

1 VILLAGE OF GREENPORT
 2 COUNTY OF SUFFOLK : STATE OF NEW YORK
 3 -----X
 4 PLANNING BOARD
 5 WORK SESSION & REGULAR MEETING
 6 -----X

7 February 24, 2022

8 4:00 p.m.

9
10 B E F O R E:

- 11 WALTER FOOTE - CHAIRMAN
- 12 PATRICIA HAMMES - MEMBER
- 13 REED KYRK - MEMBER
- 14 LILY DOUGHERTY-JOHNSON - MEMBER

15
16 NOT PRESENT:

- 17 SHAWN BUCHANAN - MEMBER

18 *****

19 ALSO IN ATTENDANCE:

- 20 PAUL PALLAS - VILLAGE ADMINISTRATOR
- 21 ROBERT CONNOLLY - VILLAGE ATTORNEY
- 22 AMANDA AURICHIO - CLERK TO THE BOARD
- 23 LAURA FEITNER CALARCO - LK McLEAN ASSOCIATES
- 24 OLIVIA LAU - HEITLER HOUSTOUN ARCHITECTS

25

1 *(*The meeting was called to order at 4:00 p.m. *)*

2 CHAIRMAN FOOTE: Welcome to the Village of
3 Greenport Planning Board meeting. This is a Work
4 Session and Regular Meeting; it's February 24th,
5 approximately 4 p.m..

6 *Item No. 1 is a motion to accept and*
7 *approve the minutes of the January 27th, 2022*
8 *Planning Board Work Session and Regular Meeting.*
9 Can I have a second to this motion?

10 MEMBER HAMMES: Second.

11 CHAIRMAN FOOTE: All in favor?

12 MEMBER HAMMES: Aye.

13 MEMBER KYRK: Aye.

14 MEMBER DOUGHERTY-JOHNSON: Aye.

15 CHAIRMAN FOOTE: Motion carries. *(Approved*
16 *- VOTE: 4/0/0/1 - Not Present: Member Buchanan).*

17 *Item No. 2 is motion to schedule the*
18 *combined Planning Board Work Session and Regular*
19 *Meeting for 4 p.m. on March 31st, 2022. Do I*
20 have a second on that?

21 MEMBER HAMMES: Second.

22 CHAIRMAN FOOTE: All in favor?

23 MEMBER KYRK: Aye.

24 MEMBER HAMMES: Aye.

25 MEMBER DOUGHERTY-JOHNSON: Aye.

1 CHAIRMAN FOOTE: *Meeting is so scheduled*
2 *(VOTE: 4/0/0/1 - Not Present: Member Buchanan).*

3 *Item No. 3 - 19 Front Street. This is a*
4 *motion to accept the Findings and Determinations*
5 *for 19 Front Street. This property is located in*
6 *the (W-C) Waterfront Commercial District and is*
7 *not located in the Historic District. And SCTM*
8 *1001-5.-4-29. Do I have a second to this motion?*

9 MEMBER HAMMES: *Second.*

10 CHAIRMAN FOOTE: *All in favor?*

11 MEMBER DOUGHERTY-JOHNSON: *Aye.*

12 MEMBER KYRK: *Aye.*

13 MEMBER HAMMES: *Aye.*

14 CHAIRMAN FOOTE: *The Findings and*
15 *Determinations are so approved (VOTE: 4/0/0/1 -*
16 *Not Present: Member Buchanan).*

17 *Item No. 4 - 817 Main Street. This is a*
18 *continued discussion on the Pre-Submission*
19 *Conference with possible motion to schedule a*
20 *Public Hearing for March 31st, 2022, regarding*
21 *the site plan application of Peter Saitta.*

22 *The applicant proposes a conversion of*
23 *one-story existing non-conforming attached garage*
24 *back to residential space as part of the first*
25 *floor of the existing residence. The space is*

1 *proposed to then be utilized as a physician's*
2 *(dermatologist) office. Proposed site*
3 *improvements include the following: New*
4 *plantings, fences and gates, a driveway and*
5 *parking area, on-grade paths and walkways, an*
6 *in-ground swimming pool, a fountain, exterior*
7 *lighting and repairs to the existing arbor.*
8 *This property is located in the R-1 One Family*
9 *Residential District and is also located in the*
10 *Historic District. It's Suffolk County Tax Map*
11 *1001-2.-1-25.*

12 Okay. So --

13 ADMINISTRATOR PALLAS: Mr. Chair, if I may?

14 CHAIRMAN FOOTE: Yes.

15 ADMINISTRATOR PALLAS: Just before you
16 start the discussion. I don't -- I'm just going
17 to formerly introduce the Planning consultant,
18 Laura Feitner from LKMA. She had prepared some
19 remarks or comments on this preliminary, very
20 preliminary application. I know that it was sent
21 out a little bit last minute, we only finalized
22 the relationship between LKMA and the Village
23 recently, so that's why they came out so late.

24 CHAIRMAN FOOTE: Okay.

25 ADMINISTRATOR PALLAS: I just wanted you to

1 be aware of that.

2 CHAIRMAN FOOTE: Okay. Well, thank you.

3 And welcome, Laura --

4 MS. FEITNER CALARCO: Thank you.

5 CHAIRMAN FOOTE: -- to our Board Meeting.

6 The -- I did receive the application. I
7 took a chance to review it and I thought it was a
8 good -- from my perspective, it's a good outline
9 for addressing, you know, any issues with this
10 application that may exist. And is -- are you
11 here for the applicant?

12 MS. LAU: I am, yes.

13 CHAIRMAN FOOTE: Do you want to announce
14 yourself, please?

15 MS. LAU: Yes, absolutely. My name is
16 Olivia Lau, here on behalf of Heitter Houstoun
17 Architects, we're the architect for Peter Saitta
18 at this property.

19 CHAIRMAN FOOTE: Okay.

20 MS. LAU: So, I was here at the last time,
21 you guys are familiar faces. So, I wanted to
22 know if you want to take the lead or if you have
23 any follow-up questions from the previous
24 meeting.

25 CHAIRMAN FOOTE: Yeah. What I think I'm

1 going to -- I'm going to suggest is I'm going to
2 go through Laura's memo to the Board, because
3 it's very -- it kind of pinpoints some specific
4 things that we wanted to see how are they going
5 to be addressed, so -- and whether or not you can
6 answer them or not or you need to do research to
7 find out.

8 MS. LAU: Sure. And just to be clear, this
9 memo was issued to the Board but not to --

10 CHAIRMAN FOOTE: Just the Board.

11 MS. LAU: Okay.

12 CHAIRMAN FOOTE: You haven't seen it.

13 MS. LAU: Right, of course.

14 CHAIRMAN FOOTE: I don't mean to blind-side
15 you. These are very -- they're very clear
16 questions.

17 So, one of the first is making sure that
18 you're going to be creating an office in this
19 garage, you're converting it into an office, and
20 we want to make sure that the office or studio is
21 incidental to the residential use of the premises
22 and is carried on by a resident thereon and not
23 more than two non-residential assistants.

24 So, I believe at the prior meeting it was
25 made clear that it was the owner who was going to

1 be practice -- it's his practice, right?

2 MS. LAU: Correct.

3 CHAIRMAN FOOTE: Okay. And do you know if
4 there's going to be no more than two assistants?

5 MS. LAU: Yes, no more than two assistants;
6 that's correct.

7 CHAIRMAN FOOTE: Okay, good.

8 The second issue that has been brought up
9 by Laura's memo is that according to Code, that
10 this space can't be -- cannot combine more than
11 30% of the area of the ground floor of the main
12 building. I think -- I think based on this
13 analysis that we've seen, if you don't include
14 the pergola space it falls within that
15 requirement, it's about 26%; but if you do
16 include the pergola space it might exceed the
17 30%. So I guess the question is what will the
18 pergola space be used for; do you know?

19 MS. LAU: The pergola space is outdoor
20 space open to the air. It's actually existing,
21 so there's an existing pergola there, we're
22 repairing it. So that space is just for a
23 waiting porch and sort of like outdoor activity.
24 It's really just incidental space not used for
25 any particular function.

1 CHAIRMAN FOOTE: When you say a waiting
2 porch, you mean for patients, a waiting porch?

3 MS. LAU: Yes.

4 CHAIRMAN FOOTE: Okay.

5 MS. LAU: If patients decide to wait
6 outside in, you know, nice weather.

7 CHAIRMAN FOOTE: Okay. Yeah, it's kind of
8 a tricky question, right, whether or not you
9 would -- we require to include that space or not
10 in the calculation. Is it --

11 MS. FEITNER CALARCO: It would seem to me
12 that if it's used to support the use in any way,
13 shape or form it should be part of the
14 calculation. And it's also hard to dissect the
15 pergola area from the existing space, so.

16 CHAIRMAN FOOTE: Okay. Let's assume that's
17 the case; does that mean we have to get a
18 variance through Zoning?

19 ADMINISTRATOR PALLAS: It would be over the
20 30% which would trigger a requirement to get a
21 variance.

22 CHAIRMAN FOOTE: Yeah.

23 MS. LAU: I would like to see the section
24 of the Code that specifies the outdoor open air
25 pergola space as part of an accessory structure.

1 I don't believe there is anything in the Village
2 Code that specifies this. So we are considering
3 the pergola space as outdoor, part of the outside
4 landscaping. The pergola itself is a structure
5 but, you know, the waiting porch underneath, open
6 to the air is something that we're considering
7 part of the landscape.

8 ADMINISTRATOR PALLAS: I mean, from the
9 Village -- if I may?

10 CHAIRMAN FOOTE: Yes.

11 ADMINISTRATOR PALLAS: From the Village's
12 perspective, if that space is -- and it is
13 designated on the plans to be used as part of the
14 office, it certainly is part of the operation of
15 the doctor's office and an expansion of the floor
16 space, essentially, of that office which, you
17 know, again, would drive it to be above the 30%
18 from what I can tell.

19 MS. LAU: Well, we're also happy to provide
20 you a look at the calculations and show
21 compliance that it is within 30%, because --

22 CHAIRMAN FOOTE: Even including the pergola
23 space?

24 MS. LAU: Right, that would be accessory,
25 but garage structure is well below 30%.

1 CHAIRMAN FOOTE: That'll be the best way to
2 resolve this so you don't have an issue.

3 MS. LAU: Okay.

4 CHAIRMAN FOOTE: It's kind of out of our
5 hands as a Board to make that determination.
6 It's really -- frankly, it's the Building
7 Department's call of how to characterize it. So,
8 I think if you could do that, I think that would
9 be the best way to solve that particular point.

10 MS. LAU: Okay.

11 CHAIRMAN FOOTE: Okay.

12 MEMBER HAMMES: Can I just ask one question
13 while we're on this point?

14 CHAIRMAN FOOTE: Yeah.

15 MEMBER HAMMES: I thought -- and maybe it
16 was just Historic. I thought that they had to go
17 get a variance anyway, or was that not the case?

18 ADMINISTRATOR PALLAS: It was -- they
19 modified the plans to eliminate the need for a
20 variance and it -- if it was on prior plans as a
21 waiting porch we missed it. I don't recall it
22 being on prior plans.

23 MEMBER HAMMES: Okay. And then -- but they
24 have gotten the HPC approval in order to --

25 ADMINISTRATOR PALLAS: HPC approval,

1 correct, yes.

2 MEMBER HAMMES: Sorry, I just wanted to
3 make sure that that --

4 CHAIRMAN FOOTE: Are you saying if the
5 pergola was on this -- was on prior plans?

6 ADMINISTRATOR PALLAS: No, the pergola was
7 on; the use of the pergola was not noted.

8 CHAIRMAN FOOTE: Oh, okay.

9 ADMINISTRATOR PALLAS: If it was I missed
10 it.

11 CHAIRMAN FOOTE: Okay.

12 Okay, the next point to address is that the
13 equipment that's being used in the practice, is
14 it capable of causing interference with radio or
15 television reception in the neighborhood, in
16 which case it shall be prohibited unless also
17 equipped with means to prevent such interference.
18 Do you know the answer to that?

19 MS. LAU: To the best of my knowledge, the
20 equipment would not interfere with any sort of
21 radio television signals. It's, you know,
22 dermatology equipment, most of it is portable.
23 We don't anticipate any sort of interference.

24 CHAIRMAN FOOTE: Could you get the
25 applicant to confirm that?

1 MS. LAU: Yes.

2 CHAIRMAN FOOTE: Okay.

3 The next deals with the parking. So,
4 you've got -- for one doctor's office space you
5 need five parking stalls, and I think you've got
6 five. And then you have two residential stalls
7 which are required per one residential unit. One
8 is I think in the old driveway, and the other one
9 is kind of hidden beside the back exit which used
10 to be the exit way, I guess it's now become an
11 alternate entrance, right?

12 MS. LAU: Correct.

13 CHAIRMAN FOOTE: Okay. So, Laura has
14 pointed out some interesting things and I think
15 that we have to address these points.

16 The parking stalls provided are not all
17 usable as one of the stalls is blocking the
18 walkway/accessible route to the office entrance
19 and does not appear to have sufficient backup
20 space.

21 Point two, the applicant -- application
22 must comply with the American Disabilities Act
23 provisions contained within New York State
24 Building Code for accessible parking. I take it
25 that the Building Department is handling that?

1 ADMINISTRATOR PALLAS: Well, ultimately we
2 would address that specific issue.

3 CHAIRMAN FOOTE: Okay

4 ADMINISTRATOR PALLAS: But as it's laid out
5 currently, it doesn't -- it doesn't get to that
6 point to review it.

7 CHAIRMAN FOOTE: Got it. And third, the
8 existing site contains two different areas for
9 traffic turnaround on-site which minimized the
10 need for vehicles to back into Main Street and on
11 Web Street. The proposed site plan eliminates
12 both of those turnaround areas and has the
13 potential to impact conditions on adjacent
14 roadways.

15 So put aside the ADA issue, but can you
16 address those two other two points?

17 MS. LAU: Like sufficient turnaround space
18 for the cars?

19 CHAIRMAN FOOTE: Sufficient turnaround
20 space and also the ability to -- the blocking of
21 the walkway by one of the stalls.

22 MS. LAU: Yes. So, we can revise the -- we
23 can look at the site plan and create an extension
24 for the walkway in order to not block that
25 entrance off of the parking area. That is

1 something that, you know, we are taking a look
2 at.

3 In terms of the turnaround space, you
4 know, there is -- we believe there is sufficient
5 space for cars to back out of their individual
6 parking space, turn around and then proceed on
7 to -- out to Web Street.

8 In terms of the parking space off the Main
9 Street driveway, you know, it's a one-family
10 house, there's a single occupant. We were
11 anticipating, you know, a lot of -- the applicant
12 coming in and out of his own residence for -- you
13 know, a lot of times that would be disruptive to
14 the Main Street traffic. And we didn't see
15 anything in the Village Code that outlined
16 specific turnaround clearances for a
17 single-family residence parking space.

18 So this is something that we can take a
19 closer look at. But as it stands we are
20 providing sufficient spaces for the residents,
21 himself and the five spaces for his practice.

22 MEMBER DOUGHERTY-JOHNSON: So is there a
23 total of six spaces?

24 MS. LAU: There's a total of seven.

25 MEMBER DOUGHERTY-JOHNSON: Okay.

1 MS. LAU: So the five spaces for practice
2 within the existing drive, one space is being
3 provided by the driveway off of Main Street, and
4 there's an alternate residential space off of Web
5 Street in the back.

6 MEMBER DOUGHERTY-JOHNSON: Okay.

7 CHAIRMAN FOOTE: Well, as a Code question,
8 what is that? Is there -- you know, on the one
9 hand that's Main Street, right? It's very busy,
10 so I need to think, gosh, pulling out of there,
11 backing out into Main Street; but on the other
12 hand there's got to be --

13 MEMBER HAMMES: All those houses.

14 CHAIRMAN FOOTE: There's so many driveways
15 that are set up that way, all along Main Street.

16 ADMINISTRATOR PALLAS: Yeah, we discussed
17 that a little bit. But I think the point that's
18 being made here is that the existing site has the
19 ability to drive straight through and out.

20 CHAIRMAN FOOTE: Right.

21 ADMINISTRATOR PALLAS: Now that's being
22 eliminated at their -- you know, because that's
23 what they wanted. And that is the only --
24 something for you to consider, essentially.

25 CHAIRMAN FOOTE: Yeah.

1 ADMINISTRATOR PALLAS: I agree that there's
2 no specific code, I don't know that there would.

3 CHAIRMAN FOOTE: Okay.

4 ADMINISTRATOR PALLAS: But, yeah.

5 MS. FEITNER CALARCO: If I may, Mr. Chair?
6 I think what's important here is that the
7 Planning Board does have that -- that is
8 discretion for the Planning Board, right. So the
9 Code in 130-A, you know, specifically gives the
10 Planning Board the power to sort of evaluate all
11 of these changes to the site as an impact and to
12 consider how they're going to impact the
13 roadways, the interested neighbors.

14 And one of the big things that we really
15 need to know a lot more about is we need to know
16 a lot more about the operation that the physician
17 is proposing here. And since the applicant can't
18 -- the owner is not with us tonight and there's
19 other information, perhaps he might want to just
20 submit a letter to the Board. There's a number
21 of questions in here. Paul, is it a practice we
22 would be providing this to the applicant?

23 ADMINISTRATOR PALLAS: Yeah, normally we
24 would if we had a little more time with it,
25 certainly.

1 MS. FEITNER CALARCO: Right.

2 ADMINISTRATOR PALLAS: And I know that
3 that -- I will note that there are going to be
4 some changes to this particular --

5 MS. FEITNER CALARCO: Yes.

6 ADMINISTRATOR PALLAS: -- preliminary; once
7 those changes are done I'll submit them to the
8 applicant. That should be done in the next few
9 days, I would suspect.

10 MS. FEITNER CALARCO: Sure.

11 ADMINISTRATOR PALLAS: But not substantive
12 changes, more format and the like, so.

13 MS. FEITNER CALARCO: Yeah. So I think
14 what's important to understand is, you know, we'd
15 like to know more about, you know, how many total
16 staff; the type of staff that he's hiring; the
17 hours of operation; how many patients he intends
18 to see on any given day of the week; is he going
19 to be operating all days of the week; how long
20 does each patient stay on-site?

21 So, you know, in order for the Board to
22 consider how many cars are actually going to be
23 really using the parking lot at one time or how
24 many cars could be trying to access the site
25 over, you know, a given period of time, it's

1 really necessary for the Board to have that
2 information in order for them to determine
3 whether or not this change to the traffic pattern
4 is going to create an impact.

5 So, it's simply I pointed it out as a
6 change. Right now it seems to me that there's,
7 you know, ample ability for people to not have to
8 back into Main Street if they don't want to
9 and -- but that doesn't mean they always did, I
10 mean.

11 But the one thing that I will also be
12 asking to see on the plan, which I think will
13 help the Board evaluate the potential for
14 impacts, is it is a requirement of the Code that
15 you show all the adjacent driveways, so there's
16 an adjacent driveway to the Web Street entrance,
17 there's an adjacent driveway to the Main Street
18 entrance. And also, Web is a one-way street, so
19 I do think that that should be noted on the site
20 plan as well.

21 So I think what we basically are, you know,
22 looking for tonight is that there's just a lot of
23 unknowns right now so it's hard to actually
24 quantify whether or not -- I mean, this is a
25 non-conforming building, it's only three feet off

1 the property line. Without knowing the level of
2 activity that's going to be going on in the -- in
3 this physician's office, it would be hard for the
4 Board to evaluate if that's going to be an impact
5 to the adjacent residence. It's only three --
6 you know, it's only a few feet away.

7 So, those are the -- it would be, I think,
8 beneficial to the applicant if they could perhaps
9 in a statement to the Board if they can't appear
10 before the Board himself.

11 MS. LAU: So you would be looking for
12 driveways of the adjacent property owners and
13 their proximity to our property.

14 MS. FEITNER CALARCO: There are two that
15 are within, like, you know, eight -- well, two
16 that are within eight to two ten feet.

17 MS. LAU: Okay.

18 MS. FEITNER CALARCO: So the one on the
19 Main Road just to the south of it and the one on
20 Web Street just to the west of it are within a
21 few feet; so those two. I mean, the Code
22 requires to show all driveways in a certain
23 amount, but I think we'd be concerned with ones
24 that they could actually conflict with, so.

25 But yes, that would be something that -- so

1 I think once -- and then also I think there is
2 enough site plan issues. But the stall that
3 we're talking about, the same stall is blocking
4 the walkway that can't back up. So I don't see a
5 way with the current site configuration you're
6 going to be able to fit five stalls here, so
7 that's why I think we suggested that you may want
8 to work directly with the Village staff to come
9 up with a site plan that may be -- you know, I
10 think you're going to have to change some things
11 in order to fit the required parking. We don't
12 want to say out of turn that you can't meet the
13 required parking and send you to Zoning, you
14 know, we give you the opportunity to adjust the
15 plan so that you wouldn't have to go to Zoning.

16 MS. LAU: Okay.

17 MS. FEITNER CALARCO: But -- and just to --
18 Mr. Chair?

19 CHAIRMAN FOOTE: Yeah.

20 MS. FEITNER CALARCO: Is it okay if I
21 continue?

22 CHAIRMAN FOOTE: Absolutely, yeah.

23 MS. FEITNER CALARCO: Okay. So, I just
24 wanted to go back to the pergola use, if that's
25 okay?

1 CHAIRMAN FOOTE: Uh-huh.

2 MS. FEITNER CALARCO: So, I just thought
3 that that was, again, something that could be --
4 the owner could talk about the usage of that
5 pergola. Because I think if it's not something
6 like -- for example, is he going to let his kids
7 store their bikes there? Are you going to have
8 this -- you know, will his wife be able to sit
9 and have her tea there? If it can't be used by
10 the residents, it's hard to make an argument that
11 it's not part of the professional office space.

12 So, I think that is -- you know, while the
13 Code has some gray areas, that's why we have
14 boards and they are certainly, you know, able to
15 consider the information presented. So I think
16 that we do need a lot more information about that
17 pergola and how it's going to be used, both for
18 the residents and the office and how that's going
19 to be distinguished.

20 MS. LAU: Okay.

21 CHAIRMAN FOOTE: But I think her point was
22 that their measurements show that even if you
23 assemble as part of the office they still are
24 under 30%.

25 MS. FEITNER CALARCO: No, I --

1 MS. LAU: We can do that.

2 ADMINISTRATOR PALLAS: I'll be honest, I
3 don't see how that math would work.

4 CHAIRMAN FOOTE: Oh, okay.

5 MS. FEITNER CALARCO: I think the only way
6 you could do it is removing the pergola, but
7 you've already been to the Historic Preservation
8 Commission so I'm not sure how that would effect
9 their -- that vote approval and that would mean
10 going back there or not; I don't know if the
11 pergola is an historic part of this.

12 ADMINISTRATOR PALLAS: They consider all
13 aspects of the property, so they would have to go
14 back.

15 CHAIRMAN FOOTE: I must say, it would be,
16 frankly, a shame, from my perspective, to have to
17 go to Zoning just because of this pergola issue
18 and its ambiguous usage. So, I mean, if you can
19 demonstrate that it's not strictly going to be
20 for patients but it's going to be available,
21 really, for the residents, you know, maybe
22 there's a way to not incorporate it into the
23 calculation.

24 MS. LAU: Okay.

25 CHAIRMAN FOOTE: That's the -- I think what

1 the message is here.

2 MS. LAU: So, as you know from the
3 drawings, the outdoor walkway would be up to, you
4 know, probably like a third of the pergola space
5 and that's where the entrance into the office
6 would be. You know, I'll just throw this out
7 here. If we were to, say, put up some sort of
8 fencing to separate the office entraps from the
9 rest of the pergola space and, you know, that
10 would prevent any such patients from using the
11 remaining part of the pergola space. Would that
12 be satisfactory?

13 CHAIRMAN FOOTE: I think it would from my
14 perspective, yeah.

15 MEMBER HAMMES: Yeah, I think the only
16 question is whether or not that requires going
17 back to HPC at that point.

18 CHAIRMAN FOOTE: Yeah.

19 MEMBER HAMMES: I don't know the answer to
20 that.

21 CHAIRMAN FOOTE: But going through HPC is a
22 lot more efficient than going through Zoning.

23 MEMBER HAMMES: Oh, that's for sure.

24 ADMINISTRATOR PALLAS: But it would also
25 have -- it would also -- if I may. Whatever

1 remaining -- whatever that space is still needs
2 to be included in the calculation.

3 CHAIRMAN FOOTE: Right, I think so.

4 MS. LAU: Okay, so we'll take a look at the
5 calculations. If the whole pergola space exceeds
6 the 30% we'll take a look at putting up some sort
7 of barrier fencing to prevent patients from
8 utilizing the entire pergola space, and we can
9 also look at some other options with the owner.

10 CHAIRMAN FOOTE: So I have one question.
11 On the driveway onto Main Street for the
12 residents, is it -- is it possible to create a
13 turnaround due to landscaping in the front?

14 MS. LAU: It is possible if we remove some
15 of the landscaping. That is not something that
16 we discussed with the owner. But, you know, to
17 go -- to fold in on the point about the existing
18 property having a driveway that goes through from
19 front to back up. One of the main aspects of the
20 new landscaping plan and sort of the element
21 that, you know, the owner and the designer would
22 really appreciate is that we are increasing the
23 amount of permeable area on the site. So,
24 removing a lot of the unsightly asphalt and
25 really improving the aesthetics and usage of the

1 property with the increased landscaping.

2 CHAIRMAN FOOTE: So as a practical matter,
3 I think going back to what you were describing in
4 terms of the initial use or lack of use of the
5 front driveway; are you anticipating that what'll
6 happen is it'll just be 99% of the time there'll
7 be parking in the back.

8 MS. LAU: Yes, right, park in the back or
9 park, you know, at the front and we don't really
10 anticipate a lot of vehicle activity at the front
11 on Main Street.

12 MEMBER HAMMES: Yeah. I mean, I think our
13 concern, maybe to put it a different way, is that
14 people come speeding down. I live on Main
15 Street, people come speeding down Main Street, I
16 would never want to have to back out onto Main
17 Street, for my own safety as well as for the
18 people that are out there. And so,
19 notwithstanding that nobody can say for sure that
20 the prior owners weren't backing out; I'm fairly
21 confident that they weren't. And so --

22 CHAIRMAN FOOTE: Especially where --

23 MEMBER HAMMES: -- we set it up so that
24 when that space gets used there's no choice but
25 to back it out, that becomes a serious safety

1 issue, in my mind, on Main Street.

2 MS. LAU: Okay.

3 MEMBER HAMMES: And so while I appreciate
4 the aesthetics and, you know, getting rid of some
5 of the asphalt and all that and that's great, I
6 don't know that that can be done at the cost of a
7 safety, a serious safety issue which I do believe
8 is the case with that -- a driveway, you know,
9 somebody trying to back out of a driveway at that
10 point. Because I believe that's also pretty
11 close to the intersection across the street. You
12 don't just have Main Street traffic -- no. Well,
13 not just that, Monsello or whatever it is that's
14 coming out.

15 CHAIRMAN FOOTE: Yeah, but it's also --

16 MEMBER DOUGHERTY-JOHNSON: Yeah.

17 MEMBER HAMMES: And the hospital traffic,
18 that goes through there, so.

19 CHAIRMAN FOOTE: It's right before you hit
20 the fork. It's a very --

21 MEMBER HAMMES: I don't -- I mean, I
22 really -- I personally have serious concerns
23 about there not being either a turn -- ability to
24 turn around or a way for whoever is parked there
25 to get out through the Web Street entrance.

1 MS. LAU: Okay. And I hear those concerns,
2 absolutely.

3 CHAIRMAN FOOTE: I think the recommendation
4 is just work with the Planning Board to come up
5 with something acceptable.

6 MEMBER HAMMES: Zoning.

7 CHAIRMAN FOOTE: I'm sorry; yeah, don't go
8 to the Planning Board.

9 (*Laughter*)

10 MEMBER KYRK: I have a question about --
11 and this may just be an artifact, but it shows on
12 this diagram you'll see the wetlands, we see the
13 setback from the wetlands. But it seems to me
14 that on the very lot that we're talking about
15 there's a tiny square pink which according to the
16 legend is of environmental concern, or what does
17 it exactly say; significant natural communities,
18 and I have no idea whether this -- because I
19 didn't check it until after I got away from -- I
20 don't know whether this is a pre-notifact or
21 whether it actually does show a tiny square.

22 MS. FEITNER CALARCO: So this is -- the
23 square here is to indicate -- is to indicate that
24 that's the address that I looked up.

25 MEMBER KYRK: It should be (*inaudible*).

1 MS. FEITNER CALARCO: But you are correct
2 that --

3 MEMBER KYRK: *(Laughter)* X marks the spot
4 or something.

5 MS. FEITNER CALARCO: Right. Yeah, I know.
6 There are -- I mean, if you turn on the New York
7 State DEC Environmental Mapper, pretty much all
8 of Suffolk County shows in light pink as
9 significant active communities --

10 MEMBER KYRK: Agreed.

11 MS. FEITNER CALARCO: -- and I believe it's
12 primarily due to like the long-eared bat, osprey,
13 a lot of birds.

14 MEMBER KYRK: Eastern box turtles.

15 MS. FEITNER CALARCO: The box turtles,
16 yeah. So, I am sure between the proximity of the
17 wetlands and the waterways here that they are
18 probably some species --

19 MEMBER KYRK: *(Inaudible)*

20 MS. FEITNER CALARCO: Yeah. But I don't
21 think that there's anything that would rise to
22 the level of concern with this application.

23 MEMBER KYRK: Yeah, I really wasn't making
24 a judgment so much as trying to understand what
25 was presented in front of me.

1 MS. LAU: Yes, yes. I -- we can go over
2 some of these things perhaps after the meeting
3 and talk about different materials that you would
4 like or not like me to provide you.

5 MEMBER KYRK: Yeah. No, I just like it
6 designated in a color other than what's on the
7 legend.

8 MS. FEITNER CALARCO: *(Laughter)* Yes.
9 Right, that makes sense. I can understand -- I
10 can understand the --

11 MEMBER KYRK: All right.

12 MS. FEITNER CALARCO: Yeah, it would be
13 nice if it just labeled the address. Like I
14 searched for the address, it puts the dot there
15 and it would definitely be nicer if it just
16 labeled the address or like you said, X marks the
17 spot.

18 MEMBER KYRK: Okay, no worries.

19 MS. FEITNER CALARCO: Unfortunately I can't
20 control that.

21 MEMBER KYRK: Yep.

22 CHAIRMAN FOOTE: So, Laura, do you want to
23 also just weigh in on what you referred as
24 150-30D regarding showing underground utilities
25 and any existing proposed outdoor lighting?

1 MS. FEITNER CALARCO: Yeah. So, as it was
 2 mentioned at the start of this meeting, we're
 3 very new to the Village, we only just had a brief
 4 period of time to take a look at this plan. But
 5 I noticed, you know, there was no underground
 6 utilities. You talk about the changes to the
 7 impervious surface but there's no drainage
 8 calculations, there's no calculation of the, you
 9 know, impervious surface, there's no -- I don't
 10 even believe I saw a mention of what type of
 11 pavement you're going to be using. All of these
 12 things are things you're going to need to have in
 13 a plan for final consideration. So, rather than
 14 do a detailed review of this plan, once I saw
 15 that there were some issues with the parking
 16 stalls and things might need to be configured, I
 17 thought it would be more appropriate to give you
 18 guys a chance to work out an overall layout that
 19 worked and in so doing that to just make sure you
 20 go through the Code. The Code is very clear but
 21 I am going to be thoroughly reviewing the next
 22 reiteration of this plan for all of the items
 23 within 150-30 D which are lighting, parking,
 24 drainage. There's a laundry list of things there
 25 that the plan does do some of them. I mean, I

1 will say the plan, I think, did a very good job
2 in trying to pull everything out of the Zoning
3 Code and trying to point out, you know, where it
4 was or wasn't complying. That zoning analysis
5 page is very helpful, but the site plan does need
6 to be more developed to the Planning Board's
7 standards in order for them to fully consider all
8 the impacts.

9 MS. LAU: So even though the applicant will
10 be decreasing the amount of impervious area, we
11 would still need drainage --

12 MS. LAU: I'm not saying -- you need
13 calculations, that doesn't necessarily mean
14 you're going to have to provide storage. The
15 Village Code does not require a specific amount
16 of storage, they just want you to demonstrate
17 that your model will not cause an impact to other
18 properties; am I correct, Paul?

19 ADMINISTRATOR PALLAS: That's correct, yes.

20 MS. FEITNER CALARCO: Right. So I think
21 especially if you're saying -- if the Planning
22 Board is trying to weigh the reduced turnaround
23 area and you're with the reduction in an
24 impervious area, we don't have anywhere to
25 quantify what that reduction and impervious area

1 is right now, but I could see -- I didn't see
2 this in the plan.

3 ADMINISTRATOR PALLAS: I didn't see that
4 either.

5 MS. FEITNER CALARCO: Did you, Paul? Yeah.

6 MS. LAU: Okay.

7 CHAIRMAN FOOTE: Isn't one solution just to
8 have a permeable surface for your driveway?

9 MS. FEITNER CALARCO: Right, they just --
10 they haven't told us what their surface of the
11 driveway is. Do you typically ask people that?

12 CHAIRMAN FOOTE: Sometimes we've asked
13 them, sure.

14 MS. FEITNER CALARCO: I think because of
15 the use as a parking lot for quasi-commercial
16 purposes we'd want to make sure that that was a
17 sufficiently paved surface. And yes, there is
18 permeable options, but they need to --

19 MEMBER DOUGHERTY-JOHNSON: But it could be
20 that the front is impervious since it's just one
21 car; if you like more permeable than the back
22 could be more robust.

23 MS. LAU: Right. So as it stands now, both
24 the back parking area and the front driveway are
25 existing asphalt and our intent is to keep the

1 existing asphalt drive and just remove the
2 asphalt sort of past where it goes along the
3 entire length of the property.

4 I've been, you know, bringing up the point
5 about turnaround clearance for the cars,
6 especially along Main Street, that's something we
7 can take a look at if the owner would be open to,
8 you know, having some sort of permeable surface
9 for the cars instead of just covering it with
10 more asphalt.

11 CHAIRMAN FOOTE: I have a question, Laura.
12 Why -- why would you want the back parking lot --
13 assuming we had a choice, why would you think
14 making it paved is more appropriate? Just
15 because it's a parking lot?

16 MS. FEITNER CALARCO: Actually, I did say
17 that -- well, I think there's a portion of
18 Village Code, actually, that requires at least a
19 hard surface I believe is the way that the Code
20 reads.

21 ADMINISTRATOR PALLAS: I believe so. I'd
22 have to double check, but I believe so.

23 MS. FEITNER CALARCO: Yeah. There's
24 some -- like for parking areas for doctor's
25 offices and uses like that, they want to make

1 sure that it's at least -- I think it's like a
2 sturdy dust-free surface, it says something along
3 those lines in the Code. I've only been reading
4 your Code for three or four days now, but.

5 CHAIRMAN FOOTE: Even in the context of an
6 accessory use?

7 MS. FEITNER CALARCO: So -- but I think
8 it -- again, I think this goes back to knowing
9 how many cars we're going to see. If the owner
10 turns around and says, *Hey, you know, I only*
11 *intend on using this doctor's office two days a*
12 *week for six hours each day and I don't intend on*
13 *having more than four patients each day*, then I
14 think it'd be perfectly reasonable for the
15 Planning Board to recommend that pavement be, you
16 know, a permeable, environmentally friendly
17 surface.

18 If they turn around and they say, *No, we're*
19 *anticipating using this, you know, five days a*
20 *week and maybe even Saturday morning and that*
21 *there's going to be, you know, 20 cars coming and*
22 *going every single day*, the more cars backing up
23 on the stuff, that's what you want to consider in
24 terms of what type of surface you have there.

25 So I think until we have the statement from

1 the owner about how many cars are going to be
2 really accessing and utilizing the site, that's
3 when we could then start thinking about how we
4 should plan the site and design the site to
5 support the use.

6 CHAIRMAN FOOTE: Okay.

7 MS. LAU: And to your point, I just want to
8 reiterate that the parking area for the physician
9 is existing, dust-free asphalt. It's already
10 paved, so our intent is to keep that pavement
11 where the five parking spaces are.

12 CHAIRMAN FOOTE: Right. We understand.

13 MS. FEITNER CALARCO: Mr. Chair, I would
14 just point out that what -- and I took a drive by
15 the site as well. But what the pavement is shown
16 existing, this is more that's on the plan. It's
17 definitely a totally different shape and a more
18 expensive pavement than is what is existing
19 there, so this is not existing. I just want to
20 point that out for the record, which is on the
21 plan. It is an expansion of that back parking
22 area.

23 CHAIRMAN FOOTE: Okay.

24 MS. LAU: It's not significant.

25 CHAIRMAN FOOTE: Understood. Thanks for

1 clarifying.

2 Okay. So, one other point from Laura's
3 memo is to make sure that you all are consulting
4 with the Suffolk County Department of Health
5 Services in association with change of use from
6 residential to medical office and for any
7 necessary approvals to operate a medical
8 facility. Has that been part of your review?

9 MS. LAU: No, we were not aware of the need
10 to consult with Suffolk County at-large with the
11 change of use. I mean, we are changing the use
12 of accessory structure, but on the whole the
13 entire property is remaining as a one-family
14 residential use.

15 ADMINISTRATOR PALLAS: If I may. I think
16 the point is that they're using it as a medical
17 office. I don't think the point was about the
18 house or anything, it's about the medical office
19 and I think that we can get the Suffolk County
20 approval --

21 MS. FEITNER CALARCO: Yeah, it does.

22 ADMINISTRATOR PALLAS: -- in any event.

23 MS. FEITNER CALARCO: You do need to
24 apply --

25 ADMINISTRATOR PALLAS: Regardless if it's

1 accessory or not.

2 MS. FEITNER CALARCO: -- to the Health
3 Department.

4 MEMBER DOUGHERTY-JOHNSON: Is there like a
5 medical waste issue? Is there anything that's
6 going to be coming out of there that needs to get
7 picked up in a certain way?

8 MS. LAU: To the best of my knowledge no.
9 It's a dermatologist office, we're not doing
10 surgery, you know, there's no blood work or
11 anything like that, so we were unaware of this
12 requirement. We appreciate more information
13 about it. We haven't gotten any sort of the
14 comment that this was needed.

15 ADMINISTRATOR PALLAS: Mr. Chairman, I'm
16 sorry; if I may.

17 On the site plan -- and I'm not familiar
18 with what a dermatologist does, but I've talked
19 to other people about it anecdotally. There's a
20 MOSE lab in there. My understanding is that's
21 when you actually remove -- there are samples
22 that are taken that do have to be picked up.

23 MEMBER HAMMES: (*Inaudible*) some kind of
24 bio hazard even with a dermatology practice.

25 MS. LAU: Yeah, this is going to be another

1 question for the owner as part of, you know, the
2 operations day-to-day of their practice.

3 CHAIRMAN FOOTE: Right.

4 MS. FEITNER CALARCO: And Mr. Chair, that's
5 a very excellent point. Because we will need to
6 know the additional, you know, traffic trips
7 associated with any types of companies that might
8 be servicing the office or how they intend to,
9 you know, transport samples or dispose of the
10 medical waste, if there's going to be recycling.
11 You know, where are -- also, I know, you know,
12 one of the things where are the waste containers
13 for the -- this is all in part 150-30 days as
14 well for the office itself, just even for the
15 regular paper trash and things like that.

16 CHAIRMAN FOOTE: Okay, thank you. Is there
17 any other point you want to raise, Laura, from
18 your memo? I thought I hit most of the points.

19 MS. FEITNER CALARCO: Yeah, I think -- like
20 I said, I think until we have sufficient
21 information from the applicant about more on the
22 use, I think we'll be -- there'll be more to
23 discuss once we know more. So I think we
24 probably -- unless there's anything that Mr.
25 Pallas --

1 ADMINISTRATOR PALLAS: No, I'm good. Thank
2 you.

3 MS. FEITNER CALARCO: And I will clarify
4 Suffolk County Department of Health Services
5 is -- I mean, Suffolk County is a whole totally
6 separate governmental agency and jurisdiction
7 than the Village of Greenport and they are the
8 ones who govern medical use, having a doctor's
9 office. And even though the Village of Greenport
10 has a Sewer Agency, right, you know, we connect
11 into the sewer, you'll have to -- you'll have to
12 get a letter of sewer availability from the
13 Village of Greenport to provide to the Suffolk
14 County Department of Health Services. So if you
15 haven't consulted with them at all yet in terms
16 of -- they calculate -- they calculate all square
17 footage by its use, so they will consider the
18 change of use of this square footage only because
19 there's a sewer connection. It's not like you
20 have to worry about a septic system or anything,
21 but it is an approval that is required, as far as
22 I understand, from the County Health Department.
23 But you should consult with them and they will
24 tell you all about what you need to do because
25 that's separate from the Village of Greenport.

1 MS. LAU: Okay.

2 CHAIRMAN FOOTE: Isn't that a -- are you
3 referring to the septic requirements of Suffolk
4 County?

5 MS. FEITNER CALARCO: Well --

6 CHAIRMAN FOOTE: Because this is not a
7 septic system.

8 MS. FEITNER CALARCO: No, it's wastewater.
9 But wastewater does get -- right, they don't need
10 their --

11 ADMINISTRATOR PALLAS: If I may. We get --
12 we frequently get those requests from people and
13 changes to their house or business --

14 CHAIRMAN FOOTE: Yeah.

15 ADMINISTRATOR PALLAS: -- that the County
16 would issue them all the time, you know, in the
17 order of more than one a month that of someone
18 would say we need a letter of availability from
19 the Village for the sewer availability. And I
20 would think that when they approach the County
21 about getting approval for the site, that's going
22 to be one of the things the County is going to
23 look for.

24 CHAIRMAN FOOTE: Uh-huh. Okay.

25 ADMINISTRATOR PALLAS: It's relatively

1 routine but is necessary.

2 CHAIRMAN FOOTE: Part of the process, yeah.

3 ADMINISTRATOR PALLAS: Yes.

4 CHAIRMAN FOOTE: And a condition to getting
5 approval.

6 ADMINISTRATOR PALLAS: Yes.

7 MS. FEITNER CALARCO: Correct.

8 CHAIRMAN FOOTE: Okay. Well, there's some
9 things that -- some more homework.

10 MS. LAU: *(Laughter)* Yes, there is.

11 CHAIRMAN FOOTE: Unfortunately. And I
12 think at this time we have to table this
13 pre-submission so you can get the paper work
14 modified and get some answers back and we can go
15 from there.

16 So at this point, if nobody else has any
17 other questions or comments, I move that we
18 continue this to the next meeting at March 31st.

19 MS. LAU: Okay.

20 CHAIRMAN FOOTE: Do I have a second?

21 MEMBER HAMMES: Second.

22 CHAIRMAN FOOTE: All in favor?

23 MEMBER HAMMES: Aye.

24 MEMBER DOUGHERTY-JOHNSON: Aye.

25 MEMBER KYRK: Aye.

1 CHAIRMAN FOOTE: So approved. Thank you
2 very much.

3 MS. LAU: Thank you. You'll be sending
4 this memo to --

5 ADMINISTRATOR PALLAS: I will send it to
6 you as soon as it's finalized

7 MS. LAU: Okay. All right, thanks a lot.

8 ADMINISTRATOR PALLAS: If you would, on any
9 future submittals just the site plan and relevant
10 pages, not the building plans. The State is not
11 looking for a permit at this stage.

12 MS. LAU: Okay.

13 ADMINISTRATOR PALLAS: Okay.

14 MS. LAU: Okay, great. Thank you.

15 CHAIRMAN FOOTE: Thank you.

16 Item No. 5 is a motion to adjourn. May I
17 have a second?

18 MEMBER HAMMES: Second.

19 CHAIRMAN FOOTE: All in favor?

20 MEMBER DOUGHERTY-JOHNSON: Aye.

21 MEMBER HAMMES: Aye.

22 MEMBER KYRK: Aye.

23 CHAIRMAN FOOTE: Meeting is adjourned.

24 Thank you.

25 **(*The meeting was adjourned at 4:41 p.m. *)**

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C E R T I F I C A T I O N

STATE OF NEW YORK)
) SS:
COUNTY OF SUFFOLK)

I, ALISON MAHONEY, a Court Reporter and Notary Public for and within the State of New York, do hereby certify:

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on February 24, 2022, at Red School House, ADDRESS, Greenport, NY, 11944.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of March, 2022.

Alison Mahoney

Alison Mahoney

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