

1 VILLAGE OF GREENPORT  
2 PLANNING BOARD  
3 WORK SESSION  
4 &  
5 REGULAR SESSION  
6 March 26, 2015  
7 5:00 p.m.  
8  
9  
10 Meeting held at the Greenport Firehouse  
11 236 Third Street, Greenport, New York 11944  
12  
13  
14 Appearances:  
15 Chris Dowling - Acting Chairman  
16 Ben Burns  
17 Devin McMahon  
18  
19 Joseph Prokop, Village Attorney  
20 Eileen Wingate, Village Building Inspector  
21 Glynis Berry, Planning Board Consultant  
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VGPPPlanning032615.txt  
1 (Whereupon, the meeting was called to order at  
2 5:06 p.m.)

3 ACTING CHAIRMAN DOWLING: This is the Village  
4 of Greenport Planning Board, March 26, 2015, Third  
5 Street Firehouse, at 5 p.m. This is the work session  
6 and regular meeting agenda.

7 Item 1, we have the continued discussion and  
8 possible motion on a site plan approval for a new  
9 home to be constructed at 216 North Street. The  
10 applicants are Thomas Spurge and Steven Sommer. The  
11 property is currently a vacant lot. Amended plans  
12 have been submitted as requested. This is Suffolk  
13 County Tax Map #1001, Section 2, Block 6, Lot 8.

14 Has everybody received the new plans for the  
15 house?

16 MR. MC MAHON: Yes.

17 MR. PROKOP: Can I just ask the Planner, we  
18 received comments from you this afternoon, were these  
19 comments based on the new plan?

20 MS. BERRY: Yes.

21 MR. PROKOP: You had the new plan when you made  
22 comments?

23 MS. BERRY: Yes.

24 MR. PROKOP: Okay.

25 MR. BURNS: Yeah, it had to be.

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1 ACTING CHAIRMAN DOWLING: Glynis, would you  
2 like to read your comments for the record or --

3 MS. BERRY: Sure. Basically, that --

4 MS. WARD: Excuse me. Can you identify

5 yourself? I don't know who you are.

6 MR. PROKOP: I'm sorry. Do you want to get the  
7 person that just interrupted?

8 MS. BRAATEN: Can you identify yourself?

9 MS. WARD: Yes. Jill Ward, 220 North Street,  
10 Greenport.

11 MS. BRAATEN: Thank you.

12 MR. PROKOP: Thank you.

13 MS. BERRY: Glynis Berry.

14 MS. WARD: Thank you.

15 MS. BERRY: Basically, they separated the  
16 laundry and utility rooms, so that's how they dealt  
17 with that. They moved the living room upstairs by  
18 removing the bedroom upstairs. They provided the  
19 screening on the balcony. And they removed one of  
20 the parking spaces. They installed a dry well for  
21 drainage, and had calculations. And they showed  
22 water and sewer connections, which -- did they submit  
23 the amended --

24 MS. WINGATE: Yeah, you have that.

25 MS. BERRY: Okay. And they now have the proper

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1 separation, so we recommend approval.

2 MR. BURNS: And one bedroom was removed from  
3 upstairs.

4 MS. BERRY: Yes.

5 ACTING CHAIRMAN DOWLING: Well, we have  
6 received additional letters, one from Decia Fates,  
7 and from Bruce Robertson and Lynne VanAuken. The

8 letters -- reading the letters will be pretty long.  
9 I'd like to recommend that we --

10 MR. PROKOP: If it's okay with the Board, the  
11 letters will become part of the record verbatim. The  
12 stenographer will take a copy of the record and  
13 then -- excuse me, a copy of the letters and actually  
14 make them part of the record. So every word that's  
15 in the letter will actually become part of the  
16 record. The record is available online. It will  
17 online in about 10 days or two weeks.

18 ACTING CHAIRMAN DOWLING: And just for the  
19 record, so, essentially, the applicant has met our --  
20 is the applicant here?

21 MS. WINGATE: No.

22 ACTING CHAIRMAN DOWLING: He's not, okay. He's  
23 met our requests, though, at the last meeting to  
24 eliminate the utilities, the second -- the additional  
25 utilities on the second floor. He removed a parking

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1 spot, removed a bedroom, provided screening on the  
2 balcony, provided a drainage plan, and showed the  
3 sewer and water connections. Essentially -- and I  
4 know there's a lot of concern in the neighborhood  
5 about this application. For us, he's pretty much met  
6 everything to code, so there's -- unless anybody has  
7 any other comment.

8 MR. MC MAHON: I think everyone shares concern  
9 about what the actual use of the property is going to  
10 be, and whether or not it's going to be a one-family  
11 home as intended, or a two-family home, as it was

12 originally presented. The changes have been made to  
13 make it a one-family home. It does have -- there is  
14 concern. I still have concerns. I know many of the  
15 neighbors still have concerns about how we're going  
16 to ensure that this property is actually used for  
17 what it's intended. I'm not sure where we can go  
18 from there. I'm not sure what we do about that,  
19 because he purchased the property. The building  
20 record is intact, and he has a right to build a home.  
21 I think many of the neighbors, of course, have seen  
22 that he's entitled to build a home of some sort. We  
23 want to make sure it fits within the neighborhood,  
24 and it's used as it's intended to be.

25 I don't feel we can deny the application simply

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1 because there's potential for misuse. I think some  
2 of the changes we've asked for have mitigated some of  
3 the possibilities for that, and removing the second  
4 kitchen from the home. It's a tough decision, but  
5 I'm not sure what else we can do. He has complied  
6 with the requests we've made to amend the plans. I  
7 don't know if there's any comment or concern.

8 MR. BURNS: That's pretty much the way I feel.  
9 The house conforms. There's a building on my street  
10 that I would not like, that I would rather see  
11 differently, but the owner had a perfect right to  
12 build what he built. There's some wonderful people  
13 that live in it, and that's probably true all through  
14 the village. There are places that we just wish

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weren't there next door.  
I have a neighbor across the street who -- with whom the neighbor is about 18 inches away. That's an old -- an old dwelling, of course. My own house is a small house. I'm seven feet from one side and nine feet from the other, and it's a two-story building, and can look -- we could look at each other's windows very easily. That goes all through the neighborhood. So here's a building which conforms to the code, and he has done everything we've asked to ensure that it not be a two-family or a boarding house, as some have

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suggested, and so I don't see any reason not to approve it.

ACTING CHAIRMAN DOWLING: Can we attach to this acceptance, if we do accept it, some sort of an inspection six and twelve months from now, to make sure that he hasn't altered the floor plan from what he submitted to make sure he does not change it? Is there any way we can do that?

MR. PROKOP: You know, you can impose any requirements that are reasonable and connect it to the -- and have a connection to the use of the building. Normally, you could -- the use -- I don't know that you could look at the floor plan, but you could look at the use, ask that the use be reviewed, since there has been a question of the use. I think that that's possible, yes.

So what I would recommend you do is to -- if there's a condition on the use that you'd like to

19 have, because of the public input that came out, I  
20 think that you might consider approving it subject to  
21 that condition, and then ask -- and then ask that  
22 that be reviewed every year.

23 ACTING CHAIRMAN DOWLING: Okay.

24 MR. PROKOP: Yes. So, if the condition is  
25 that, you know, whatever the condition was, that it

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1 be used in accordance with the legal -- legal  
2 restrictions of -- as represented, single-family  
3 residence, I think that would be fine.

4 ACTING CHAIRMAN DOWLING: Okay. Yes.

5 MS. HELLER: So what would happen --

6 ACTING CHAIRMAN DOWLING: Come up, please.

7 MS. HELLER: Ann Heller, Third Street. So what  
8 would happen if upon one of these inspections the use  
9 had changed to a multi-family, then what happens?

10 MR. PROKOP: It would become an enforcement.

11 There would be an enforcement act -- referral.

12 MS. HELLER: And what does that mean?

13 MR. PROKOP: It would be referred to -- we have  
14 a Code Enforcement Department now. Actually, we have  
15 an officer, and then he works closely with me in  
16 Southold Court, so it would be referred to for review  
17 by him, by that person.

18 MS. HELLER: But my question is, so, I mean,  
19 does that mean that the owners would just get a fine  
20 and this use would continue, or --

21 MR. PROKOP: Well, no. There's a number --

22 MS. HELLER: -- how would you stop this use?

23 MR. PROKOP: Okay. So I don't want to talk  
24 specifically about this property, but I can tell you  
25 in general. If there's an illegal use, the options

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1 that are available to the village are -- include  
2 things like revoking a Certificate of Occupancy, and  
3 it includes seeking injunctive relief in the courts.  
4 I mean, we have instances like that that have been  
5 approved by the Trustees. So there's a number of  
6 avenues that are available to the village, just  
7 speaking in general, not speaking in particular about  
8 this application. But those are the kinds of things  
9 that would be available.

10 MS. WARD: Jill Ward, 220 North Street. All of  
11 you gentlemen received a letter from me this week  
12 regarding Chapter 150-30 of the Greenport Zoning  
13 Code, which describes the Planning Board's function.  
14 Under that, it denotes your purview to be a denial of  
15 a use application for a proposed single-family  
16 dwelling on the basis of the safety, the welfare and  
17 the comfort of the neighborhood, the immediate  
18 neighborhood. I can tell you both the safety, the  
19 welfare and the comfort of this immediate  
20 neighborhood represented by everybody there is at  
21 stake here. You have the authority to deny it.

22 I was told by one of the Planning Board members  
23 eight days ago that you plan to deny it. I'm  
24 furious. I feel that you are caving, you're  
25 absolutely caving in to whatever pressures. You're



1 not representing the neighborhood, you're not  
2 representing the Village, and you're not fulfilling  
3 your duty. It's a total abnegation of  
4 responsibility.

5 And as I included in that letter, a perfect  
6 example of a one-family structure is the one that was  
7 built on the back ends of the Hugh Prestwood, Judy  
8 Ahrens lot that was split off on Second Street last  
9 year. It's a two bedroom, two bath. It's on a  
10 larger lot than 216 North Street. It's outrageous.  
11 You all know, you've all discussed, even with me,  
12 that you know what is going to happen at that house  
13 on 216 North Street. It will not remain a single  
14 family.

15 And as far as enforcement goes, the previous  
16 Planning Board Chair, on October of 2014, said that  
17 it's high time the Planning Board stopped approving  
18 things when they think it's going to be used for one  
19 thing and then it comes back and bites us, and we all  
20 know enforcement is a problem. Well, you betcha,  
21 enforcement will be a huge problem. I really urge  
22 you, defeat this. Make him come back, make him make  
23 a true single-family.

24 And, Glynis Berry, for you, as an architect, to  
25 call this plan a single-family, you should be ashamed

1 of yourself. It is totally set out to run that  
2 accessory staircase up to the balcony and it will be  
3 a multi-family. That you could put your signature on  
4 it and approve it and sponsor it, you should hang  
5 your head in shame. Thank you.

6 MR. BURNS: Thank you for your opinion.

7 MS. MATTSON: My name is Norma --

8 ACTING CHAIRMAN DOWLING: Come up to the  
9 podium, please.

10 MS. MATTSON: My name is Norma Fraser Mattson.  
11 My address is 512 Third Street. And my question to  
12 the gentleman there, Mr. Burns, you said that in your  
13 neighborhood, there's a house there that you do not  
14 like. So, if you don't like that situation, why are  
15 you still letting stuff like that happen in the  
16 neighborhood?

17 MR. BURNS: The answer is simple. The person  
18 who built the house on Central Avenue had a perfect  
19 right to do it and he did it according to code, he  
20 did it according to the rules. I had no basis for  
21 coming to him and saying, "You're not following the  
22 rules." He was.

23 MS. MATTSON: But with so many of you here, do  
24 something about it, do something to change it. This  
25 is our -- this is where we live. This is where our

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1 grandchildren will come around on weekends and see  
2 all -- see what's going on. Do something, please.  
3 Thank you.

4 MS. BERRY: May I say something?

5 ACTING CHAIRMAN DOWLING: Yes.

6 MS. BERRY: I just wanted to say that, to  
7 address this kind of issue, you can't do it on an  
8 individual basis. But what you can do is if you're  
9 like having this problem continuously, to go back and  
10 look at the code and to see if any changes need to be  
11 made to the code, and then evaluate it and make  
12 recommendations. But we have to apply the  
13 regulations evenly. We can't, you know, say this one  
14 we want to impose this, and this we want to impose  
15 something different.

16 MS. MATTSON: But you have to start someplace.

17 MS. BERRY: Right. So I'm saying the place to  
18 start is, if this is an issue, you know, as a  
19 collective Board --

20 MS. MATTSON: Well, this is a start.

21 MS. BERRY: -- to look at that.

22 MS. MATTSON: This is a start. Start right  
23 here.

24 MR. BURNS: By the way, I am perfectly happy  
25 with the way the house that I'm mentioning has been

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1 used; wonderful families, wonderful people, wonderful  
2 neighbors.

3 MS. HELLER: Well, that's not the situation  
4 here.

5 MR. BURNS: You don't know that, you don't.

6 MS. MATTSON: Yes, we know.

7 MR. BURNS: You don't know that.

8 MS. MATTSON: We can see the potential. It's  
9 all around us.

10 MS. DECKER: Lynn Decker, Third Street. I just  
11 want to say I think we're setting a very, very bad  
12 precedent. And, as Jill said, there are rules on the  
13 books where you have the right, if you feel that  
14 something is amiss you have the right as a Board to  
15 not support this. And I think if you do support it,  
16 you're setting a very bad precedent for the Village  
17 for people who have invested in good faith that the  
18 lot next door will have an appropriate building put  
19 next to it, if that be the case. And I just think  
20 you're setting a really poor precedent, and you have  
21 the ability to not have this go through. It's just  
22 so inappropriate.

23 Have you looked at the size of the lot over  
24 there? Even if it ends up being a one-family  
25 building, it's massive for that little piece of

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1 property. It's not appropriate for the neighborhood.  
2 And I think it should start now, as far as fixing  
3 this situation.

4 ACTING CHAIRMAN DOWLING: I understand  
5 everybody's concerns. And, personally, I would wish  
6 this house didn't happen either, it was a different  
7 house. Unfortunately, we do have to go with the  
8 current code. We can't deny him his right as the  
9 code. I would prefer it was a nice two-bedroom  
10 little family house that sort of fit in, and maybe  
11 even smaller than the houses currently on the street,

12 but we can't tell him that. We can't authorize and  
13 tell him, "You have to build smaller." We can tell  
14 him he can't build bigger, and he's -- basically,  
15 when you look at the plans he submitted, the first  
16 plans we looked at, it was pretty sketchy looking.  
17 But what he's resubmitted, he's followed what we've  
18 asked him to do and we can't deny him for what he's  
19 submitted to us. I mean, on paper and per the code,  
20 it's a single-family home and it fits inside the  
21 guidelines. And the only thing that I can think to  
22 do to try to help is put this enforcement, attach it  
23 to the acceptance. But, you know --

24 MS. HELLER: Did you ask him to do -- change  
25 the plans enough so that there would be no

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1 possibility that this would be a multi-family?

2 MR. MC MAHON: Any property could be abused.  
3 Any property, if it's not used the way that the plans  
4 are presented, then, I mean, that's a possibility for  
5 any property.

6 ACTING CHAIRMAN DOWLING: Yup.

7 MR. MC MAHON: One of the tools we have would  
8 be making a conditional approval, whereas every year  
9 it's inspected and it's -- we're able to see whether  
10 or not it is the actual use he applied for. A year  
11 from completion, if the property is approved, they go  
12 in and they say, "No, this is effectively a  
13 two-family house," then there are -- there's  
14 injunctive relief, there's not -- excuse me,

15 repealing or revoking the Certificate of Occupancy.

16 Those are some of the tools that we have. We  
17 do have to find some sort of a balance between a  
18 property owner's right to build on their property and  
19 the effect in the neighborhood. Now, they're --  
20 nobody's -- already, there's no way everyone's going  
21 to be happy, there's no possible way, the homeowner,  
22 the neighborhood. It's -- what I'm trying to do, I  
23 could only speak for myself, is find some sort of a  
24 balance, what is within the letter of the law, what's  
25 best for the character of the neighborhood, and how

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1 do we go about this in a civil sort of way.

2 I hear your concerns. I share your concerns.  
3 I am in a position where I need to do whatever I can  
4 to allow people to use their properties in a  
5 responsible manner, and ensure that they continue to  
6 do so. I can't deny an application because there's  
7 potential for abuse, because there is always  
8 potential for abuse. What we can do is mitigate the  
9 potential for abuse, not allowing a second kitchen,  
10 asking that they have fewer bedrooms. There are some  
11 steps we can take, but there is a balancing act here.

12 ACTING CHAIRPERSON DOWLING: We removed a  
13 parking spot. That helps kind of keep -- you know,  
14 with a multi-family house, it's pretty easy to tell  
15 when there's 10 cars in the driveway and it's a  
16 single-family house. So things like what we're  
17 doing, like removing a parking space, removing a  
18 bedroom. You know, it kind of makes it pretty

19 obvious if there's 10 cars in the driveway that this  
20 might be the duck you were talking about, so.

21 But, I mean, we're all -- enforcement, now that  
22 we finally have a Code Enforcement Officer in the  
23 village, hopefully, a lot of the problems we've been  
24 seeing for years in the village, hopefully, will  
25 start stemming them, and, hopefully, enforcement will

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1 increase as well.

2 MS. DICKEY: I'm Julie Dickey and I live at 220  
3 North.

4 I'm wondering about the balcony. The balcony  
5 was originally part of the two-family plan, and it  
6 was presumably for the family that was living on the  
7 second floor to be able to get some fresh air. But  
8 now, if it's just one family, why do we even need a  
9 balcony? I don't know.

10 MS. WARD: It's for a staircase, that's why.

11 MR. PROKOP: We're going to deal -- I'm going  
12 to recommend to the Board that they deal with that in  
13 a condition.

14 MS. DICKEY: Like remove it?

15 MR. PROKOP: I don't know that we could require  
16 the removal of it, but we can restrict it so it  
17 doesn't become another egress to the building.

18 MS. DICKEY: Okay. But that does impact the  
19 comfort of our neighborhood big time, because, you  
20 know, it just wipes out privacy in all our backyards.  
21 So it definitely has a --

22 MR. PROKOP: What was the size of the balcony?

23 ACTING CHAIRMAN DOWLING: Well, we did put  
24 screening up so that he's not going to be able to  
25 look into your backyard, so.

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1 MS. DICKEY: Screening? Screening is going  
2 block out more sky from our backyard. You know, it's  
3 -- it's just not great for anybody here. And then I  
4 was wondering about, if you write in like -- if the  
5 house changes owners, would you still have that  
6 stipulation, that it would be like inspected every  
7 year?

8 MR. PROKOP: It will be on the Certificate of  
9 Occupancy for the property, so yes.

10 MS. DICKEY: Okay. And the other thing is  
11 their staircase from the front porch is still like  
12 running right into the driveway on the plan. I  
13 presume they would change that.

14 ACTING CHAIRMAN DOWLING: Yeah, that's  
15 something that --

16 MR. PROKOP: How big is it?

17 MS. WINGATE: Eight feet wide by 23 feet deep

18 MR. PROKOP: Eight feet by 23 feet? So the  
19 second floor balcony -- I don't review the plans, but  
20 if the second floor balcony is 8 feet by 23 feet, I  
21 don't consider that to be a balcony, I consider it to  
22 be a deck. My recommendation is that you consider  
23 it --

24 MS. WARD: would you speak into the mic,  
25 please? With the rain, it's hard to hear.



1 MR. PROKOP: I wouldn't consider that to be --  
2 I have concern regarding the size of the balcony. I  
3 don't believe an 8-by-23 -- 8 foot by 23 foot  
4 structure I would generally consider to be a deck,  
5 not a balcony. And I would -- I would think that a  
6 second floor deck might be something that you want --  
7 thank you for bringing that up. Is it in the  
8 Planner's notes?

9 ACTING CHAIRMAN DOWLING: No, it's not.

10 MS. BERRY: No.

11 ACTING CHAIRMAN DOWLING: Just that we asked  
12 for screening on it.

13 MR. PROKOP: See, normally, if somebody calls  
14 something a balcony, it's -- a balcony is considered  
15 to be the room for -- basically, room for standing or  
16 for a chair is basically a balcony. When you get to  
17 the size of 20 feet by 8 feet, I think that that's  
18 actually a second floor deck, and which I think is a  
19 whole other world. You know, I think that that's  
20 moving into territory that could have an impact on  
21 the neighborhood. I think a second floor deck is  
22 generally considered to be something that has an  
23 impact on neighboring residences.

24 So, if we talk in terms of we have little  
25 discretion in terms of allowing this person to build

1 a one-family house, I think that you do have  
2 discretion with regard to the -- this deck.

3 And the other thing that I was going recommend  
4 was that there be a restriction that there not be a  
5 stairway to the deck, to whatever we end up with this  
6 thing. And then the second -- so I think the deck  
7 has -- I think the deck definitely has to be  
8 considered to be -- have an impact on the  
9 neighborhood, and that's something that needs to be  
10 adjusted.

11 My recommendation for restrictions was going to  
12 be that there not be permitted to be a staircase to  
13 this structure, that the applicant not be permitted  
14 to break the house -- divide the house into two  
15 dwelling units, and there not be any separation of  
16 any portion of the interior space from the other  
17 portion of the interior space. And I think that was  
18 it.

19 And then the inspection that we spoke about --  
20 and then there was, definitely was a discussion about  
21 the stairway coming into the driveway. That was  
22 supposed to be mitigated, so I'm not -- I'm not sure  
23 why that's still around.

24 MS. WINGATE: It wasn't on the list.

25 ACTING CHAIRMAN DOWLING: It didn't make the

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1 list?

2 MS. WINGATE: It did not. It was not on the  
3 list.

4 MR. PROKOP: But I think there was public  
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5 comment about it.

6 ACTING CHAIRMAN DOWLING: There was, yup.

7 MS. WARD: Definitely.

8 MR. PROKOP: We just got the minutes to this  
9 last night, I'm sorry, so there's -- we're trying to  
10 catch up. The meetings were only two weeks apart, so  
11 we're trying to catch up.

12 MS. WARD: I just was going to address that,  
13 and I'll be more constrained this time, because  
14 you're making me feel better, sir.

15 Jill Ward again. One of the points I pointed  
16 out at the March 12th meeting was that staircase off  
17 the front porch. Initially, when they had applied  
18 for a two-family house before the ZBA, that front  
19 porch staircase ran directly off the front porch  
20 toward North Street. When they changed it to this  
21 supposed single-family that you discussed on March  
22 12th, the staircase had suddenly turned to the east  
23 and was footing right in the driveway. The driveway  
24 is 11-and-a-half feet wide and the footing for the  
25 staircase would take up three feet of that.

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1 And I pointed out in my comments two weeks ago  
2 that children playing on that porch, playing tag, one  
3 of them runs down that staircase, someone's trying to  
4 come up the driveway in a car, and you're going to  
5 have a tragedy on your hands.

6 I would be really happy if they would just  
7 swing it 90 degrees again and bring it straight out

8 towards the sidewalk. I don't know why it was ever  
9 changed. It makes no sense. And I think that should  
10 also be a stipulation, because I think it's really,  
11 really dangerous.

12 MR. PROKOP: But I think what I --

13 ACTING CHAIRMAN DOWLING: I agree, yeah.

14 MR. PROKOP: What I might recommend to the  
15 Chairman is if we have a regular meeting next week --

16 ACTING CHAIRMAN DOWLING: Yup.

17 MR. PROKOP: -- you might -- I might suggest  
18 that you adjourn this until next week, so we could  
19 formulate the decision --

20 ACTING CHAIRMAN DOWLING: Yup.

21 MR. PROKOP: -- to include -- you know, digest  
22 and include some of the things that were discussed  
23 tonight.

24 ACTING CHAIRMAN DOWLING: Yup. And, hopefully,  
25 the applicant will be there for that, too.

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1 MR. MATTSON: John Mattson. I have live at 512  
2 Third Street. Our property borders the north side of  
3 216 North.

4 I'm wondering, if they do build this deck, and  
5 they do put a staircase in, is it legal for me to  
6 photograph the staircase? And where would I bring  
7 that photograph in order to have the code enforced?

8 ACTING CHAIRMAN DOWLING: I don't think you'd  
9 even need a photograph. I think you could just go  
10 straight to the Building Department, to the Code  
11 Enforcement Officer and say, "They've got a

12 staircase." I don't think you'd even have to  
13 photograph it, you'd just have to call and report it  
14 to the Building Department, I guess.

15 MR. MATTSON: The Building Department?

16 ACTING CHAIRMAN DOWLING: Yup. Don't waste the  
17 megapixels.

18 MR. MATTSON: What's your number?

19 MS. WINGATE: Extension 210, 477-1217. Just  
20 call and ask for either Ed Ward or myself, and we'll  
21 go out and do an inspection.

22 MR. MATTSON: All right.

23 MS. WARD: Would that hold up if the  
24 property was --

25 ACTING CHAIRMAN DOWLING: Yeah. I think we

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1 said before, we'd stipulate that would -- you know,  
2 that would be attached to the CO.

3 MS. WARD: Okay.

4 MS. HELLER: But that should be a nonissue,  
5 because there's going to be a balcony there, right,  
6 and not a deck?

7 MR. PROKOP: We're going to work on that.  
8 Thank you for bringing that up, the person that  
9 brought that up, thank you.

10 MS. MATTSON: If the balcony is such an issue,  
11 why not just remove it?

12 MR. MATTSON: What I see as the worst case  
13 scenario with the balcony is like lots of people out  
14 there are drinking beers and peeing off the balcony.

15 worse yet than day-laborers living there would be if  
16 that's a summer rental and you have 20-year-olds in  
17 there partying all night and the same routine. The  
18 balcony is a nasty structure. It reminds me of  
19 Chicago with all those row houses with the balconies  
20 on them.

21 MR. PROKOP: Thank you.

22 ACTING CHAIRMAN DOWLING: Thanks.

23 MR. PROKOP: So just a motion to adjourn this  
24 until the next meeting, if you agree.

25 ACTING CHAIRMAN DOWLING: Yeah, I definitely

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25

1 agree.

2 MR. BURNS: I so move.

3 MS. WINGATE: We're working on time limitations  
4 again.

5 ACTING CHAIRMAN DOWLING: Can we get in contact  
6 with him before the next meeting? Because,  
7 unfortunately, he's not even here to listen to the --

8 MS. WARD: It expires tonight. The 62 days he  
9 agreed to expires tonight. Thanks, Eileen.

10 MR. PROKOP: Then deny?

11 MR. MC MAHON: Yeah. I mean, if he's not here  
12 to agree to an extension, then we have to make an  
13 action --

14 MS. WINGATE: Should I call?

15 MR. MC MAHON: -- as it is. See if we can get  
16 him to degree to an extension.

17 MS. WINGATE: Is that --

18 MR. MC MAHON: Can he do that over the phone?

19 MR. PROKOP: Sure.  
20 MS. WINGATE: Let's see if I have his number.  
21 MR. BURNS: Our choice would be to deny it  
22 with --  
23 ACTING CHAIRMAN DOWLING: Have him resubmit it  
24 for the next meeting  
25 MR. BURNS: Resubmit.

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1 MS. WARD: Well, if they're taking the comfort  
2 from the neighborhood, it's within your purview,  
3 150-30. Is Ms. Wingate trying to call him?  
4 ACTING CHAIRMAN DOWLING: Yes.  
5 MR. BURNS: We could move to Item 2.  
6 MR. MC MAHON: Well, I think we have to close  
7 out the other one.  
8 ACTING CHAIRMAN DOWLING: Yeah, we'll have to  
9 close Item 1 first.  
10 MR. BURNS: Okay.  
11 ACTING CHAIRMAN DOWLING: Play the Jeopardy  
12 music right now.  
13 MR. PROKOP: So my recommendation is that we  
14 hold that open so we could deal with a couple of  
15 other issues.  
16 So on Item #2, it's a motion to table  
17 discussion of a site plan. We have the -- we have  
18 the Building -- the Building Inspector has left.  
19 Just to note on the record, the Building Inspector  
20 has left the room to try to contact Mr. Spurge.  
21 There are certain issues regarding the timing of the

22 application and restrictions that the Board may have.  
23 So it's the -- it's my recommendation, as the  
24 Attorney, that we move on to Item #2, which is a  
25 motion to table discussion of site plan for Osprey

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1 Zone Marina.

2 MR. BURNS: I move to table.

3 MR. MC MAHON: I second that.

4 ACTING CHAIRMAN DOWLING: All in favor?

5 MR. BURNS: Aye.

6 MR. MCMAHON: Aye.

7 ACTING CHAIRMAN DOWLING: Aye.

8 MR. PROKOP: We have one other item on the  
9 agenda I'd like to deal with at this time, with the  
10 permission of the Chairperson -- the Chairman, excuse me.

11 Item #6, we have a -- under the Nuisance  
12 Chapter of the Village Code, the Village served -- we  
13 had a tragedy in the Village where a house was  
14 destroyed by fire. And the owner -- the owner's bank  
15 and the Village are working to try to clean up the  
16 property and remove the debris for the safety of  
17 everybody and the benefit of everybody. In order to  
18 initiate that process, the Village served -- the way  
19 that we had to do that was to serve a Notice of  
20 Nuisance under our -- under our Nuisance Code, and  
21 that triggered a process where the bank was going to  
22 cooperate with the owner and the Village to remove  
23 the debris.

24 When we served that notice, we gave the owner  
25 five days to remove the debris, and the owner



1 questioned that and said that she should have been  
2 given 21 days, and she filed an appeal. So there's  
3 presently an appeal that's pending regarding that  
4 notice.

5 Now, appeals of Nuisance Notices are required  
6 to appear on the agenda of the next Planning Board  
7 regular meeting. So what we did was we scheduled  
8 tonight as a regular meeting to try to deal with  
9 this, because there is an imminent safety issue  
10 that's involved.

11 The owner has provided -- the owner has  
12 questioned that, and complained, basically, that  
13 tonight wasn't really a regular meeting, and that she  
14 didn't have sufficient notice. And she's asked us to  
15 put this over for our April 2nd meeting, and has  
16 promised or represented to us that she will be here  
17 on April 2nd to deal with this appeal and our notice.

18 So it's my recommendation that we adjourn this,  
19 then, until April 2nd, since the applicant has  
20 represented that she will be here that day, and then  
21 there's no question that that's a regular meeting.

22 MR. BURNS: So moved.

23 MR. PROKOP: We -- I'm sorry.

24 ACTING CHAIRMAN DOWLING: I'll second that  
25 motion.

1 MR. PROKOP: Okay. So we have comment from the  
2 Planner.

3 ACTING CHAIRMAN DOWLING: Okay.

4 MS. BERRY: I was just going to question, I  
5 mean, the 21 days would have expired April 1st, and  
6 it's from the date of notice. So, basically, by  
7 putting it off, you're accepting that the 21 days is  
8 acceptable. So, by doing that, you're actually  
9 making a determination in some ways.

10 ACTING CHAIRMAN DOWLING: I believe that due to  
11 the fact that it's no longer a fire hazard, that by  
12 the code, I think 21 days would be the time allowed,  
13 correct?

14 MR. PROKOP: Well, no. We have our  
15 determination that it's a safety hazard.

16 ACTING CHAIRMAN DOWLING: Oh, okay.

17 MR. PROKOP: So it would be the five days.  
18 But, you know, she said, basically, that -- she  
19 represented to the bank that she was trying to get  
20 time to work things out. You know, there were  
21 certain things that would happen to her benefit if  
22 she was able to get additional time.

23 we wanted -- unfortunately, we have this appeal  
24 to deal with. Whether it's, you know, five days, or  
25 21 days, or 22 days, we have the appeal now that we

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1 have to deal with. So I think that that -- we don't  
2 have a choice, is what I think.

3 MS. BERRY: Can I ask one other question, too?  
4 what about the liability for the adjoining

5 properties, in case something's happen between now  
6 and then?

7 MR. PROKOP: Okay. So I think that because  
8 there's an appeal, that we're acting within our code,  
9 so we -- I don't think that the Village would have  
10 additional liability for waiting the week. I don't  
11 think our liability will change by waiting a week. I  
12 don't think that we have any liability tonight, and I  
13 don't think we have any liability next week either.

14 So the motion would be to adjourn this until  
15 April 2nd.

16 MR. BURNS: So moved.

17 MR. PROKOP: Oh, there was a motion already.  
18 I'm sorry.

19 ACTING CHAIRMAN DOWLING: Yes.

20 MR. MC MAHON: There was a motion and I  
21 seconded it.

22 ACTING CHAIRMAN DOWLING: All in favor?

23 MR. BURNS: Aye.

24 MR. MCMAHON: Aye.

25 ACTING CHAIRMAN DOWLING: Aye.

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1 MR. MC MAHON: Okay. And were you able to get  
2 in touch with --

3 MS. WINGATE: I would like to speak with Joe.

4 MR. MC MAHON: Okay.

5 MR. PROKOP: Okay. Excuse me.

6 (Whereupon, Mr. Prokop and Ms. Wingate left the  
7 room and returned.)

8 MR. PROKOP: Can I talk to you and Glynis? You  
9 know what we could do, is my recommendation is we  
10 vote to go into Executive Session due to potential  
11 litigation, and it will just take a minute. We can  
12 step in the back and it will just take a second.

13 ACTING CHAIRMAN DOWLING: Okay.

14 MR. PROKOP: So it would be a motion to go into  
15 Executive Session to discuss a matter involving  
16 potential litigation.

17 MR. BURNS: So moved.

18 MR. MC MAHON: Second.

19 ACTING CHAIRMAN DOWLING: All in favor?

20 MR. BURNS: Aye.

21 MR. MC MAHON: Aye.

22 ACTING CHAIRMAN DOWLING: Aye.

23 (Whereupon, an Executive Session was held.)

24 MR. PROKOP: On Item #1, I'd like to introduce  
25 a motion for SEQRA for the Board. The motion would

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1 be for the Board to adopt Lead Agency status for  
2 purposes of SEQRA, for the Board to determine that  
3 the approval -- the approval or denial on the action  
4 on this application is an unlisted action for  
5 purposes of SEQRA, and that with certain conditions  
6 imposed, that the application will not have a  
7 significant negative impact on the environment,  
8 provided those conditions are complied with. And,  
9 therefore, what's called a Conditional Negative  
10 Declaration would be issued, if you agree.

11 MR. BURNS: And I so move.

12 ACTING CHAIRMAN DOWLING: All in favor?

13 MR. BURNS: Aye.

14 MR. MC MAHON: Aye.

15 CHAIRMAN DOWLING: Aye.

16 ACTING CHAIRMAN DOWLING: Do you want to  
17 explain SEQRA to the public?

18 MR. PROKOP: Under the New York State Code,  
19 we're required to make a determination regarding the  
20 environment. What the Board just determined is that  
21 given -- with certain conditions, as long as they're  
22 complied with, there will not be a significant  
23 negative impact on the environment.

24 MS. WARD: Can you tell us what those  
25 conditions are?

♀

1 MR. PROKOP: We're going to work our way  
2 through them.

3 MS. WARD: I beg your pardon?

4 MR. PROKOP: If everybody stops -- excuse me.  
5 I'm sorry, I apologize. We're going to try to work  
6 our way through them.

7 So the conditions that I understand as they  
8 would be, would be that the width of the structure on  
9 the second floor will be reduced -- new plans will be  
10 submitted indicating width of the structure on the  
11 second floor of only five feet. Five feet is the  
12 exterior dimension of that structure, not the  
13 interior dimension of the structure.

14 That there will not be a stairway built at any

15 time, an exterior stairway to the second floor  
16 structure. The second floor structure I'm referring  
17 to is either a balcony, indicated balcony deck on the  
18 plans. So, again, that would be limited to a width  
19 of five feet. There will not at any time be an  
20 exterior stairway built to that structure.

21 The front access to the property will have a  
22 cement slab, a three-foot cement slab before the  
23 steps start. And the --

24 MS. WARD: The steps will be swiveled towards  
25 the street, and not --

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1 ACTING CHAIRMAN DOWLING: Correct.

2 MS. WINGATE: No.

3 MS. WARD: No.

4 ACTING CHAIRMAN DOWLING: No?

5 MR. PROKOP: No. There will be three-foot --

6 ACTING CHAIRMAN DOWLING: Oh.

7 MS. WINGATE: We didn't get that far.

8 MR. KEHL: I have one question on that. You  
9 said there would never be set of stairs put to that  
10 deck or balcony. Couldn't you just make it there  
11 would never be an exterior set of stairs to that  
12 building as a whole? That way they can't enter  
13 anywhere else, you would never -- you know what I'm  
14 saying? That would cover everything.

15 MS. BERRY: That's fine

16 MR. PROKOP: The Planner is saying yes. So  
17 that will be a -- and, also, there will not be a  
18 second -- an accessory -- excuse me, exterior stairs

19 to the second floor of the building constructed.

20 There'll be no interior division of the  
21 interior space so as to divide it into two dwelling  
22 units or two different living units. And no second  
23 kitchen will be constructed within the interior of  
24 the premises, there will be one kitchen only.

25 The Planning Board has the right to request

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1 annual inspections of the property to determine  
2 compliance with these conditions and the Village  
3 Code. And these conditions shall be -- every one --  
4 each and every one of these conditions shall be made  
5 part of the building permit, and shall be made part  
6 of the Certificate of Occupancy that's issued for the  
7 property for a one-family residence only.

8 MS. WARD: Sir, that's going to leave an  
9 eight-foot-wide driveway. It doesn't remedy the  
10 danger to anybody exiting that front porch stair into  
11 the driveway. You put a three-foot slab into what is  
12 now an 11-foot-wide driveway --

13 MS. EDWARDS: No, on the grass.

14 MS. WARD: There's no grass, I mean, it's the  
15 driveway.

16 MS. BRAATEN: I'm sorry. I'm sorry. You have  
17 to just say who are. I don't know.

18 MS. WARD: Jill Ward, Carol Edwards.

19 MS. EDWARDS: Carol Edwards.

20 MS. WARD: If you look at the -- do you have  
21 the plans? I have the plans, if you don't have the

22 plans.

23 MS. WINGATE: Everybody has the plans. The  
24 stairs will be --

25 MS. WINGATE: Thank you, Eileen.

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1 MS. WINGATE: The stairs will be interior to  
2 the deck, not on the driveway side, on the deck side.

3 MS. WARD: What deck?

4 MS. WINGATE: The front porch. The stairs will  
5 be interior.

6 MS. WARD: They're interior now, but they foot  
7 at the edge of the driveway.

8 MS. WINGATE: They will shift further.

9 MS. WARD: That wasn't made clear by the  
10 stipulation. As long as that three-foot slab doesn't  
11 go into the 11-foot-wide driveway, reducing the width  
12 of it to eight feet, I have no objection. Otherwise,  
13 you're going to have a kid killed.

14 MR. PROKOP: The stairway access cannot  
15 limit -- the front door access cannot limit the width  
16 of the driveway.

17 MS. WINGATE: Say that again.

18 MR. PROKOP: Is it an 8-foot driveway or is it  
19 an 11-foot driveway?

20 ACTING CHAIRMAN DOWLING: Eleven foot wide.

21 MR. PROKOP: Is it 11 foot wide?

22 ACTING CHAIRMAN DOWLING: Yeah.

23 MS. WINGATE: It will interfere with the access  
24 to the front door. I believe that the building  
25 envelope that he was given was 13 feet to the front



1 property line, and he moved his house to 15 feet.  
2 The two feet doesn't allow him the ability to have  
3 the steps without going for a front yard zoning  
4 variance.

5 MS. WARD: What if you move the steps and swing  
6 them off to the west?

7 MR. PROKOP: So why didn't tell -- why didn't  
8 we know that? So we should -- we have to deny this  
9 and refer it to the -- do we have to refer this to  
10 the Zoning --

11 MS. WINGATE: No. You could -- he -- would  
12 you, please, sit down? Thank you.

13 MS. WARD: I wish someone would look at the  
14 plans. You put a three-foot slab --

15 MR. PROKOP: I'm sorry. We're trying get some  
16 information from the Building Inspector, if you'll  
17 let her speak.

18 MS. WARD: I'm sorry, I'll let her speak.

19 MS. WINGATE: He needs three steps to the grade  
20 and a slab before the driveway. A 10-foot driveway  
21 is generally all you need. If you -- if you very  
22 carefully calculate the size of your driveway and  
23 leave enough to accommodate some kind of a landing,  
24 it should all be able to work.

25 MR. PROKOP: So we have a comment from the

1 public that what he did was he has an 11-foot  
2 driveway and it's blocked -- three feet of which is  
3 blocked by the exit.

4 MS. WINGATE: That's only because everybody's  
5 insisting that he have --

6 MS. WARD: The plans show five steps to the  
7 grade, not three.

8 MS. WINGATE: Go to -- no, let's go here.

9 MS. BERRY: I mean, he would just have to move  
10 the front door over.

11 MS. WINGATE: He's got his steps, interior.  
12 Then he'll have to redo the front deck and make it  
13 work within -- that's fine.

14 MR. PROKOP: Why is the public --

15 MS. BERRY: There is room for him to move the  
16 door.

17 MS. BRAATEN: I'm sorry. I'm sorry, Ms. Berry,  
18 say that again.

19 MS. BERRY: There is room for him to shift the  
20 door, so he'll have to find a solution.

21 MS. WINGATE: It's generally not for the public  
22 to decide what his front door looks like. It's never  
23 been --

24 MR. PROKOP: But that's the only place where  
25 we're getting these comments. I mean, it's unusual

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1 to have a stairway go right into the middle of the  
2 driveway, isn't it?

3 MS. WINGATE: We have lots of that, Joe.

4 Doesn't -- there's room to slide the stairs back

5 enough to get a landing. If he chooses to redesign  
6 his porch, he has two feet. He could put the stairs  
7 interior there.

8 MR. PROKOP: So then I guess the last condition  
9 would be redesign -- a submission of a redesign of  
10 the front deck, pulling -- excuse me -- the front  
11 access, pulling back the stairway, to the approval of  
12 the Board.

13 MR. BURNS: Sounds good to me.

14 MR. PROKOP: So the final, the final condition  
15 would be the applicant -- the applicant is required  
16 to submit plans redesigning the access to the front  
17 of the house to limit -- to mitigate the interference  
18 with the driveway, and pull back the steps enough so  
19 that there would be some type of landing space at the  
20 bottom step, between the bottom step and the  
21 driveway.

22 So that would -- that's the motion. So the  
23 motion would be to approve with those conditions that  
24 we just read. And if anybody has any other  
25 conditions or questions, now's the time.

♀

1 MR. BURNS: I so move.

2 ACTING CHAIRMAN DOWLING: Yeah.

3 MR. MC MAHON: That was -- I'm sorry. That was  
4 with the -- for inspection to --

5 MR. PROKOP: Annual inspection.

6 MR. MC MAHON: -- ensure compliance with the --

7 MR. PROKOP: So the condition is there will be

8 annual inspections of the use of the property.

9 MR. MC MAHON: Thank you.

10 ACTING CHAIRMAN DOWLING: I move to approve the  
11 application with the conditions read by the Attorney.  
12 Is there a second?

13 MR. BURNS: Second.

14 ACTING CHAIRMAN DOWLING: All in favor?

15 MR. BURNS: Aye.

16 MR. MC MAHON: Aye.

17 ACTING CHAIRMAN DOWLING: Aye.

18 MS. WARD: May I ask a question? So the SEQRA  
19 review, if the State denies it, then what happens to  
20 those conditions?

21 MR. PROKOP: If the State denies it?

22 MS. WARD: I don't know. Who does the SEQRA  
23 review?

24 MR. PROKOP: We just did, we did it.

25 MS. WARD: Oh, you just did it. Okay, thank

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1 you. I don't know the terminology, I'm confused.

2 MR. BURNS: We're done.

3 ACTING CHAIRMAN DOWLING: So we have a couple  
4 of things that we have -- but I think -- yes.

5 MR. MC MAHON: Yeah. We had an issue with  
6 Item #5 as to whether or not the boarding was --

7 ACTING CHAIRMAN DOWLING: We've got read --  
8 you've got to read --

9 MR. MC MAHON: But that was changed.

10 MR. PROKOP: Are you okay with everything else?

11 ACTING CHAIRMAN DOWLING: I believe so.

12 MR. PROKOP: Okay.  
13 ACTING CHAIRMAN DOWLING: Okay.  
14 MR. PROKOP: I appreciate it.  
15 ACTING CHAIRMAN DOWLING: Thank you.  
16 MR. PROKOP: Everybody did a really good job.  
17 ACTING CHAIRMAN DOWLING: I think the  
18 neighbors -- the neighborhood thanks you for your  
19 help tonight.  
20 MR. PROKOP: Okay. Good job.  
21 ACTING CHAIRMAN DOWLING: Thanks.  
22 MR. PROKOP: I would like to say thank you  
23 for -- the only reason we were able to deal with that  
24 application, the transcriptionist helped us out a  
25 lot. The stenographer helped us out a lot --

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1 ACTING CHAIRMAN DOWLING: Yeah.  
2 MR. PROKOP: -- you know, with the minutes,  
3 because this is -- we had the meeting times  
4 compressed, and I'd like to thank her.  
5 MS. WARD: Is that all settled? That item is  
6 all settled?  
7 ACTING CHAIRMAN DOWLING: That one is all  
8 settled.  
9 MS. WARD: Thank you.  
10 ACTING CHAIRMAN DOWLING: Thank you, everybody.  
11 Okay. Next, Item 3 on the agenda, review the  
12 submitted amended plans for exterior use at 477 Main  
13 Street. The use evaluation was approved at the March  
14 12th, 2015 Planning Board meeting. That's Suffolk

VGPPanning032615.txt  
15 County Tax Map #1001, Block 4 -- I'm sorry, Section  
16 4, Block 7, Lot 21.

17 The applicant has submitted a revised site plan  
18 showing the tables on the exterior that we requested.

19 MR. MC MAHON: Now there was certain --

20 ACTING CHAIRMAN DOWLING: No one for the  
21 applicant's here, right?

22 MR. MC MAHON: We have requested they -- if  
23 they intend to -- did they actually submit an amended  
24 application --

25 ACTING CHAIRMAN DOWLING: We, I think --

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1 MR. MC MAHON: -- or just provided us with the  
2 plans showing that they were --

3 MS. WINGATE: I'm sorry, I was lost. Where are  
4 you now?

5 MR. MC MAHON: We're talking about the sushi  
6 place, 477 Main Street.

7 MS. WINGATE: The sushi place gave you just the  
8 plan.

9 ACTING CHAIRMAN DOWLING: Yeah. So my notes  
10 say that we accept his application, though, pending  
11 the exterior site plan before we approve it.

12 MR. MC MAHON: Well, I think we -- I think we  
13 told them that we were going to approve it without  
14 the outdoor seating, and if they wanted to have  
15 outdoor seating, that they would need to submit --

16 ACTING CHAIRMAN DOWLING: And he did.

17 MR. MC MAHON: But also a change of use  
18 application, no?

19 MR. BURNS: We did that, didn't we?

20 ACTING CHAIRMAN DOWLING: We didn't have to do  
21 a change of use, did we. It's part of the -- it's  
22 part of the site plan for the application, I believe.

23 MR. MC MAHON: So we're amending the original  
24 application to include the outdoor seating, is  
25 that --

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1 MS. BERRY: Yeah.

2 ACTING CHAIRMAN DOWLING: Glynis, I don't  
3 think -- you didn't have issues with this, I don't  
4 believe, right?

5 MR. MC MAHON: No, there wasn't. I don't  
6 believe there's any objection to it. It was just a  
7 matter -- I'm just thinking --

8 ACTING CHAIRMAN DOWLING: Right.

9 MR. MC MAHON: -- procedure.

10 MS. BERRY: There is one thing I might add as a  
11 condition, is to ensure proper clearance at the head  
12 of the handicapped ramp, because it doesn't show on  
13 the plan, but I went to the site and checked it. So  
14 I would just -- they have plenty of room, so they can  
15 rearrange.

16 ACTING CHAIRMAN DOWLING: Okay.

17 MS. BERRY: So I'm not worried about enough  
18 room, but I would just --

19 MR. MC MAHON: Okay. What about the increased  
20 capacity, is that --

21 MS. BERRY: That's fine

22 MR. MC MAHON: It's fine? That's all settled?  
23 MS. BERRY: (Nodded yes. )  
24 MR. MC MAHON: Okay.  
25 ACTING CHAIRMAN DOWLING: Any public comment on

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1 this application at all?  
2 MR. BURNS: I move we put it on the agenda for  
3 approval.  
4 ACTING CHAIRMAN DOWLING: But we can -- it's a  
5 regular meeting. We can actually approve it tonight,  
6 if you'd like.  
7 MR. BURNS: Tonight?  
8 ACTING CHAIRMAN DOWLING: It would be nice, so  
9 the guy can get on his way to open business.  
10 So, for Item #3, review the submitted plans for  
11 exterior, I think we're going to approve the  
12 application for Suffolk County Tax Map 1001.  
13 MR. MC MAHON: I'll make that motion.  
14 MR. BURNS: Second.  
15 ACTING CHAIRMAN DOWLING: All in favor?  
16 MR. BURNS: Aye.  
17 MR. MCMAHON: Aye.  
18 ACTING CHAIRMAN DOWLING: Aye.  
19 MS. WINGATE: I think we also should write a  
20 resolution. Do you want to limit his terrace to the  
21 25 seats, 20, 25 seats?  
22 ACTING CHAIRMAN DOWLING: His site plan calls  
23 for 20 seats  
24 MS. WINGATE: Twenty seats. Do you want to  
25 limit it to the 20 seats in writing?



1           ACTING CHAIRMAN DOWLING: Well --  
2           MS. WINGATE: On the CO.  
3           MR. BURNS: Yes.  
4           ACTING CHAIRMAN DOWLING: Yes.  
5           MR. MC MAHON: Yes.  
6           MS. WINGATE: Okay.  
7           ACTING CHAIRMAN DOWLING: Yes. I mean, if he's  
8 applied for 20 seats, then that's what he gets.  
9           MS. WINGATE: Okay.  
10          ACTING CHAIRMAN DOWLING: No more.  
11          Okay. Item #4, continued discussion and  
12 possible motion on an application for a use  
13 evaluation for a new single family house to be  
14 located on a vacant lot at 101 Sterling Street. The  
15 applicant is John Cronin. Applicant has submitted  
16 four plans as requested.  
17          Glynis, did you have any -- you had comments  
18 about the application, I believe.  
19          MS. BERRY: Yeah, just with the condition that  
20 only one curb cut be provided, which he seemed to  
21 accept.  
22          ACTING CHAIRMAN DOWLING: Yeah.  
23          MR. MC MAHON: We don't have anyone? No? The  
24 applicant's not here?  
25          (No response.)

1 MR. BURNS: I move we approve it.

2 MR. MC MAHON: I'll second that.

3 ACTING CHAIRMAN DOWLING: So a motion to  
4 approve the application for use evaluation for a  
5 single new family house to be located on a vacant lot  
6 at 101 Sterling Street. The applicant is John  
7 Cronin. Applicant has submitted floor plans as  
8 requested; Suffolk County Tax Map #1001, Section 3,  
9 Block 4, Lot 31.3, with the stipulation that he --  
10 which he agreed to, that there would only be one curb  
11 cut. All in favor -- or second?

12 MR. BURNS: Second.

13 ACTING CHAIRMAN DOWLING: All in favor?

14 MR. BURNS: Aye.

15 MR. MCMAHON: Aye.

16 ACTING CHAIRMAN DOWLING: Aye.

17 Approved, so carried.

18 And #5, continued discussion and possible  
19 motion on application use evaluation for 120 Main  
20 Street. The applicant, Kim Loper, intents to locate  
21 a pet store with dog grooming in this vacant store  
22 space. Amended plans have been submitted upon  
23 request. This is Suffolk County Tax Map 1001,  
24 Section 5, Block 3, Lot 14. Kim, you're here.

25 MR. MC MAHON: I think our -- one of our

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1 primary concerns was whether or not there would be  
2 boarding, but then I believe the plans were revised  
3 that there will not be boarding, at this time anyway.

4 MS. LOPER: Yes.

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MR. MC MAHON: Okay.

ACTING CHAIRMAN DOWLING: Okay.

MR. MC MAHON: There were a few items we had asked to be noted on the application.

MS. BERRY: Yeah, just conditional upon provision of exterior waste storage on the site. There's no reason to not approve.

ACTING CHAIRMAN DOWLING: Right. And you can -- are you allowed to have a dumpster or garbage facility storage outside the -- outside your space?

MS. LOPER: Can you say that again? I'm sorry.

ACTING CHAIRMAN DOWLING: Are you allowed to have garbage outside, you know, the building?

MS. LOPER: Am I allowed?

ACTING CHAIRMAN DOWLING: Yes, by your landlord. I mean, I think that's --

MS. LOPER: Yes, yes, absolutely.

ACTING CHAIRMAN DOWLING: Okay. So that's really the only really condition that we have ourselves, that just to, you know, have your waste outside --

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MS. LOPER: Okay.

ACTING CHAIRMAN DOWLING: -- since you will have, obviously, dogs there, you know.

MS. LOPER: Not a problem.

MR. MC MAHON: But there is room on the site to --

ACTING CHAIRMAN DOWLING: Yeah.

8 MR. MC MAHON: For a dumpster on the property?

9 ACTING CHAIRMAN DOWLING: Yeah.

10 MS. LOPER: Yes.

11 ACTING CHAIRMAN DOWLING: So there's a  
12 Lucharito's spot there. There's seems to be quite a  
13 bit there.

14 MR. MC MAHON: Well, the Lucharito's spots are  
15 not their spots.

16 ACTING CHAIRMAN DOWLING: No.

17 MR. MC MAHON: That's property owned by  
18 Claudio's.

19 ACTING CHAIRMAN DOWLING: No, no, no.  
20 Lucharito's dumpsters are going to be maintained on  
21 that property as well.

22 MR. MC MAHON: Oh, okay. Oh, yeah. For a  
23 second, I thought you were -- I was thinking the  
24 other side of the street. Oh, that's not going to  
25 happen.

♀

1 MS. BERRY: I just want her to claim her space  
2 before it gets --

3 MS. LOPER: So do I. So do I.

4 ACTING CHAIRMAN DOWLING: Yeah. He's got  
5 everybody there. So any -- everybody fine here? So  
6 I make a motion to approve the application for use of  
7 a -- Kim Loper intends to locate a pet store with dog  
8 grooming in this vacant store space. Amended plans  
9 have been submitted as requested; Suffolk County Tax  
10 Map 1001, Section 5, Block 3, Lot 14.

11 MR. BURNS: Second.  
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12 ACTING CHAIRMAN DOWLING: All in favor?  
13 MR. BURNS: Aye.  
14 MR. MCMAHON: Aye.  
15 ACTING CHAIRMAN DOWLING: Aye.  
16 So carried and approved.  
17 MS. LOPER: Thank you.  
18 ACTING CHAIRMAN DOWLING: Thank you.  
19 MR. MC MAHON: Good luck.  
20 ACTING CHAIRMAN DOWLING: Get to work.  
21 MS. LOPER: Thank you.  
22 ACTING CHAIRMAN DOWLING: Okay. And then  
23 Item 7 -- we already went through Item 6.  
24 Item 7, motion to schedule the next regular  
25 meeting for April 2nd, 2015, and the work session

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work and Regular Session 3/26/15

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1 meeting for April 30th, 2015.  
2 MR. MC MAHON: Second.  
3 ACTING CHAIRMAN DOWLING: All in favor?  
4 MR. BURNS: Aye.  
5 MR. MCMAHON: Aye.  
6 ACTING CHAIRMAN DOWLING: Aye.  
7 So carried, approved.  
8 Item #8, motion to adjourn.  
9 MR. MC MAHON: I second.  
10 MR. BURNS: Thank you. Thank you, Chris.  
11 ACTING CHAIRMAN DOWLING: All in favor?  
12 MR. BURNS: Aye.  
13 MR. MCMAHON: Aye.  
14 ACTING CHAIRMAN DOWLING: Aye.

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So carried.  
16 (Whereupon, the meeting was adjourned at 6:12 p.m.)  
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1 C E R T I F I C A T I O N  
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3 STATE OF NEW YORK )  
4 ) SS:  
5 COUNTY OF SUFFOLK )  
6  
7 I, LUCIA BRAATEN, a Court Reporter and Notary  
8 Publicfor and within the State of New York, do hereby  
9 certify:  
10 THAT, the above and foregoing contains a true  
11 and correct transcription of the proceedings taken on  
12 March 26, 2015.  
13 I further certify that I am not related to any  
14 of the parties to this action by blood or marriage,  
15 and that I am in no way interested in the outcome of  
16 this matter.  
17 IN WITNESS WHEREOF, I have hereunto  
18 set my hand this 10th day of April, 2015.

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Lucia Braaten

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