee. The applicant
21 is proposing to open an art gallery and
22 design showroom at 311 Front Street.

23 This property is located in the
24 Commercial Retail District and is a
25 permitted use. This property is not located

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2 in the Historic District.

3 This is Suffolk County Tax Map number
4 1001-6-2-20.

5 We had discussed this at the last
6 meeting. Were we requiring any changes?

7 MS. WINGATE: No. We just -- the only
8 question was occupancy and if Glynis had
9 covered it in her revised notes.

10 CHAIRMAN McMAHON: Do you have the
11 revised notes? I didn't get the --

12 MS. GIVEN: (Handing.)

13 CHAIRMAN McMAHON: All right. So I'm
14 just going to read into the record the
15 comments of our planning consultant.

16 The property holds a certificate of
17 occupancy dated September 29, 1979 for
18 retail on the first floor and storage on the
19 second. Most recent use was an office for
20 Cast. The occupants of the building is 12
21 based on mercantile and described uses.

22 The applicant has indicated a
23 willingness to supply a temporary ramp to
24 improve accessibility. The applicant has
25 indicated a desire to host events,

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2 mercantile use, the occupancy is limited to
3 12, if the applicant wishes to change the
4 occupancy to an assembly use more permanent
5 solutions to accessibility are required, and
6 valuations to the toilet count and
7 structural capacity are needed.

8 That is the most current version?

9 MS. WINGATE: Yes.

10 CHAIRMAN McMAHON: I had no other
11 issues with that. We expressed to the
12 applicant concerns about hosting events and
13 how that would need separate approvals, but
14 as far as the use, it's essentially retail
15 use as a gallery, I have no issue with, I
16 don't think any members of the Board did, I
17 don't think either. It seemed pretty
18 straight forward. If they wanted to expand
19 the use, they would have to come back and
20 change the plans.

21 So my thoughts would be just go forward
22 approving the application, the revised
23 application as submitted.

24 Does anyone else have any thoughts or
25 comments or questions on that?

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2 (No response.) We have to do the SEQRA
3 review for this use evaluation application.
4 This would be a Type II, I believe, Type II
5 recommendation.

6 I'm going to make a motion that the
7 Board adopt lead agency status for purposes
8 of SEQRA and make a determination there
9 would be no significant impact, it's a Type
10 II project.

11 Do I have a second for that?

12 MR. COTUNGO: Second.

13 CHAIRMAN McMAHON: All in favor?

14 MS. GIVEN: Aye.

15 MR. BURNS: Aye.

16 MR. COTUNGO: Aye.

17 MR. THOMAS: Aye.

18 CHAIRMAN McMAHON: Motion carries.

19 I'm going to further make a motion that
20 we accept the use evaluation application,
21 the revised use evaluation application that
22 was submitted.

23 Do I have a second for that?

24 MR. THOMAS: Second.

25 CHAIRMAN McMAHON: All in favor?

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1 MS. GIVEN: Aye.

2 MR. BURNS: Aye.

3 MR. COTUNGO: Aye.

4 MR. THOMAS: Aye.

5 CHAIRMAN McMAHON: Motion carries.

6 Moving on to item number 3, 131 Third
7 Street. Discussion and possible motion for
8 the use evaluation application of Isaac
9 Israel.
10

11 The applicant is a real estate agent
12 representing Goldberg's Famous Bagels and
13 the property owner. The applicant is
14 proposing to rent the north space of 131
15 Third Street. The intended use for the
16 space is Goldberg's Famous Bagels.

17 The property is located in the
18 Commercial Retail District and is a
19 permitted use.

20 This property is not located in the
21 Historic District.

22 Suffolk County Tax Map number
23 1001-6-2-23.2.

24 I just received a copy of a letter that
25 was submitted several times over by various

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2 tenants of Sterlington Commons essentially
3 requesting that the applicant be required to
4 post signage stating the customers,
5 suppliers and delivery companies, they have
6 no parking in the Village, municipal parking
7 lots -- is there anyone who would like to
8 speak to that?

9 Fred, I see you back there.

10 MR. SCHULTZ: Yes.

11 CHAIRMAN McMAHON: If you could, I
12 don't know if there is a pen and piece of
13 paper up there, anyone who takes the podium
14 tonight, write your name so we have a clear
15 record of who is speaking when.

16 MR. SCHULTZ: Fred Schultz, Sterlington
17 Deli.

18 The parking issue stated municipal
19 parking, their trucks and deliveries coming
20 in can't park in the Sterlington Commons
21 parking, and notated on the building would
22 be a good plus.

23 CHAIRMAN McMAHON: Okay. I just saw
24 this today, so I didn't -- I saw it when I
25 got to the meeting, so I didn't have a

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1 chance to really think about it. My initial
2 thought was, I think it's difficult asking
3 applicants to put something specifically on
4 their building with regard to where the
5 parking should go, but I wholeheartedly
6 agree that it should be clear to everyone
7 there, so I think perhaps we could, as a
8 resolution ask the Village Board to put up
9 signage out in front of the property. I
10 don't know if that would be amenable to you
11 or the other people in the property there.

12 My only concern is setting a precedent
13 of asking new applicants to, everyone to put
14 a sign on their building saying where you
15 can and can't park is a little problematic
16 for me, but I totally agree that it's
17 reasonable that signage should be there
18 saying, you know, directing people to the
19 parking that is available, that is a private
20 lot and it's for use of the customers that
21 are there, and you guys have your signs up
22 saying this is for Brick Oven parking, this
23 is Sterlington Deli parking, this is et
24 cetera, et cetera throughout the --
25

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2 MR. SCHULTZ: Exactly, but more signs
3 would be better.

4 CHAIRMAN McMAHON: I agree. My only
5 concern is asking to put signage on somebody
6 else's building with regard to that. I
7 think it would be totally appropriate though
8 to have signage in front of the building,
9 you know, on the street there because it's a
10 very difficult area with a lot of needs, a
11 lot of businesses, a lot of traffic going
12 through there, so I think -- again, I just
13 saw this today, so this is just my initial
14 thoughts. I'm sharing them with you as they
15 sort of develop because I hadn't had a
16 chance to consider this before. I would be
17 much more comfortable asking the Village to
18 put up signage in front of the property to
19 try to help direct traffic in that area
20 because that's needed anyway. That's
21 something that, you know, where you can park
22 --

23 MR. SCHULTZ: But on their building
24 would be better too because --

25 CHAIRMAN McMAHON: It would be better

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2 for --

3 MR. SCHULTZ: Because we're going to
4 have signage for our parking lot going
5 forward, yes, and then if, say a family
6 comes in and parks in Sterlington Commons
7 and then we proceed, listen, you can't park
8 here, you're gonna have to go down to
9 municipal parking, so, you know, then when
10 they get the hang of it, then they will know
11 we can't park there, you know.

12 CHAIRMAN McMAHON: It's the slight
13 distinction between putting it on their
14 building and putting in front of their
15 building in Village property, and I think
16 that if we start requiring people to put
17 signs on their property with regards to
18 where their parking is, it's a request that
19 any new building or any new business is
20 going to -- I think it's -- it just doesn't
21 -- seems like it would be setting a
22 precedent for requiring people to put
23 parking signs in the front of their building
24 throughout the Village, and I don't know if
25 that's -- I think it should be the function

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1 of the Village as a whole to direct traffic,
2 to address that issue. Again those are my
3 --
4

5 MR. SCHULTZ: So now you're gonna say
6 the Village is going to address it with
7 their parking signs?

8 CHAIRMAN McMAHON: That's what I think
9 would be the more reasonable approach. I
10 wouldn't have a problem asking the Village
11 to specifically address parking and flow of
12 traffic, we could make a resolution to the
13 Board saying please address specifically
14 what's going to be happening at the corner
15 of Front and Third Street because there's a
16 lot of new construction going on, there's a
17 lot of new business going in here.

18 MR. SCHULTZ: And about the deliveries
19 coming in. The deliveries should park in
20 their easement in the back, of course they
21 can go through Sterlington Commons, but they
22 cannot park their trucks in Sterlington
23 Commons or on the roads coming in.

24 CHAIRMAN McMAHON: I believe that was
25 addressed in the application for that

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2 building and if they're in violation of that
3 then reporting it to the Village would be an
4 appropriate recourse and asking them for
5 enforcement functions. I think that would
6 be the way to go. You know, we can only go
7 so far in what we do. We set the
8 requirements, if someone is violating those
9 requirements, that is sort of out of our
10 hands, but I would encourage you, if someone
11 is violating the terms of their --

12 MR. SCHULTZ: So now we go to talk to
13 the Village Board about signs going in for
14 parking.

15 CHAIRMAN McMAHON: Again, I just saw
16 this ten minutes ago.

17 MR. SCHULTZ: Right.

18 CHAIRMAN McMAHON: So this is my
19 initial reaction, but my initial thought is,
20 I would rather ask the Village Board to have
21 signage directing traffic rather than
22 require someone to put a sign on the front
23 of their building saying -- like, what
24 specifically --

25 MR. SCHULTZ: I wouldn't like it

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2 either, but, you know, where the place is,
3 it's definitely, you know, walking around
4 the corner, I'm right in Sterlington Deli's
5 parking or pizza parking, the whole plaza,
6 you know, there is gonna be a problem, so
7 more signage is gonna be better and we got
8 to get to the Board, but there's got to be
9 some kind of presence.

10 MR. BURNS: Can we ask the applicant to
11 come back with an appropriate parking plan?

12 CHAIRMAN McMAHON: The applicant isn't,
13 I don't believe anyone is here from the
14 applicant this evening, and I don't know
15 that -- again, I'm not entirely comfortable
16 asking, you know, any business to say you
17 can't -- like what exactly is the sign gonna
18 say; is it gonna say don't park in
19 Sterlington?

20 MR. SCHULTZ: No. Goldberg's municipal
21 parking only, you know, they're municipal
22 parking. They really have no spots, those
23 three spots in front of their building, then
24 there's municipal parking only. At least it
25 deters them from coming into our complex.

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2 CHAIRMAN McMAHON: Are you asking for
3 signage that says you can't park here, or
4 this is the way to the places you can park
5 because I --

6 MR. SCHULTZ: Yes, I think, you know,
7 we want to tell them they have municipal
8 parking only so they know where they can
9 park, that's it's you can't park there. If
10 you bring them back that would be a nice
11 gesture.

12 CHAIRMAN McMAHON: Here's the thing,
13 it's you know, as anybody else were, we
14 spoke with them last week and we, you know,
15 essentially said we were planning to, you
16 know, the application seemed pretty straight
17 forward and we're saying, yeah, go ahead,
18 they really had no reason to be here this
19 evening. Now if we're going to hold them up
20 for another month as to whether -- I'm not
21 comfortable holding them up for another
22 month to say, are you -- to ask them the
23 question, are you okay putting up a sign
24 because if they said no, we're not
25 comfortable putting up a sign in front of

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2 our building, I would sort of agree with
3 them, I would say I wouldn't want it either.

4 That's what I'm saying, I think -- I
5 don't personally, I don't speak for the
6 other members of the Board, I don't know
7 what their thoughts are on this, I don't
8 personally feel comfortable asking them to
9 put a sign in front of their building saying
10 don't park in our neighbor's parking spot.

11 MR. SCHULTZ: I'm not saying that, but
12 municipal parking only, just deter, just a
13 little deterrent.

14 CHAIRMAN McMAHON: What specifically
15 are your complaints or your opposition to it
16 being in front of the building where people
17 are parking as opposed to -- because by the
18 time they get up to the door, they get out
19 of their car, they walk up and --

20 MR. SCHULTZ: Right, then they're gonna
21 be, oh, I'm parked in the wrong area to a
22 degree.

23 CHAIRMAN McMAHON: I think it would be
24 more --

25 MR. SCHULTZ: Just having a little, you

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1 know, a little pro, you know, awareness
2 because I'm gonna have a problem, people are
3 gonna be parking in, I mean, customers that
4 are coming, maybe you, I'm like listen, you
5 can't park there, just trying to deter them,
6 and you know.
7

8 CHAIRMAN McMAHON: I think the best
9 place for those signs would be where they're
10 gonna be parking and when they're, you know,
11 I think I would encourage Sterlington, I
12 know you guys, I'm sure you already have a
13 lot of problems with people parking in front
14 of your restaurant, you know, in front of
15 your deli, in front of the pizza place, in
16 front of the other businesses and then
17 walking into the Village. I think that the
18 -- I know that the Village as a whole needs
19 to address the parking problems and needs to
20 really provide a lot of direction to anyone
21 coming in that there are private lots that
22 are available for private use and there are
23 several municipal lots that are available
24 and I would encourage the Village to direct
25 people to those, but I'm personally not

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2 really comfortable asking them to put a
3 placard on the outside of their building
4 saying you probably parked in the wrong
5 spot. Do you know what I'm saying?

6 MR. SCHULTZ: The way you say it, of
7 course you think it's -- but just, you know,
8 the deterrent would be municipal parking
9 only, Village parking only. It would be
10 better for the whole complex from Brian
11 Arm's, from the pizza, from Odell's, from
12 Kondak, to Suki's Spa.

13 CHAIRMAN McMAHON: I partially agree
14 with you and I partially disagree with you
15 and I don't know where the middle ground
16 there is and I don't know, you know, I'm not
17 --

18 MR. SCHULTZ: Can we get to a middle
19 ground?

20 CHAIRMAN McMAHON: I would hope we can,
21 but my middle ground is asking the Village
22 to put -- that is me sort of trying to meet
23 you in the middle because I'm not
24 comfortable asking a new business to put a
25 sign out front because I don't even -- I'm

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2 literally asking what would the sign say,
3 like, you know, the exact wording.

4 MR. SCHULTZ: Very vague, municipal
5 parking only, you know, so --

6 AUDIENCE SPEAKER: What does that mean?

7 CHAIRMAN McMAHON: Please, anyone who
8 wants to comment, please take the podium.

9 I don't know, like, that's the detail
10 that we would -- I don't want to hold up an
11 application for a month without knowing
12 exactly how that would play out because my
13 initial thought is no, I don't want to force
14 someone to put a sign on their building
15 saying you're probably parked in the wrong
16 spot. I am entirely comfortable asking the
17 Village Board to put signs all around that
18 Front and Third Street area directing people
19 where to go, how the ferry, you know, how
20 you should approach the ferry for one thing,
21 you know, how do you get there because
22 people shouldn't be clogging up in front of
23 your place there, and blocking people from
24 getting in there because they're backed up
25 on Third Street there, sort of getting into

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1
2 that.

3 I would be more than happy to work with
4 other members of the Board to come up with a
5 resolution asking them to specifically
6 address some of the issues with regard to
7 that area and encouraging people, you know,
8 directing people to municipal parking. I'm
9 really not comfortable just asking someone
10 to put up a vague sign that, again, I don't
11 know what it would say.

12 MR. SCHULTZ: Understandable, but --

13 CHAIRMAN McMAHON: I understand what --

14 MR. SCHULTZ: So now we're gonna go to
15 the Village Board and ask them to put signs
16 up?

17 CHAIRMAN McMAHON: I don't think we are
18 prepared to draft a resolution.

19 Does anyone else have any thoughts?

20 MR. THOMAS: What about treat it like
21 Claudio's and have a parking guy out front?

22 MR. SCHULTZ: Then I have to get the
23 landlord down here and pay somebody, so it's
24 a whole different --

25 MR. THOMAS: People are going to park

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2 there just because there's nowhere else to
3 go and that's --

4 MR. SCHULTZ: Of course we can put an
5 attendant, but that will be in the high
6 season going forward.

7 CHAIRMAN McMAHON: I'm not sure of the
8 mechanism, but I would be glad to have the
9 Planning Board in unison go to the Village
10 and ask them to put up better signage, not
11 only there but other places as well.

12 MR. BURNS: Is this going to prohibit
13 the bagel shop from operating?

14 CHAIRMAN McMAHON: That's the thing. I
15 don't want to stop this application from
16 going forward.

17 MR. SCHULTZ: I'm not trying to stop
18 the bagel place from coming in, business is
19 business; just trying to have a signage
20 about parking, parking is going to be the
21 issue.

22 CHAIRMAN McMAHON: I think they are two
23 interrelated but separate issues. The one
24 we have before us is the use evaluation
25 application for Goldberg's Bagels and the

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2 other is how does the Village as a whole
3 address that concern right there. I just
4 don't feel comfortable asking them, you
5 know, an existing business, a building that
6 has been there for a hundred and some odd
7 years, you now have to put up a sign saying
8 that there is parking located down the
9 street. I mean, I hear where you're coming
10 from and I think that the response I would
11 be more comfortable with is taking the time
12 at our next meeting to draft a resolution to
13 look at specific things that, specific areas
14 in the Village where more signage is needed
15 directing people to municipal parking, where
16 traffic should flow and how it should flow.
17 I think that is what I would be more
18 comfortable with. I'm not comfortable
19 holding up this application because I don't
20 know if the applicant would be amenable to
21 putting a sign up. Maybe they would, maybe
22 they wouldn't, I mean, they might, they
23 might be totally okay with having a sign up,
24 then again, we also might need a sign
25 permit. I don't know actually. The little

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2 details of that are important, those are the
3 things that -- I don't know. That's my,
4 again, I hadn't considered this before I saw
5 this literally five minutes before we
6 started the meeting, so I hadn't thought
7 about it, so that's my train of thought.

8 Does anybody else have thought or
9 questions?

10 MS. ALLEN: Chatty Allen, Third Street.

11 I agree wholeheartedly with you about not --
12 because you now have the bagel place next to
13 another restaurant or whatever will be
14 opening, Blue Canoe which is changing names,
15 so now will they also be expected to put
16 this same kind of signage on their
17 buildings, so I totally understand what
18 you're saying and I agree with you a hundred
19 percent that yes, there needs to be more
20 clarification that Sterling Commons is for
21 these places only.

22 I'm on the corner of Front and Third, I
23 know I'm not allowed to park in Sterling
24 Commons, even overnight I wouldn't think to
25 park my car there because I know that's for

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1
2 the businesses there. I find the place
3 where I can find the place.

4 I think if you're gonna start making
5 signs on every single building, we're gonna
6 turn into sign USA, so I totally agree with
7 that, but maybe, you know, some of the
8 owners somehow can, you know, get the word
9 out that the parking there is for these
10 businesses, you know, we don't have a
11 parking lot. I don't know how many spaces
12 are in the back there and it also brings,
13 like you said with the deliveries, you have
14 other places that are gonna have deliveries
15 as well, you know, you just got to cross
16 your fingers and hope people are gonna do
17 the right thing.

18 Thank you.

19 CHAIRMAN McMAHON: I think we can go a
20 step further and have signage as to exactly
21 what you should be doing. I think that's, I
22 really think it would be appropriate for
23 this Board to ask the Village to look at
24 specific places where there should be signs
25 directing people to the lots that are

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1 available, but I would be much more
2 comfortable with that rather than putting,
3 than requiring individual businesses to put
4 a sign in front of their place saying there
5 is no parking available anywhere in the
6 Village. That's essentially where we're at.
7 I think everyone is infringing on everybody
8 else's parking at this point.
9

10 MR. DOWLING: Chris Dowling, 617 First
11 Street.

12 I think what we see here is a common
13 theme with a couple places for parking and
14 delivery access, right now we have the hotel
15 on the corner of Third and Front where it
16 seems to be the biggest holdup I keep
17 hearing is talking about deliveries and
18 stuff. You're talking about a delivery
19 truck coming in and blocking off Third
20 Street every once in a while when a truck
21 goes in and out, but you're not really
22 holding Goldberg's Bagels in account of
23 blocking off Front Street every time their
24 delivery truck goes in and out of that
25 parking lot. He's gonna have to back out,

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1 drive in and back out because there's
2 nowhere for a delivery truck to turn around,
3 so traffic and access is one of the things
4 that the Planning Board looks at, so if
5 you're going to be giving the hotel a lot of
6 grief about deliveries coming and going, you
7 really should look at blocking off Front
8 Street which has more traffic than Third
9 Street as well, so I think that's the issue
10 that a lot of people have here, and I think
11 they should be held to the fire for that
12 too.

13
14 CHAIRMAN McMAHON: I understand that
15 position. I think the one important
16 distinction between whether it be Port of
17 Goldberg's or any other business, any other
18 restaurant in the Village is the distinction
19 between new construction and existing
20 construction, and the way the code is
21 written --

22 MR. DOWLING: We're not talking about
23 parking.

24 CHAIRMAN McMAHON: I understand that.
25 The thing is, there is no -- how would you

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2 propose to create a loading zone for
3 Goldberg's Bagels?

4 MR. DOWLING: They have a spot, but I'm
5 saying if you're gonna let them -- I know
6 parking, you know, they're absolved from
7 parking because it's not new construction
8 where the hotel is, but there is traffic
9 access and traffic access would be
10 deliveries and in and out of their parking
11 lot, you know, it's in and out of Front
12 Street now Third Street which Third Street
13 is not as busy as Front Street, so I think
14 when you're looking at Goldberg's or any,
15 whatever restaurant might go there, whatever
16 else is gonna go there, traffic access
17 should be looked at there just as much as an
18 application on Third Street at the corner of
19 Third and Front too.

20 CHAIRMAN McMAHON: What would you
21 propose?

22 MR. DOWLING: I propose that if you
23 keep, I know it keeps coming up on, I know
24 it's a separate application but the hotel,
25 you keep talking about deliveries and

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2 destruction of traffic but no one is talking
3 about disrupting traffic here. If you don't
4 think that Goldberg's Bagels is going to
5 disrupt traffic, I don't know how the hotel
6 will too.

7 CHAIRMAN McMAHON: Are you suggesting
8 that we should not allow the hotel to move
9 forward?

10 MR. DOWLING: No, I think you should --

11 CHAIRMAN McMAHON: Or we should allow
12 them to go forward and we should allow
13 everyone to go forward or we should block
14 everybody?

15 MR. DOWLING: I think they both should
16 go forward because I think that we have all
17 agreed that it's okay, and that we're used
18 to the traffic and we're used to the
19 parking, and I don't think it's gonna be an
20 issue, but I think, you know parking signs,
21 I'm not a big fan of parking signs because
22 again, you're gonna have to tell people
23 there's no parking in Greenport but just
24 traffic access, you're holding one applicant
25 up for traffic access where the others

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2 should be looked at as well, so I think we
3 all know traffic is tough.

4 CHAIRMAN McMAHON: So are you
5 advocating for the hotel or against?

6 MR. DOWLING: For the hotel.

7 CHAIRMAN McMAHON: Okay.

8 MR. DOWLING: But I'm just saying every
9 applicant should be looked at for traffic
10 access too, not just parking because parking
11 is obviously of new construction isn't an
12 issue or with all previously established
13 buildings.

14 CHAIRMAN McMAHON: Thank you.

15 MS. WINGATE: You did a site plan
16 review for the development of the Mason Ole
17 building, there is room in the back for a
18 loading and unloading zone, so they don't
19 have to load and unload from Third Street;
20 there is, as far as loading and unloading
21 goes, there is designated areas.

22 MR. SALADINO: John Saladino, Sixth
23 Street. Two things. One, I'm gonna need to
24 know

25 What that sign is gonna say that Freddy

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2 proposed, the municipal parking only. I'm
3 not sure what that means and before you
4 progress it to the Village Board for them to
5 have a five-month debate on this parking
6 sign, you know, I think it should be
7 resolved here. I'm just not sure what's
8 being suggested that those three or four
9 spaces become municipal parking only or
10 those three or four spaces remain public
11 parking or they're allocated to Sterlington
12 -- I'm just not --

13 CHAIRMAN McMAHON: My position is those
14 are public parking spaces, that's what they
15 are, that's not gonna change. I think that
16 there should be signage clearly telling
17 people that are trying to go to the ferry
18 that they need to be going the other way
19 around as it's supposed to be done. There
20 needs to be signage for all of that. That's
21 all I'm saying.

22 MR. SALADINO: I agree with you on
23 that, but to put a sign that has an arrow
24 that says municipal parking that way, I
25 think that only makes sense.

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2 CHAIRMAN McMAHON: Yeah.

3 MR. SCHULTZ: But to restrict parking
4 or require any business to put a sign up
5 that says you have to respect somebody
6 else's parking, I mean, you know, that's a
7 courtesy but now you fall into other things
8 as far as sign size, the zoning and sign
9 permits and do we really want to open up
10 that can of worms?

11 CHAIRMAN McMAHON: I don't want any --
12 I don't think we should be -- my personal
13 opinion is I'm not comfortable asking
14 individual applicants to put signs in front
15 of their, affixed to their buildings saying,
16 you should be parking here or there or
17 somewhere else. I don't think that the way
18 -- I don't think that is a reasonable
19 imposition on every business that opens up
20 because there is no parking anywhere.

21 I do think that there is choke points
22 in the Village, there are recognizable areas
23 where there are specific things that we can
24 do as a planning board would be perform some
25 sort of planning function and say, here is

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2 where we think you should be directing
3 traffic.

4 MR. SALADINO: I think somebody should
5 be saying that.

6 CHAIRMAN McMAHON: That's what I'm
7 talking about. I'm not talking about --

8 MR. SALADINO: I think we said it often
9 about putting a sign up at Village Board
10 meetings, we have said it often about
11 putting signs up and were rebuffed because
12 you can't put a sign on 25, it's the State,
13 they'll come and yell at you and take the
14 sign down, do whatever. I don't believe
15 that they would care, you know, some guy
16 from Babylon is not driving out here and
17 filing a complaint because you have a sign
18 with no left turn.

19 The other thing to respond to Eileen,
20 yeah, it's true that that building does have
21 a space in the back that could be used as a
22 loading zone, it's not designated the
23 loading zone, if they park there, it can't
24 be used as a loading zone, it responds to --

25 CHAIRMAN McMAHON: I'm fairly sure

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2 there is a loading zone on that --

3 MS. WINGATE: I don't have the file
4 with me, the whole file, but I think there
5 are four designated spots in an area, I
6 think there is a loading zone.

7 CHAIRMAN McMAHON: I believe there is a
8 loading zone right next to the --

9 MR. SALADINO: I believe there is a
10 space there, and the owner, since he doesn't
11 have to comply with Village code for parking
12 or a loading zone, he can designate that
13 space for whatever he wants it to be.

14 CHAIRMAN McMAHON: It's gonna --
15 whatever was on the site plan is what --

16 MS. WINGATE: We have an approved site
17 plan in play here.

18 MR. SALADINO: And on the site plan it
19 says loading zone.

20 MS. WINGATE: I don't have it in front
21 of me now.

22 MR. SALADINO: All right, let's just --
23 can we just get past that for a second?

24 MS. WINGATE: I know there is a garbage
25 pickup zone -- sorry --

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2 MR. SALADINO: Okay. But unless this
3 Board mandates that a 20-by-33-foot area in
4 the back of that building is, in fact, a
5 loading zone, there is no loading zone. You
6 know, I know it --

7 CHAIRMAN McMAHON: I don't remember the
8 specifics.

9 MR. SALADINO: -- and they kind of know
10 it too.

11 But I didn't have a problem with that.
12 The hotel has a loading zone, has the
13 loading zone that conforms to code, has the
14 alleyway, has a driveway that conforms to
15 code, because some people don't like it, it
16 doesn't cease to be a law, you know.

17 Port doesn't have a loading zone,
18 doesn't have an area that can load or unload
19 except the street, that's the only place
20 they can load and unload and there's parking
21 in front of there, so if they get a delivery
22 and someone is parked legally in front of
23 that restaurant, that delivery truck has to
24 double park. There is only one lane there,
25 so now the ferry traffic has to go -- so I

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2 would just like to echo what Chris said, if
3 we're taking the perceived danger of
4 somebody backing in and out of a legal
5 loading zone, we have to look at that for
6 all the businesses around there.

7 CHAIRMAN McMAHON: Yeah. There is a
8 serious parking problem throughout the
9 Village, and --

10 MR. SALADINO: But I haven't heard that
11 -- we're not talking about parking, we're
12 talking about traffic.

13 CHAIRMAN McMAHON: But the complaints I
14 get, I hear so often want it both ways, we
15 want to allow people to open their
16 businesses and conduct their businesses and
17 not have their feet held to the fire and at
18 the same time, we want to make these
19 impossible loading zones appear out of
20 nowhere for existing buildings.

21 MR. SALADINO: That's not my argument.
22 My argument is, you can't be arbitrary, if
23 it's good for one, it's good for the other,
24 that's all it is. If you say no to
25 everybody, that's fine, if you say yes to

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2 everybody, that's fine too. You can't
3 differentiate, especially when --

4 CHAIRMAN McMAHON: Except that the code
5 does differentiate. The only thing we go
6 off of here, the only thing I go off of here
7 is what's written in the Village codes, and
8 there is a distinction between existing
9 buildings that were exempted from these
10 understandably onerous parking requirements.

11 MR. SALADINO: But we're not talking
12 about that.

13 CHAIRMAN McMAHON: It's part --

14 MR. SALADINO: We're talking about
15 traffic.

16 CHAIRMAN McMAHON: Parking and loading
17 and traffic and they're all interconnected.

18 MR. SALADINO: But you can't
19 differentiate between a property that's
20 compliant with the code, those three
21 properties are code compliant.

22 CHAIRMAN McMAHON: So getting back to
23 the original question here, I'm not asking
24 someone to put a sign on the building.

25 MR. SCHULTZ: Okay.

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2 CHAIRMAN McMAHON: Let's get back to
3 the question at hand.

4 MR. SALADINO: The original question
5 and if that's your position to just put a
6 sign directing to municipal parking, I agree
7 with you. I think that's a great idea.

8 Thank you.

9 CHAIRMAN McMAHON: Thank you. Again, I
10 don't know how the other members of the
11 Board feel, I'm not comfortable requiring
12 every business in the Village to affix signs
13 to their building saying this is where you
14 can or cannot park. I think the Village as
15 a whole needs to address the parking issues.
16 That's my stance, that's my response to the
17 letter.

18 Other than that, I didn't know -- does
19 anyone else have any questions or comment
20 with regards to that?

21 (No response.) We had discussed the use
22 evaluation

23 application last week. I don't believe
24 we had any other issues. I would suggest
25 that we move forward with that.

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2 Does anyone have any thoughts or
3 questions here?

4 MR. COTUNGO: It sounds like the sign
5 would be separate. Last week we spoke about
6 signage that had come back to us.

7 CHAIRMAN McMAHON: Yes, the --

8 MR. COTUNGO: So now it's not on the
9 table.

10 CHAIRMAN McMAHON: A separate sign, did
11 they submit a completed sign application?

12 MS. WINGATE: Yes. It's complying with
13 Village codes.

14 CHAIRMAN McMAHON: Okay. How did they
15 address the lighting?

16 MS. WINGATE: They have four down
17 gooseneck-type lights.

18 CHAIRMAN McMAHON: That are directed at
19 the sign?

20 MS. WINGATE: That are directed at --
21 well, they haven't picked a specific
22 fixture, but he is aware of what you guys
23 want and he will be compliant.

24 CHAIRMAN McMAHON: So the sign
25 application would then be incomplete at this

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2 point, but the use evaluation is complete.

3 MR. COTUNGO: Yeah.

4 CHAIRMAN McMAHON: I am going to make a
5 motion to approve the use evaluation
6 application as submitted with the
7 understanding that the sign application
8 needs to be made separately.

9 Do I have a second for that?

10 MS. GIVEN: Second.

11 CHAIRMAN McMAHON: All in favor?

12 MS. GIVEN: Aye.

13 MR. BURNS: Aye.

14 MR. COTUNGO: Aye.

15 MR. THOMAS: Aye.

16 CHAIRMAN McMAHON: Motion carries.

17 MR. BURNS: I wonder if we can ask them
18 on their sign to take care of the parking
19 issue, just ask them.

20 CHAIRMAN McMAHON: When they come back,
21 we can certainly ask them, but I think it
22 would be a separate thing. I mean the one
23 sign that they were -- you know, there was
24 the one sign application that was just for
25 the sign, the lighting, and I think that

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1 would be a separate issue with regard to
2 that.

3 That's my personal feeling. I think
4 they should be separate.

5 MR. BURNS: Many businesses have an
6 indication of where parking is available for
7 that business.

8 MR. COTUNGO: Usually if it's onsite,
9 it would say parking in rear, but you can't
10 put up a sign like that here.

11 MR. BURNS: Okay.

12 CHAIRMAN McMAHON: Item number 4, 34
13 Front Street.

14 I believe we were expecting some more
15 materials on this application. I was told
16 that they are not ready yet, so the
17 applicant would be coming back next week.
18 We did not accept the application, as it was
19 incomplete, so there is no timeline with
20 regard to this.

21 I'm just going to make a motion that we
22 table this discussion until our next
23 meeting.

24 Do I have a second for that?

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1 MR. COTUNGO: Second.

2 CHAIRMAN McMAHON: All in favor?

3 MS. GIVEN: Aye.

4 MR. BURNS: Aye.

5 MR. COTUNGO: Aye.

6 MR. THOMAS: Aye.

7 CHAIRMAN McMAHON: Motion carries.

8 Item number 5, 19 Front Street.

9 Motion to accept the use evaluation
10 application and schedule a public hearing
11 for Truffle and Snail, LLC, represented by
12 Michael Affatato.
13

14 The applicant is proposing to open a
15 cheese shop at 19 Front Street.

16 This property is located in the
17 Waterfront Commercial District, and a public
18 hearing is required. This property is not
19 located in the Historic District.

20 Suffolk County Tax Map number
21 1001-5-4-29. I'm going to read from the
22 updated notes from the Planning consultant.
23 The proposal is for retail sale of cheese
24 and prepackaged goods, it's a line bar with
25 limited food services. Educational classes

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2 will also be held on premises. Retail
3 eating and drinking establishments are
4 conditional uses and in WC Zoning District.
5 Additional uses are permitted as long as
6 views from the water are considered, the
7 property is not adjacent to the water.
8 Section 150-11, subsection C2 and C1-D.

9 The plan has been reconfigured to
10 increase the merchandising area and reduce
11 the number of seats and to provide two
12 handicap accessible toilet rooms. The new
13 plans detail a total occupancy of 37. There
14 are ten seats at the counter, 12 chairs and
15 tables, this is less than the 50 referenced
16 in the New York State ICC Building Code
17 3.1.1, thereby allowing the facility to be
18 classified as Group B Occupancy in business.

19 The applicant is addressing the trash
20 issues by providing trash compactor and a
21 freezer for trash.

22 Relative to the sign permit, in
23 addition to the Workman's Compensation
24 Insurance referenced on the application,
25 additional liability insurance is required

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2 in the amount of not less than 500,000
3 naming the Village of Greenport as
4 additional insured. If the insurance is
5 terminated, the license for the sign will be
6 automatically terminated, section 150-15,
7 subsection L7 of the Village code.

8 For those curious, the insurance is for
9 overhanging sign, and sign in the Village
10 that's hanging over public access way,
11 sidewalk needs to be insured for, if
12 something happens and it falls off or
13 something like that, that's the requirement,
14 that's why that's part of the sign
15 application, it is not a part the many
16 others that come before us.

17 Did we schedule the public hearing at
18 the last meeting?

19 MS. WINGATE: Yes. I was just waiting
20 for you to vote on it, so I could send it
21 off to the newspaper tomorrow.

22 CHAIRMAN McMAHON: To approve the --

23 MS. WINGATE: To schedule the public
24 hearing.

25 CHAIRMAN McMAHON: So we didn't

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1
2 schedule it?

3 MS. WINGATE: No.

4 CHAIRMAN McMAHON: Okay.

5 MS. WINGATE: You also need to decide
6 what time your next meeting is going to be
7 because I need to notice that as well.

8 CHAIRMAN McMAHON: Okay. Does anyone
9 have an issue with 4 o'clock meetings, 5
10 o'clock meetings; is there a preference
11 amongst anyone here?

12 (Several Board members nod their
13 heads.)

14 CHAIRMAN McMAHON: So 4:00 is better.
15 So I'm going to make a motion that we
16 schedule a public hearing for this
17 application.

18 Let's see what the date would be. I
19 believe that would be the last Thursday of
20 this month which would be the 27th.

21 I'm going to make a motion to schedule
22 the public hearing for this application at
23 the meeting, at our work session meeting on
24 April 27th at 4:00 p.m.

25 Do I have a second for that?

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1 MR. THOMAS: Second.

2 CHAIRMAN McMAHON: All in favor?

3 MS. GIVEN: Aye.

4 MR. BURNS: Aye.

5 MR. COTUNGO: Aye.

6 MR. THOMAS: Aye.

7 CHAIRMAN McMAHON: Motion carries.

8 I believe we have to actually formally
9 accept the application.

10 MS. WINGATE: May I say something?

11 CHAIRMAN McMAHON: Yes.

12 MS. WINGATE: We had a lot of
13 applications, this one is having a public
14 hearing because they amended their plans.
15 We have also scheduled a public hearing for
16 Sprout, but you accepted their plans last
17 time. We also have a public hearing for the
18 subdivision for the former church and that's
19 come too, so you'll have three public
20 hearings all in a row. Okay. Think about
21 the order and let us know.

22 CHAIRMAN McMAHON: Okay. Did we
23 actually make a formal motion to accept this
24 use evaluation application?
25

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2 MS. GIVEN: They changed it.

3 CHAIRMAN McMAHON: They changed it, so
4 we have a revised plan so we did not accept
5 the --

6 MS. WINGATE: You accepted it -- you
7 didn't accept it because you wanted the
8 changes.

9 CHAIRMAN McMAHON: Okay. Does anyone
10 have any question or concerns?

11 MR. COTUNGO: I still have concerns
12 about the two toilets. I don't believe they
13 meet handicap requirements.

14 MS. WINGATE: The handicap requirements
15 for the 2015 code have changed, and the
16 five-foot circle is no longer what is
17 required. What is required is 36-by-40-inch
18 area beyond the closed door, and I believe
19 that his plans meet the code.

20 And that's also within Building
21 Department purview and not necessarily a
22 Planning Board item.

23 CHAIRMAN McMAHON: Yeah. I don't know
24 the specifics of the ADA law but it is --

25 MS. WINGATE: I'm learning the new code

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1
2 myself.

3 CHAIRMAN McMAHON: I do believe that
4 that's specifically something that would be
5 under the purview of the Village Building
6 Department.

7 I'm going to make a motion that we
8 accept the plans, not approve, but accept
9 the plans as submitted to be reviewed at the
10 public hearing a month from now, a little
11 less than a month from now.

12 Do I have a second for that?

13 MS. GIVEN: Second.

14 CHAIRMAN McMAHON: All in favor?

15 MS. GIVEN: Aye.

16 MR. BURNS: Aye.

17 MR. COTUNGO: Aye.

18 MR. THOMAS: Aye.

19 CHAIRMAN McMAHON: Motion carries.

20 Item number 6, Front and Third Streets.

21 Continued discussion and possible motion on
22 the application of Dan Pennessi, President
23 of SAKD, LLC.

24 Dan Pennessi is before the Board to
25 discuss proposed uses and development of the

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2 site located at the corner of Front and
3 Third Streets.

4 The Zoning Board of Appeals has granted
5 the six variances requested to develop the
6 proposed site.

7 The property is located in the
8 Waterfront Commercial District, and the
9 proposed uses for the site are conditional
10 uses.

11 Suffolk County Tax Map number
12 1001-5-4-5. Joe, do you have anything?

13 ATTORNEY PROKOP: We had a series of
14 positive discussions with the applicant and
15 staff and we're hoping to move the
16 application ahead.

17 The discussion, the most recent
18 discussion included a suggestion for a --
19 and I think that these comments were
20 received positively by the applicant, Mr.
21 Pennessi is here to correct me if that's not
22 the case.

23 An attempt to design a pickup and
24 drop-off spot that would be off street --
25 these are notes of the discussion, I'm

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2 sorry, they're not numbered. The
3 demonstration on the plan of a real parking
4 plan -- excuse me, a working parking plan
5 which would include a widening of the aisle
6 if possible from, we're requesting 20 feet
7 to 24 feet. The applicant, as I understand,
8 is trying to work with that.

9 Also the dumpster that is shown on the
10 plan, the Board is requesting that that be
11 indicated to scale a little more clearly and
12 also with an enclosure.

13 The landscaping on the plan we are
14 requesting be developed a little further.
15 One of the concerns is the New York State
16 right of way right at the corner and what
17 limitations on the landscaping exist at that
18 space because of that, and we're going to be
19 speaking to the applicant to try to develop
20 that. We understand that that's a
21 complicated area. It would be nice to --
22 part of it is going to be a bike rack as I
23 understand it, but we're hoping to introduce
24 a little landscaping there, but we are, need
25 to explore exactly what the right of way

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2 will let us have.

3 The Board is requesting that the exit
4 from the lot be a right turn only onto Third
5 Street and that be accommodated.

6 And also a discussion about just a kind
7 of limitation on the rooftop activity that
8 we had talked about when the application was
9 first received. I think basically the
10 rooftop was supposed to be designed and use
11 for guests of the hotel only. There may be
12 some other uses related to the noncommercial
13 or nonpublic uses that are related to the,
14 without structures that are related to the
15 tenants of the commercial space, but the
16 main thing is we wanted to address the fact
17 that there had been a promise about hotel
18 guests only for access there.

19 I think that's -- did I miss anything?

20 MR. PALLAS: I think that was it.

21 MR. PENNESSI: This is Dan Pennessi for
22 the applicant.

23 I have prepared a statement, but to be
24 responsive to Mr. Prokop's comments, if you
25 have the site plan available, in order to

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1
2 widen the parking aisle, what we're prepared
3 to do and having discussed this with the
4 Planning Board consultant, is to eliminate
5 the sidewalk area which is approximately
6 three feet between the parking lot, the
7 northern boundary of the parking lot and the
8 building, which is actually where the ramp
9 is located, and that will enable us to
10 expand the aisle from 20 feet to 23 feet,
11 otherwise we're a bit constrained on the
12 lot.

13 I'd like to take the time to review the
14 parking layout, the number of parking spaces
15 in the area. We have been thinking about,
16 in order to be responsive to some of the
17 comments that have been made as to how we
18 would restrict the spaces, how we would use
19 the spaces, so I need to take a better look
20 at the east side of the parking lot where
21 the dumpster is located and the loading zone
22 are located to see what we would be willing
23 to do, if anything.

24 Making the exit right turn only, we're
25 fine with.

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2 Limiting the roof as Mr. Prokop
3 described is fine and then limiting one of
4 the spaces for pickup and drop-off, we're
5 think that parking space 5 on the site plan
6 would be most appropriate for that.

7 In response to landscaping, I would
8 just ask the Board to take another look at
9 the landscaping that's shown on A100, there
10 are some identified existing trees and
11 proposed trees. Mr. Prokop is right that a
12 lot of these areas -- this is 100 percent
13 impervious coverage right now and it
14 basically will be when it's built. All of
15 the area shown in green but for the area
16 just south that borders the boundary with
17 the American Legion are in the New York
18 State right of way, that's why we've agreed
19 to put the bike rack in that right of way
20 closest to the intersection between Front
21 and Third Streets, and when we got the
22 comments from the DOT, most of them had to
23 do with ensuring that that right of way
24 remained clear and accessible by
25 pedestrians. It did not include any

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2 obstruction whatsoever, so we're open to
3 maybe putting some trees down to the south
4 or some landscaping down to the south where
5 we can, but we do have some restrictions in
6 that area. There is a Village easement for
7 access to the transformers, et cetera.

8 ATTORNEY PROKOP: I think you had
9 discussed putting trees along the American
10 Legion wall basically, right?

11 MR. PENNESSI: Yeah, that's the area to
12 the south, we would be happy to add to the
13 plans some landscaping down on that end as
14 long as the Village is okay with it. They
15 do have an easement to get to those
16 transformers.

17 If I can, I would like to prepare the
18 statement that we had prepared for tonight,
19 and I think it's important to go back to
20 when we at least arrived in Greenport.

21 My wife and I came here several years
22 ago, and I have to tell you that from a real
23 estate perspective, I was impressed with,
24 not only the engaged street-scape that
25 Greenport had and the walkable community,

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1 but also the depth of planning that has
2 already gone into the Village; and I'm
3 talking about the street grid, the
4 infrastructure, the complimentary mix of
5 uses that you have in the commercial
6 downtown, and we were struck by this vacant
7 fenced-in lot at the informal beginning of
8 the Village Commercial District. So we
9 decided to figure out what the highest and
10 best use was for this parcel and we
11 researched the parcel.
12

13 We started by walking the Village, and
14 then we reviewed the Village code to
15 determine what the permitted uses were and
16 the path to get there. Although not adopted
17 formally, we did review the LWRP which
18 ironically proposes a structure very similar
19 to what is proposed here. We reviewed
20 Planning Board and Zoning Board minutes and
21 historic aerial photographs and Sanborn Fire
22 Maps, each of which has been submitted into
23 the record. We submitted Freedom of
24 Information Law requests for all past
25 applications on this property to see where

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2 other applicants had failed and why and for
3 commercial properties in Waterfront
4 Commercial and general commercial districts
5 to see what variances would be reasonable
6 considering the existing uses and buildings
7 in the area.

8 In reviewing several of these minutes,
9 including from the Village Board, it was
10 clear that there was a demand for hotel
11 rooms in the Village considering, among
12 other things, the short-term rental
13 discussion that's been underway and notably
14 former Planning Board member Peter Jauquet
15 suggested, and I quote, "a four-story higher
16 end-type one-bedroom apartment complex with
17 an elevator and a rooftop overlooking the
18 harbor."

19 It's interesting to note that this
20 property was initially developed for the
21 first time in the late 1800s as the Peconic
22 Hotel and what we're proposing here is to
23 develop this property in accordance with
24 this site plan and the modifications that
25 have been discussed tonight to bring the

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1
2 property back to its roots as a place for
3 hospitality in the Village.

4 Once the property told us how it should
5 be used, we had to develop a strategy to
6 work with the Village and the community to
7 create a plan that incorporated all of these
8 considerations because it was clear that
9 several variances would be required for any
10 acceptable use for this property. In doing
11 so, we performed standard commercial due
12 diligence, which included an environmental
13 review of the property. We reviewed prior
14 phase 1 environmental investigations. There
15 was some phase 2, ultimately it was
16 determined that there was no contamination
17 at the property, nor were there any
18 underground storage tanks.

19 After the Planning Board referred the
20 project to the ZBA at a pre-submission site
21 plan work session, the ZBA adopted lead
22 agency status under SEQRA. They declared
23 the action an Unlisted action. They
24 initiated coordinated review under SEQRA,
25 they completed and submitted all parts of

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1 the full environmental assessment form and
2 they ultimately determined that there exists
3 no adverse environmental impacts from the
4 project in accordance with SEQRA and they
5 granted all the variances as we discussed ad
6 nauseam. This included notices to all
7 interested parties, as I mentioned, we
8 received significant comments from New York
9 State DOT. The plan was revised most
10 significantly because of those comments.
11 They made comments to the entrance and exit,
12 they made comments considering the traffic
13 flow, the parking, the encroachments and at
14 the time proposed encroachments into the
15 setbacks which we have since eliminated.

16 We also engaged, as I mentioned, a
17 third-party engineer to prepare a traffic
18 and parking study which we submitted to the
19 Board on March 8th of last year. And again
20 at the time that that study was prepared, it
21 was a far more intense use. We had an
22 80-seat restaurant proposed, 12 parking
23 spaces onsite. As a result of the comments,
24 we have reduced the restaurant now to seats.
25

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2 We'll take a look how to be responsive to
3 the Board's comments that they have made
4 tonight, and we have reduced the number of
5 parking spaces currently to ten as you see
6 on the plan.

7 That parking engineer provided that the
8 parking provided onsite is sufficient to
9 accommodate demand and that it's in
10 accordance with the Village code.

11 Furthermore, the proposed development
12 can be expected to generate a small amount
13 of new traffic and have minimal impact on
14 operating conditions on the roadway. He
15 estimated 43 new vehicular trips in a worse
16 case scenario which his calculation and the
17 number of cars that were tallied, it was
18 about a 2.1 percent increase.

19 And I've mentioned before, practically
20 speaking, the reason that we're encouraged
21 to proceed with this project is because even
22 as certain ZBA members had noted more and
23 more people are arriving to the Village by
24 hired car, LIRR, buses and the jitney, and
25 practically speaking, hotel guests who park

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2 their car at the hotel would likely stay,
3 shop and enjoy Greenport and the surrounding
4 area without the use of their vehicle.

5 In particular, having considered Ms.
6 Given's suggestion last week, we have
7 thought about how to encourage people to
8 arrive by public transit and we have thought
9 about how the hotel operations could maybe
10 offer incentives to people who arrive by
11 public transit and not by car.

12 And as a result we made very
13 significant revisions in June, October and
14 November of last year, and December.

15 Before tonight, we had made all the
16 comments made by the Planning Board's
17 consultant, the Building Department, the
18 public and the boards, ZBA and Planning
19 Board, we eliminated the loading zone
20 variance which we're going to take another
21 look at the scope of that loading zone which
22 is currently in compliance with the code,
23 but we will look at it, and to reduce the
24 number of spaces.

25 We also reduced the gross square

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1
2 footage of the building, as I mentioned, by
3 just over a thousand feet, eliminated the
4 setbacks and reduced the number of seats in
5 the restaurant and tried to work with the
6 design of the building to include a mansard
7 roof which softens the look from the street.

8 Throughout this public process which
9 included multiple public hearings, one of
10 which was held by this board on the
11 conditional uses, but also the
12 interpretations in variances occurred over
13 the course of more than a year, and we're
14 happy to report that as seen at this Board
15 and at these public hearings that some of
16 the people who objected to this project
17 initially, now support it. That's probably
18 what we're most proud of at this point in
19 the process.

20 I would say that just to wrap up the
21 statement, we thank the Board for its time.
22 We are going to look at these, many of the
23 comments, specific comments that were made
24 tonight are acceptable and we'll work them
25 into the plan. The one that I have to look

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2 at is reducing the number of parking spaces
3 onsite, it's something I don't know that we
4 are prepared to do, but we'll endeavor to
5 take a look at it and we hope that we can
6 schedule a work session with the Board to
7 take a look at a revised plan and work
8 something out so we can proceed with this
9 project.

10 Thank you.

11 CHAIRMAN McMAHON: I would like to say,
12 you have been very responsive in a positive
13 way to everything that this Board and the
14 other boards have repeatedly -- I know it's
15 a very onerous process, and I think at the
16 first meeting when we first met, I said it's
17 going to be a long process, it's going to
18 be, and that's -- I wish it wasn't as
19 onerous, but it's part of the difficulty of
20 that location, it is an incredibly tough
21 spot.

22 I do want to be as accommodating and
23 reasonable and try to work with you in
24 making something happen here. It's been an
25 empty lot for 20 years, and that doesn't

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1 benefit anyone. There is no jobs going in
2 there, there's no guests coming in and
3 shopping in any stores or going to the other
4 restaurants, there's nobody being employed,
5 you know, in a restaurant or hotel, nothing
6 happening there. I'd be happy, you know, if
7 -- I hope we can move forward in a positive
8 way. I hope we can find a way to address
9 the -- I disagreed with the Zoning Board's
10 variance for the 20 spaces, I didn't think
11 that was the correct decision, but I respect
12 that that's the decision they made, so
13 within the perimeters of that, I want to do
14 whatever we can to find a way to make
15 something work here, and I encourage and I
16 think we can hopefully, you know, find a way
17 to make that happen; so if there is some
18 concerns, I didn't know if there's any
19 specific items that were not addressed yet,
20 but anybody here needs to address, I don't
21 want to have you go away and come back and
22 get another set of new issues a month from
23 now or two months from now. I don't want
24 that to happen, so if there is anything else
25

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1 that needs to be addressed, I would
2 encourage you to --

3
4 MS. WINGATE: I think you need to take
5 a vote to extend 62 days and --

6 CHAIRMAN McMAHON: We would need your
7 agreement for that, otherwise we would have
8 to vote tonight.

9 MR. PENNESSI: Yeah, I --

10 ATTORNEY PROKOP: Can I, before you
11 decide that, can I just say something to
12 followup?

13 So the Board, this wasn't meant to be,
14 you know, the first in a series of
15 suggestions or requirements. What Mr.
16 Pallas and I tried to do was to basically
17 work with the Board and staff to try to get
18 together the concerns and this is basically
19 their concerns, you know, to get a consensus
20 of the Board and a path for moving ahead,
21 and as you know, when we discussed this, it
22 was meant to be in a positive manner, so
23 these are basically at the end of the
24 process, these are the remaining planning,
25 you know, tweaking that we need to do, and

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2 we hope that you receive it that way so we
3 can get these things taken care of and move
4 ahead.

5 MR. PENNESSI: Yeah, I think so. I
6 mean, as equally, I think the response to
7 you at the time a year-and-a-half ago was
8 that we understood what we were getting
9 involved in. The Planning Board at the time
10 was positive on the project and it
11 encouraged us to go forward with what would
12 be a very long process, and that's how we're
13 here.

14 I appreciate the fact that this is an
15 exhaustive list because from where we
16 started to where we are now certainly we can
17 grant the extension, we are under some time
18 pressures considering the time of year and
19 hoping for a building permit at some point
20 in the future and --

21 ATTORNEY PROKOP: I think we would like
22 to have another meeting in a week or two
23 depending on when you could respond to us,
24 but we would be prepared to take it off the
25 cycle so you don't have to wait a month.

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2 MR. PENNESSI: That would be great, I
3 mean, you know, conditioned on this being
4 the exhaustive list, we can turn the
5 comments to the plan very quickly, probably
6 tomorrow or the next day or Monday at this
7 point, but that would be adequate.

8 MR. COTUNGO: I know you're going to
9 try and we all want to see something there,
10 I know there's not that much place for
11 landscaping, but whatever you or your
12 designers can do to soften it, even maybe,
13 you mentioned it's all impervious surfaces,
14 maybe you do some kind of padding, not only
15 with blacktop, maybe introduce some pavers
16 or something to soften it, make it feel more
17 like home and not just a sea of blacktop
18 asphalt. I know you're going to come up
19 with a design for the enclosure for the
20 dumpsters, but maybe that can be something
21 better than a chain link fence, create
22 something nice, it was never shown, but I
23 would like to know, I would like not to use
24 my imagination.

25 MR. PENNESSI: No problem. We can add

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2 that, I have been in discussions with the
3 architect over what material would be used
4 on the area immediately outside the building
5 within property boundary, we haven't made a
6 final decision, but if that's something you
7 would like to see, we can make that decision
8 now and I can assure you that the dumpster
9 will not be enclosed with chain link.

10 CHAIRMAN McMAHON: Thoughts, questions?

11 Now is the time.

12 MR. KRELING: Paul Kreling, 149 Sixth
13 Street.

14 I like the idea of this hotel going up
15 because of, well, we need something there.
16 One of the ways you could soften it and
17 landscape it is window boxes on the windows
18 with draping, that would be a simple way of
19 solving a greenery problem and also break
20 the big side of the building, I mean a
21 simple solution there.

22 But I do have one question as far as
23 when you're breaking ground, when this will
24 all happen. I think as an interim we could
25 solve part of this season's parking problem

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2 by removing that fence, doing something to
3 that property with your permission just to
4 resolve until we can make another plan for
5 parking for later in the next year, but it
6 would solve an awful lot of problems. We
7 could also meter it to have a test with
8 meters so that we know that they work and we
9 can at least soften to the public about
10 getting people ready for the metering. Just
11 a thought but it would solve an awful lot of
12 problems momentarily. Thank you.

13 CHAIRMAN McMAHON: I'm not prepared to
14 respond to that.

15 MS. WINGATE: I have a response.

16 CHAIRMAN McMAHON: There's a few things
17 that I find problematic, one just liability
18 issues, you know, access, you know, there is
19 a few things that immediately, I think,
20 would probably require a number of
21 discussions that would push us into the
22 season before whatever would get --

23 MR. KRELING: Smash the curb, put in a
24 ramp, done.

25 CHAIRMAN McMAHON: My initial thought

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2 is that it would probably be fairly complex
3 and I don't know if that's even something
4 they would be amenable to or not, but I
5 think that probably, it's April now, I can't
6 imagine that would be resolved in --

7 MR. KRELING: I got a truck.

8 MR. PENNESSI: I think the response on
9 behalf of the property owner would be that
10 for those purposes, I don't know that the
11 property, that they're prepared to use the
12 property for that purpose.

13 Similarly, we had looked at using it as
14 a parking lot which would require its own
15 variances or use variances, zone code, text
16 amendments, you know, it's worth noting that
17 you can fit about 25 cars on that lot, but
18 the traffic on Third Street would be far
19 more impacted with short-term parking.

20 Thank you for the comment.

21 MR. KRELING: Just throwing it out
22 there.

23 MR. GOGGINS: Good evening. My name is
24 William Goggins, I represent Mayland Shannon
25 who is the owner of this property, and we're

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2 in contract with Mr. Pennessi's company and
3 we really appreciate the time and effort
4 that the Village has put forth. We know
5 this is a difficult property.

6 Mayland Shannon has owned this property
7 since May 14, 2009. Frankly, economically,
8 it hasn't been a good decision for them,
9 they're losing money and it's become an
10 economic hardship.

11 When we engaged Mr. Pennessi, it was
12 clear that he was an intelligent, bright guy
13 and somebody that could make it fit for the
14 Village and that was an important criteria
15 for our client in entering into this
16 relationship with Mr. Pennessi, so again we
17 really appreciate everything that the
18 Village has done and we hope things work
19 out. Thank you.

20 CHAIRMAN McMAHON: Any other questions?
21 We will need to, if we're available a week
22 from today, have another meeting. I will
23 make a motion that we schedule another
24 meeting to address the issues raised tonight
25 to any discussion moving in some sort of

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2 meaningful way, a week from this evening at
3 4:00 p.m. tentatively scheduled for here,
4 and if it has to be moved somewhere else we
5 can go.

6 You're not available?

7 MS. GIVEN: No.

8 ATTORNEY PROKOP: We need everyone
9 here.

10 CHAIRMAN McMAHON: We need to have the
11 full Board.

12 Two weeks from today?

13 MS. GIVEN: Yes, that's fine.

14 CHAIRMAN McMAHON: Two weeks from
15 today, 4:00 p.m. here, hopefully in that
16 time the remaining issues can be addressed
17 and we can --

18 ATTORNEY PROKOP: That's April 20th at
19 4:00 p.m.

20 CHAIRMAN McMAHON: April 20th at 4:00
21 p.m. I will so motion.

22 Do I have a second for that?

23 MS. GIVEN: Second.

24 CHAIRMAN McMAHON: All in favor?

25 MS. GIVEN: Aye.

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2 MR. BURNS: Aye.

3 MR. COTUNGO: Aye.

4 MR. THOMAS: Aye.

5 CHAIRMAN McMAHON: Motion carries.

6 I don't believe we have any other
7 business with that item this evening.

8 Item number 7, 104 Third Street.

9 Continued discussion and possible motion on

10 The use evaluation application of Keith
11 and Alison Bavaro.

12 The applicants are proposing to open
13 the former Blue Canoe Restaurant located at
14 104 Third Street, as Port Bar and Grill.

15 This property is located in the
16 Waterfront Commercial District.

17 This property was previously granted a
18 conditional use permit, and is not located
19 in the Historic District.

20 Suffolk County Tax Map number
21 1001-5-4-3. We had previously discussed
22 this item. Our

23 Initial concerns were total occupancy
24 and the number of bathrooms, particularly
25 the number of ADA accessible bathrooms.

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2 After meeting with the Village, the building
3 owner has come up with a plan, I believe we
4 all agreed at the last meeting was
5 acceptable and amenable to our concerns.
6 They're providing the appropriate number of
7 bathrooms for the restaurant, otherwise the
8 use, even though it is a conditional use,
9 has been long established and I don't think
10 anybody had an issue with that.

11 So I'm going to make a motion -- unless
12 anyone has any questions or comments.

13 (No response.)

14 I'm going to make a motion that we
15 accept

16 The revised application -- excuse me,
17 that we approve the accepted, previously
18 accepted revised application from the
19 applicant, so that he can move forward.

20 Do I have a second for that?

21 MS. GIVEN: Second.

22 ATTORNEY PROKOP: I just want to
23 mention, the use as a restaurant.

24 CHAIRMAN McMAHON: Yes, that was part
25 of the previous.

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2 ATTORNEY PROKOP: All right. Thanks.

3 CHAIRMAN McMAHON: I so motion. Do we
4 have a second?

5 ATTORNEY PROKOP: Hold on. We have
6 another question.

7 MS. BERRY: I have a question. Were
8 the hours of operation ever discussed?

9 CHAIRMAN McMAHON: No, they were not.
10 I don't know if you can speak to that or
11 not.

12 MR. BURGER: Eugene Burger, Cutchogue.
13 They were previously approved under the
14 prior --

15 CHAIRMAN McMAHON: Under the prior --

16 MR. BURGER: Right. I don't know what
17 they are, but you have them in the record.

18 CHAIRMAN McMAHON: I'm fine with
19 whatever was previously approved.

20 MS. BERRY: Okay.

21 ATTORNEY PROKOP: The conditions of the
22 prior application need to be included in
23 this.

24 We'll pick up the hours of operation
25 from a prior approval, that's fine.

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2 MR. BURGER: Thank you.

3 CHAIRMAN McMAHON: So we had a motion,
4 a second. We'll do a vote.

5 All in favor?

6 MS. GIVEN: Aye.

7 MR. BURNS: Aye.

8 MR. COTUNGO: Aye.

9 MR. THOMAS: Aye.

10 CHAIRMAN McMAHON: Motion carries.

11 Item number 8, motion to adjourn.

12 Do I have a second?

13 Oh, sorry, I apologize, there's one
14 more item; Chris wanted to make a comment.

15 MR. DOWLING: Chris Dowling, 617 First
16 Street.

17 I just had a question about procedure.
18 There is the church on First Street that is
19 also bordering Main Street that is in front
20 of you for change to three lots from a
21 single lot. HPC recently granted them a
22 permit to demolish half the building.

23 My question is, why hasn't that also
24 come in front of the Planning Board as, for
25 site plan review or something because they

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2 obviously took away more than, they altered
3 more than 20 percent of the structure in the
4 R-2 District, and it's presently a
5 single-family lot where they're doing major
6 construction and also by not doing a full
7 demolition, they're obviously going to have
8 to build a wall and put windows and doors
9 and screening which I think falls under
10 review of the Planning Board, so?

11 MS. WINGATE: I can speak to that.

12 CHAIRMAN McMAHON: Sure.

13 MS. WINGATE: Because it's an existing
14 nonconforming building and it's residential
15 zone and it's to be residential. There
16 really is no residential site plan review
17 and people, residential units are entitled
18 to be demolished in its entirety, frankly,
19 but because it's of historic nature, that's
20 why it went through HPC. The HPC meeting,
21 we were provided with drawings of all four
22 elevations. If you would like to see those,
23 so he has proposed once he takes down the
24 building, how he is prepared to reengineer
25 and reconstruct the rear walls which will

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2 need to be done.

3 So I think my question that I still
4 haven't resolved is, because he is in front
5 of the Planning Board for a subdivision,
6 does that mean I can't write a demolition
7 permit until the subdivision is either
8 approved or disapproved?

9 MR. DOWLING: Because I believe
10 subdivision, it says something about the
11 historic structures in the subdivision code.

12 ATTORNEY PROKOP: I think it's part of
13 the subdivision indications, it's a combined
14 subdivision and site -- I think --

15 MS. WINGATE: No, it's not. It's a
16 subdivision application. It's not for site
17 plan. There is no need for it to have site
18 plan. It's a subdivision application and it
19 could very well, the demolition be part of
20 the subdivision application which it is
21 because he has to take the building down to
22 make it conforming, but it's a dicey
23 question.

24 MR. DOWLING: Now that becomes a
25 single-family home?

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2 MS. WINGATE: It becomes a
3 single-family home and, therefore, site plan
4 review is not required.

5 MR. DOWLING: How many single-family
6 homes can be on a lot in the R-2; can two
7 separate buildings --

8 MS. WINGATE: It's existing
9 nonconforming, Chris.

10 MR. DOWLING: It's not existing, it was
11 a church, there was never a residential
12 unit.

13 MS. WINGATE: This is true again.

14 MR. DOWLING: And we had that issue, I
15 believe, when the ex-rooming house Mr.
16 Olinkiewicz bought over on Carpenter Street
17 because it was not pre-existing as a
18 resident, or building, it was a pre-existing
19 structure but it was pre-existing as a
20 rooming house.

21 MS. WINGATE: Right. It's zoned --
22 it's quite opposite though because it's
23 zoned commercial and it was a residential
24 unit in a commercial zone, so that is a very
25 different twist.

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2 MR. DOWLING: Because this is a change
3 of use because it was a church.

4 MS. WINGATE: This is a change of use,
5 actually, what it's doing by nature is
6 taking away its nonconformity, which is
7 exactly what we're supposed to be doing,
8 right, the Planning Board is supposed to
9 reversing all nonconforming uses.

10 MR. DOWLING: So if it's a change of
11 use, it comes in front of the Planning
12 Board, correct, so if that building changes
13 use to now a residence instead of a church,
14 wouldn't it --

15 MS. WINGATE: It's not a -- well, yes,
16 it is. I don't know, Joe, yes, it is a
17 change of use, but it is reverting to --

18 ATTORNEY PROKOP: We'll discuss it.

19 MR. DOWLING: Yeah, it's a change of
20 use.

21 ATTORNEY PROKOP: Thank you for your
22 question. We'll take it under advisement.

23 MS. WINGATE: We really need to look at
24 this.

25 ATTORNEY PROKOP: It was something that

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2 we did review and Eileen and I came to the
3 conclusion, basically, how it was handled,
4 but we'll look at -- because you asked the
5 question, we'll look at it again.

6 MR. DOWLING: Okay. Thank you.

7 CHAIRMAN McMAHON: I'm going to make a
8 motion to adjourn.

9 Do I have a second for that?

10 MR. COTUNGO: Second.

11 CHAIRMAN McMAHON: All in favor?

12 MS. GIVEN: Aye.

13 MR. BURNS: Aye.

14 MR. COTUNGO: Aye.

15 MR. THOMAS: Aye.

16 CHAIRMAN McMAHON: Motion carries.

17 (Time noted: 5:50 p.m.)
18
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25

ATTORNEY

PROKOP: [14]

48/12 53/7 63/9
64/20 70/7 70/17
72/21 72/25 73/4
73/20 76/11 78/17
78/20 78/24

AUDIENCE

SPEAKER: [1] 19/5

CHAIRMAN

McMAHON: [108]

MR. BURGER: [3]

73/11 73/15 73/25

MR. BURNS: [15]

3/12 6/14 7/2 14/9
21/11 39/12 39/16
40/5 40/11 41/4 45/4
47/15 70/25 74/6
79/12

MR. COTUNGO: [20]

3/9 3/13 6/11 6/15
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39/13 40/8 40/25
41/5 45/5 46/10
47/16 65/7 71/2 74/7
79/9 79/13

MR. DOWLING: [18]

25/9 26/21 27/3
27/21 28/9 28/14
29/5 29/7 74/14 76/8
76/23 77/4 77/9
77/13 77/25 78/9
78/18 79/5

MR. GOGGINS: [1]

68/22

MR. KRELING: [4]

66/11 67/22 68/6
68/20

MR. PALLAS: [1]

50/19

MR. PENNESSI: [7]

50/20 53/10 63/8
64/4 64/25 65/24
68/7

MR. SALADINO: [15]

29/21 30/21 32/3
32/7 33/8 33/17
33/21 33/25 34/8
35/9 35/20 36/10
36/13 36/17 37/3

MR. SCHULTZ: [25]

8/9 8/15 9/25 10/22
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18/17 19/3 20/11
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21/16 31/2 36/24

MR. THOMAS: [14]

3/14 6/16 6/23 7/4
20/19 20/24 39/14
41/6 44/25 45/6
47/17 71/3 74/8
79/14

MS. ALLEN: [1] 23/9

MS. BERRY: [2]

73/6 73/19

MS. GIVEN: [18]

3/11 4/11 6/13 6/25
39/9 39/11 41/3 45/3
45/25 47/12 47/14
70/6 70/12 70/22

70/24 72/20 74/5
79/11

MS. WINGATE: [31]

4/6 5/8 29/14 33/2
33/15 33/19 33/23
38/11 38/15 38/19
43/18 43/22 44/2
44/4 45/10 45/12
46/5 46/13 46/24
63/3 67/14 75/10
75/12 76/14 76/25
77/7 77/12 77/20
78/3 78/14 78/22

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100 [1] 52/12

1001-5-4-29 [1]

41/21

1001-5-4-3 [1] 71/21

1001-5-4-5 [1] 48/12

1001-6-2-20 [1] 4/4

1001-6-2-23.2 [1]

7/23

104 [3] 2/10 71/8

71/14

11 [1] 42/8

12 [4] 4/20 5/3 42/14

57/23

131 [3] 2/6 7/7 7/14

14 [1] 69/7

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15 [1] 43/6

150-11 [1] 42/8

1	70/3 70/15 70/19 70/20 4:32 [1] 1/10	45/24 46/4 46/7 47/8 47/8 72/15 acceptable [3] 56/10 60/24 72/5
150-15 [1] 43/6 1800s [1] 55/21 19 [3] 2/8 41/9 41/15 1979 [1] 4/17	5 50 [1] 42/15 500,000 [1] 43/2 5:50 [1] 79/17	accepted [4] 45/17 46/6 72/17 72/18 access [12] 25/14 26/4 27/9 27/9 27/16 28/24 28/25 29/10 43/10 50/18 53/7 67/18
2	6 617 [2] 25/10 74/15 62 [1] 63/5 6th [1] 80/17	accessibility [2] 4/24 5/5 accessible [3] 42/12 52/24 71/25 accommodate [1] 58/9
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