

1 VILLAGE OF GREENPORT  
 2 COUNTY OF SUFFOLK STATE OF NEW YORK  
 3 -----x  
 4 PLANNING BOARD  
 5 WORK SESSION  
 6 -----x

8 September 28, 2017  
 9 4:00 p.m.

11 Third Street Firehouse  
 12 Greenport, New York

15 B E F O R E:

- 16 MARY GIVEN - ACTING CHAIRPERSON
- 17 BRADLEY BURNS - MEMBER
- 18 JOHN COTUGNO - MEMBER
- 19 NOAH THOMAS - MEMBER
- 20
- 21 ROBERT M. CONNOLLY, ESQ. - PLANNING BOARD ATTORNEY
- 22 PAUL PALLAS - VILLAGE ADMINISTRATOR
- 23 EILEEN WINGATE - VILLAGE BUILDING INSPECTOR
- 24 GLYNIS BERRY - VILLAGE PLANNER
- 25 KRISTINA LINGG - VILLAGE BUILDING CLERK

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1 (The meeting was called to order at 4:07 p.m.)

2 ACTING CHAIRPERSON GIVEN: Good evening we're  
3 opening the September 28th, 2017 Planning Board  
4 meeting.

5 Item No. 1, 439 First Street. Motion to  
6 accept the use evaluation application of Justin  
7 Bales, represented by architect Tom Samuels. The  
8 applicant is proposing to relocate the curb cut at  
9 439 First Street. This property is located in the  
10 R-2 (One and Two Family Residential) District, and  
11 is also located in the Historic District.  
12 SCTM #1001-4.-6-40.

13 MR. PALLAS: Do you want me to --

14 ACTING CHAIRPERSON GIVEN: Go ahead, Paul.

15 MR. PALLAS: If I may, just one -- just to  
16 make sure that we're clear on this, it's really an  
17 application for a curb cut. The form that was used  
18 was use evaluation, but it is just for the curb cut.

19 ACTING CHAIRPERSON GIVEN: Okay. Should I  
20 read Glynis' comments, or how do I proceed?

21 MR. CONNOLLY: You could probably have  
22 somebody -- ask if there's --

23 ACTING CHAIRPERSON GIVEN: Is there anyone  
24 here from -- in the audience to represent this  
25 application? Usually, we have comments first.

1 MR. COTUGNO: Yeah, we could do it after.

2 ACTING CHAIRPERSON GIVEN: I'm sorry. Hi.

3 MR. SAMUELS: Yes. My name is Tom Samuels,  
4 representing Justin Bales, the owner. I'm the  
5 architect for the project.

6 And, basically, he would like to take the  
7 backyard of his house, which is currently a parking  
8 area, and return it to a garden use, lawn and  
9 garden use. And the curb cut would then be  
10 realigned to go directly into the garage across the  
11 sidewalk. So there would be no more onsite  
12 parking, other than what is in the garage.

13 ACTING CHAIRPERSON GIVEN: Does the Board  
14 have any comments? Yes, Glynis.

15 MS. BERRY: There's an apartment and a  
16 dwelling on this site.

17 ACTING CHAIRPERSON GIVEN: Yes.

18 MS. BERRY: So the parking requirements are  
19 one-and-a-half per dwelling unit.

20 ACTING CHAIRPERSON GIVEN: Yes.

21 MS. BERRY: Which means three are required.

22 ACTING CHAIRPERSON GIVEN: Yes.

23 MS. BERRY: And if you do this and change the  
24 curb cut, only two will be provided. So to me  
25 you're creating a nonconformance.

1           And the only other issue I have is that the  
2 garage is right on the property line, so when  
3 they're backing out, they're not going to be able  
4 to see the sidewalk, so to me that's a safety  
5 issue.

6           And then there's just the quality of life  
7 issue is like when they wash the car, is it going  
8 to be in the street, that kind of thing, because  
9 they no longer have the curb cut to the yard.

10           So those are my issues.

11           ACTING CHAIRPERSON GIVEN: Okay. Do you want  
12 to respond or have any comments to Glynis'  
13 comments?

14           MR. SAMUELS: Well, as far as the Number of  
15 parking spaces are concerned, I guess -- I'm not  
16 sure we have three on the site as it is now, it's  
17 just a paved area. I would say we do not currently  
18 have three on the site. The garage is not being  
19 used or cannot be used for cars at the moment, so  
20 I'm not sure about that.

21           As far as the backing in, it's, I assume, a  
22 legitimate concern. I'm not sure one would back in  
23 or back out. I'm not sure if it's worse than  
24 someone that is on a narrow driveway coming out,  
25 but it's -- the building is there. And if it's his

1       desire to do this, I'm not sure I can offer a  
2       mitigation for that circumstance of the garage  
3       being literally on the -- on the edge of the  
4       sidewalk on the property line.

5               MS. BERRY: Could you explain, please, why  
6       the garage -- why the -- it's called a garage on  
7       that site plan, why the garage can't accommodate  
8       cars?

9               MR. SAMUELS: It's a wooden floor now and a  
10       funny kind of a door situation. It's not quite big  
11       enough, but I suppose you could. I mean, it  
12       probably had been at some point used as such, but  
13       it doesn't suit anymore. There are posts and all  
14       kinds of -- inside of it that has broken it up to  
15       make it impossible to use as such, but --

16              MS. BERRY: But you're planning on  
17       renovating --

18              MR. SAMUELS: Yes, we are.

19              MS. BERRY: -- and putting a new floor in,  
20       and, you know, so --

21              MR. SAMUELS: Correct.

22              MS. BERRY: -- couldn't the renovations focus  
23       the doorways back into the lot?

24              MR. SAMUELS: I guess they theoretically  
25       could, but that would thereby not allow him to have

1 the additional garden space that he's looking for.

2 MS. BERRY: Right.

3 ACTING CHAIRPERSON GIVEN: Does any Board  
4 Members have any comments, questions?

5 MR. COTUGNA: Well, I love the fact that all  
6 the paving would be gone and that would be grass,  
7 but I don't think I can live with the fact that  
8 there's going to be that much less parking.

9 ACTING CHAIRPERSON GIVEN: I know. One  
10 minute.

11 (Siren Sounded)

12 ACTING CHAIRPERSON GIVEN: Okay. Are you  
13 done?

14 MR. COTUGNA: I'm done.

15 ACTING CHAIRPERSON GIVEN: Did you hear him?

16 MR. SAMUELS: Yes.

17 ACTING CHAIRPERSON GIVEN: Okay. Did you  
18 want to respond?

19 MR. SAMUELS: Like I say, it's -- it could  
20 only have the one curb cut, and if we leave the  
21 curb cut where it is, then that whole area pretty  
22 much has to be parking. And it's simply a  
23 preference, shall we say, to have a large backyard  
24 on that house, to use a backyard as a garden and  
25 lawn area, as opposed to as a parking area. But I



1 can't deny that it is -- the change has some other  
2 factors to it. Whether it's creating fewer parking  
3 spaces or not, I'm not sure, but I understand the  
4 point.

5 MS. BERRY: Can I just add a comment? There  
6 are ways of making parking where it looks more like  
7 the lawn, like there's a plastic grid that goes  
8 under. So there are ways to make the drivable part  
9 look like a lawn.

10 MR. SAMUELS: But it wouldn't -- it's not  
11 just as a lawn, he really sees it as a garden and  
12 with, you know, plants and vegetables, or whatever.  
13 It's -- but I understand your point, of course.

14 ACTING CHAIRPERSON GIVEN: Ben?

15 MR. BURNS: I feel the same way. Putting a  
16 curb cut without a driveway doesn't make a lot of  
17 sense.

18 ACTING CHAIRPERSON GIVEN: Noah?

19 MR. THOMAS: Yeah, I don't -- it's too close  
20 to the sidewalk. I think that's -- it's going to  
21 cause a problem.

22 ACTING CHAIRPERSON GIVEN: So now I set this  
23 for a vote at our next meeting, is that how I  
24 proceed?

25 MR. PALLAS: Yes.

1 MR. COTUGNO: Yeah, yeah.

2 ACTING CHAIRPERSON GIVEN: Okay.

3 MR. CONNOLLY: You would make the motion to  
4 accept the use evaluation.

5 ACTING CHAIRPERSON GIVEN: That's fine. I  
6 make a motion to accept the use evaluation for a  
7 curb cut for the application of Justin Bales. Do I  
8 have a second?

9 MR. COTUGNA: Second.

10 MR. THOMAS: Second.

11 ACTING CHAIRPERSON GIVEN: All those in  
12 favor?

13 MR. BURNS: Aye.

14 MR. COTUGNO: Aye.

15 MR. THOMAS: Aye.

16 ACTING CHAIRPERSON GIVEN: Aye.

17 Okay. So we've accepted it and we'll vote at  
18 our next meeting, which is the last Thursday of  
19 this --

20 MS. WINGATE: No, it's next week.

21 MR. COTUGNA: Next week, a week from tonight.

22 ACTING CHAIRPERSON GIVEN: Oh, my goodness, a  
23 week from tonight.

24 MS. WINGATE: This is the last Thursday.

25 MR. BURNS: We're there already.

1 MR. SAMUELS: Next Thursday. Thank you.

2 ACTING CHAIRPERSON GIVEN: Whew, the summer  
3 that wasn't, that's been my quote. Thank you --

4 MR. SAMUELS: You're welcome.

5 ACTING CHAIRPERSON GIVEN: -- Mr. Samuels.

6 Item No. 2, 37 Front Street. Motion to  
7 accept the use evaluation application of Sprout  
8 Natural Parenting, represented by owners Laura and  
9 William Tancredi. The applicant is proposing to  
10 expand the existing store, located at 37 Front  
11 Street, into the adjacent space. The property is  
12 located in the Waterfront Commercial District and  
13 also the Historic District. SCTM #1001-5.-4-23.1.

14 And I assume the man at the podium is here to  
15 represent the applicant.

16 MR. TANCREDI: Yes, I'm William Tancredi.

17 ACTING CHAIRPERSON GIVEN: Okay. Would you  
18 like to say anything prior to me asking Glynis  
19 would she like to say anything?

20 MR. TANCREDI: No. I mean, we're just trying  
21 to expand the store. We're getting customers. You  
22 know, we're happy with the community. We're  
23 drawing some people from south, and, you know,  
24 we're drawing people in the community, so it's  
25 going well. We just want to -- we have a back

1 commercial space that's empty, it's small. We  
2 just -- we feel like there's a question like should  
3 we look for a tenant or maybe expand, and we went  
4 in the direction of expanding. So I'm just here to  
5 ask if that's cool, and we want to take that space  
6 over.

7 I think at one point it had been joined.  
8 There was a partition put up, we just want to take  
9 it down. And, you know, you could see the  
10 writings, you know, we want to put a little bit  
11 bigger window in. And so not much in the way of  
12 modifications, but just taking over the space,  
13 that's it. I think it's all good.

14 ACTING CHAIRPERSON GIVEN: Okay. Glynis?

15 MS. BERRY: I think my only comment is the  
16 building is not handicapped accessible. My only  
17 issue is that the building is not currently  
18 handicapped accessible.

19 MR. TANCREDI: Right.

20 MS. BERRY: And it's kind of a general rule  
21 of thumb that part of strong recommendations --

22 MR. TANCREDI: Yeah.

23 MS. BERRY: -- that 20% of your improvement  
24 costs --

25 MR. TANCREDI: Okay.

1 MS. BERRY: -- should go toward improving  
2 accessibility.

3 MR. TANCREDI: Okay.

4 MS. BERRY: So I don't know if you could take  
5 a look at that and see if there's some way --

6 MR. TANCREDI: I'd be happy to look at it  
7 with Eileen, you know, and see if there is some way  
8 that we can possibly improve it for the accessible  
9 community. I'm completely open to that.

10 MS. BERRY: Yeah.

11 MR. TANCREDI: It's definitely not an  
12 objection on my part.

13 MS. BERRY: Yeah. And we know with an  
14 existing building it's difficult, but there might  
15 be some opportunity.

16 MR. TANCREDI: Yeah, yeah. Again, I'll  
17 consult with them. You know, may you have some  
18 ideas and we can, you know, circle back to that.  
19 But, yeah, that's something that I'd be happy to  
20 do, yeah.

21 MR. COTUGNA: I notice you -- I went by there  
22 today, I saw you started the work already.

23 MR. TANCREDI: I'm just working on the back  
24 deck. The back -- the back deck was having some  
25 issues, and the window, we prepped it for a new

1 opening. But the back deck, I was mostly working  
2 on that. It started to shift a lot and I was just  
3 worried about safety, so I decided to just make  
4 sure that that -- I just put new deck boards down  
5 just in one place.

6 MR. COTUGNO: So the deck is only going to be  
7 for the door that goes to the second floor.

8 MR. TANCREDI: To the back, yeah.

9 MR. COTUGNO: Now your plans show fixed  
10 glass, but there's a sliding door there now.

11 MR. TANCREDI: Right.

12 MR. COTUGNO: So I think --

13 MR. TANCREDI: We wanted to get rid of that,  
14 we wanted to take that door out.

15 MR. COTUGNA: I know.

16 MR. TANCREDI: Yeah.

17 MR. COTUGNO: But I'm -- it's not that  
18 important, because you have other exits, but it  
19 shows it as fixed glass. Whoever drew this plan,  
20 it's not accurate, it's not fixed glass.

21 MR. TANCREDI: Well, it will be. The side  
22 will be fixed glass to the outside in the back.

23 MR. COTUGNO: No. I'm talking about the rear  
24 where the deck is.

25 MR. TANCREDI: Right. And we're going to

1 take the door out and put fixed glass there.

2 MR. COTUGNO: Oh, you're putting fixed glass,  
3 okay.

4 MR. TANCREDI: Yeah, we're putting fixed  
5 glass.

6 MR. COTUGNA: Because it just says, "Close  
7 opening".

8 MR. TANCREDI: Yeah. We're going to -- we're  
9 going to close -- we're going to close the lower  
10 section of the door and then just --

11 MR. COTUGNO: Okay, okay, all right.

12 MR. TANCREDI: We're going to move one of the  
13 windows from the alley and move it to the back, so.

14 MR. COTUGNA: I couldn't figure that out.

15 MR. TANCREDI: Yeah. Sorry.

16 ACTING CHAIRPERSON GIVEN: Ben, any comments?

17 MR. BURNS: No.

18 ACTING CHAIRPERSON GIVEN: Noah?

19 MR. THOMAS: I think the wheelchair access  
20 is --

21 MR. TANCREDI: Again, I'd happy to look at  
22 that, yeah, see if I can make that possible in any,  
23 you know, alterations of what we're doing, so.

24 ACTING CHAIRPERSON GIVEN: Okay. So I make a  
25 motion to accept it with those -- the revisions

1 that we just spoke about, the wheel -- the  
2 handicapped accessibility. Go ahead.

3 MS. WINGATE: Although the 10 feet side yard  
4 is owned by Bill, it's got a right-of-way for  
5 everybody to the waterfront.

6 ACTING CHAIRPERSON GIVEN: Yes.

7 MS. WINGATE: So I don't know that taking  
8 3 1/2, 4 feet --

9 MR. TANCREDI: Right.

10 MS. WINGATE: -- is in the best interest of  
11 our working waterfront. So I'd have -- that's a  
12 lawyer question. I'd have to come up with the deed  
13 and some surveys and have a look at whether they  
14 can block that up.

15 ACTING CHAIRPERSON GIVEN: Okay.

16 MR. TANCREDI: Yeah. That would be my  
17 consideration.

18 MR. CONNOLLY: Yeah, seeing the right-of-way,  
19 right?

20 MS. WINGATE: (Nodded yes).

21 MR. TANCREDI: Yeah, that would be a minor  
22 consideration, that that would be -- you know, it's  
23 just an impediment to the alley.

24 ACTING CHAIRPERSON GIVEN: Right.

25 MR. TANCREDI: And a maintenance issue. But,



1       yeah, definitely, the community uses it to go back  
2       and forth to the water.

3                ACTING CHAIRPERSON GIVEN: Yes, Blue Light  
4       Alley, right? That's what you're --

5                MS. WINGATE: Yeah, Blue Light Alley.

6                MR. TANCREDI: Yeah, it's a --

7                MS. WINGATE: It's public access.

8                MR. TANCREDI: Yeah. To put a thing in the  
9       middle of an alley would be tough, yeah, that would  
10      be difficult.

11              MR. COTUGNA: What's on the second floor?

12              MR. TANCREDI: There's a -- there's a  
13      commercial -- there's an office in the front, and  
14      then there's -- in the back, there's an apartment  
15      that we use, that's our apartment.

16              MR. COTUGNO: Well, I don't know if it  
17      counts, but if you're rebuilding the deck, you can  
18      just turn that into a ramp, and then that will give  
19      you --

20              MR. TANCREDI: Still, again, to be able to do  
21      that, you'd have to be in the alley, like  
22      physically, you'd have to have a ramp --

23              MR. COTUGNO: No, there's a deck there now.

24              MR. TANCREDI: In the back.

25              MR. COTUGNA: Instead of make the deck level

1 and then a step, you can just make it a ramp.

2 MR. TANCREDI: Right, but the ramp would only  
3 go to the apartment.

4 MR. COTUGNO: Yeah, that's -- oh, I thought  
5 you said there's an office.

6 MR. TANCREDI: No, but that's in another  
7 entrance to the building.

8 MR. COTUGNO: Oh.

9 MR. TANCREDI: It's further in the alley.

10 MR. COTUGNO: I know that wouldn't make your  
11 store handicapped accessible, but who's ever on the  
12 second floor --

13 MR. TANCREDI: Floor, right, right.

14 MR. COTUGNO: -- that would help them.

15 MR. TANCREDI: Right, right, right, right,  
16 right.

17 MR. COTUGNO: Not get to the second floor, at  
18 least get in the building.

19 MR. TANCREDI: I know, yeah.

20 ACTING CHAIRPERSON GIVEN: Any comments down  
21 there, Glynis or Paul?

22 MR. PALLAS: I have none.

23 ACTING CHAIRPERSON GIVEN: No?

24 MR. PALLAS: Well, we'll work with the  
25 applicant to see if we can come up with a different

1 solution by next week.

2 ACTING CHAIRPERSON GIVEN: Okay.

3 MR. TANCREDI: Yeah, I'm around. I'll come  
4 back next -- I'll happy to talk to --

5 ACTING CHAIRPERSON GIVEN: Should we table  
6 this or --

7 MR. CONNOLLY: Accept it.

8 ACTING CHAIRPERSON GIVEN: Accept it.

9 MR. CONNOLLY: That's fine.

10 ACTING CHAIRPERSON GIVEN: Motion to accept  
11 the use evaluation application of Sprout Natural  
12 Parenting, located at 37 Front Street. Do I have a  
13 second?

14 MR. COTUGNA: Second.

15 ACTING CHAIRPERSON GIVEN: All those in  
16 favor?

17 MR. BURNS: Aye.

18 MR. COTUGNO: Aye.

19 MR. THOMAS: Aye.

20 ACTING CHAIRPERSON GIVEN: Aye.

21 Motion carried. Thank you.

22 MR. TANCREDI: You're welcome. Thank you.

23 ACTING CHAIRPERSON GIVEN: See you next week  
24 and you'll work with them.

25 MR. TANCREDI: Yeah, I'll email them, that's

1 fine.

2 ACTING CHAIRPERSON GIVEN: Okay. Item No. 3,  
3 213 East Front Street. Motion to accept the use  
4 evaluation application of Studio Gramercy, LLC. DBA  
5 Ray New York, represented by Michael Aron. The  
6 applicant is proposing to open an advertising  
7 agency office space, as well as a retail space, in  
8 a portion of the storefront.

9 The applicant went before the HPC, Historic  
10 Preservation Commission, on September 11th, 2017,  
11 and the signage application was approved at that  
12 meeting.

13 The property is located in the Commercial  
14 Retail District, as well as the Historic District.  
15 SCTM #1001-5.-3-18.

16 And I assume you're Michael.

17 MR. AARON: I am Michael. Hello.

18 ACTING CHAIRPERSON GIVEN: Hello, Michael.

19 MR. AARON: I don't have very much to add to  
20 my application. There's very little activity  
21 occurring there, except that I'm moving in. It was  
22 Meryl Kramer, the architect, and I provide a  
23 similar service. So she moved out, I'm moving in.

24 ACTING CHAIRPERSON GIVEN: Glynis?

25 MS. BERRY: No.

1 ACTING CHAIRPERSON GIVEN: No? Ben?

2 MR. BURNS: No.

3 ACTING CHAIRPERSON GIVEN: John?

4 MR. AARON: I am going to use the storefront  
5 window as a display for some things for sale, but  
6 it's not going to be an active tourist type store,  
7 it's going to be like an appointment-only specialty  
8 store.

9 ACTING CHAIRPERSON GIVEN: Noah?

10 MR. THOMAS: No.

11 MS. BERRY: Maybe the only thing is --

12 ACTING CHAIRPERSON GIVEN: Sorry.

13 MS. BERRY: He did mention up to three staff,  
14 and I don't think it should be more than that if  
15 it's a business use, because then you're over the  
16 -- so what he's proposing is fine, but it shouldn't  
17 be more than that.

18 MR. AARON: Understood, yeah. I talked to  
19 Eileen about that, yeah. There's a limit on how  
20 many people can fit in such a small space.

21 ACTING CHAIRPERSON GIVEN: Right. Okay. So  
22 we're making a -- I make a motion to accept the  
23 use --

24 MR. CONNOLLY: You can approve, too, if you  
25 want. It doesn't seem like there are any comments.

1           ACTING CHAIRPERSON GIVEN: I'd rather just  
2 accept it. Thank you.

3           MR. CONNOLLY: Okay, no problem.

4           ACTING CHAIRPERSON GIVEN: Motion to accept  
5 the use evaluation application of Studio Gramercy,  
6 LLC. DBA Ray New York, located at 213 East Front  
7 Street. Do I have a second?

8           MR. COTUGNA: Second.

9           MR. THOMAS: Second.

10          ACTING CHAIRPERSON GIVEN: All those in  
11 favor?

12          MR. BURNS: Aye.

13          MR. COTUGNO: Aye.

14          MR. THOMAS: Aye.

15          ACTING CHAIRPERSON GIVEN: Aye.

16          MR. AARON: Thank you very much.

17          ACTING CHAIRPERSON GIVEN: We accepted it,  
18 the application, use evaluation.

19          MR. AARON: Have a good day.

20          ACTING CHAIRPERSON GIVEN: Thank you.

21           Item No. 4, motion to accept both the use  
22 evaluation application and signage application of  
23 La Regia Deli Restaurant Corp., represented by  
24 president, Maria Perez. The applicant is proposing  
25 to open a deli and restaurant at 131 Third Street.

1 The property is located in the Commercial Retail  
2 District. SCTM #1001-6.-2-23.2.

3 Is there anyone here representing the  
4 applicant?

5 MS. PEREZ: (Nodded yes).

6 ACTING CHAIRPERSON GIVEN: You are? Do you  
7 want to take the podium?

8 MS. QUIROZ: I want to translate for her.  
9 Diana Quiroz, Q-U-I-R-O-Z.

10 MS. PEREZ: Okay. Maria Perez, yeah. This  
11 is my translator, so somebody speaking Spanish.

12 Okay. My name is Maria Perez.

13 (Maria Perez' testimony was translated by  
14 Diana Quiroz)

15 MS. QUIROZ: She's living for eight years in  
16 Greenport. She wanted to open the restaurant at  
17 131. It's a deli restaurant, open seven days a  
18 week, from 6 a.m. to 11 p.m.

19 ACTING CHAIRPERSON GIVEN: Okay.

20 MS. QUIROZ: She's going to have Spanish and  
21 American food, selling Mexican food.

22 ACTING CHAIRPERSON GIVEN: Glynis?

23 MS. BERRY: I only just saw the revised, so  
24 thank you very much. My only comment is the door  
25 going directly into the plaza has a step, so you

1 need to put a stoop, so that somebody stepping  
2 through the door steps on the same level and then  
3 walks down, because, otherwise, somebody could  
4 fall. So this door right here.

5 MS. PEREZ: Okay. That's it?

6 ACTING CHAIRPERSON GIVEN: Did she  
7 understands what Glynis was saying?

8 MS. QUIROZ: Yes.

9 ACTING CHAIRPERSON GIVEN: Oh, okay, great.  
10 Ben?

11 MR. BURNS: I'm wondering about parking at  
12 that location. Where are the customers going to  
13 park?

14 MR. COTUGNA: I think it was all  
15 pre-approved, I guess, because it's nonconforming,  
16 like the Goldberg's deli. Oh, I'm sorry.

17 MR. PALLAS: Use the microphone, please.

18 MR. COTUGNO: Paul, was that all pre-approved?

19 MR. PALLAS: Yeah, this site, the whole site  
20 was approved, correct?

21 MS. BERRY: Yes.

22 MR. BURNS: Oh, okay. Sorry. Thank you.

23 MR. COTUGNA: Are you going to sell alcohol  
24 there?

25 MS. QUIROZ: Yes.



1 MR. COTUGNA: You are?

2 MS. QUIROZ: Yeah.

3 MR. THOMAS: It's a bar, right? It's a bar.

4 MR. COTUGNO: I know it's a bar. I saw that  
5 she could sell. Glynis, don't you have to have two  
6 accessible handicapped bathrooms if you're going to  
7 sell alcohol --

8 MS. BERRY: Yes.

9 MR. COTUGNO: -- and with this number of  
10 seats?

11 MS. BERRY: Yes, you do.

12 MR. COTUGNA: I think I only see one.

13 MS. BERRY: You're right, there's supposed to  
14 be two.

15 MR. COTUGNA: I believe you're going to need  
16 two handicapped accessible toilets. There's only  
17 one accessible, maybe. There's no dimensions on  
18 here, so I can't really tell if the corridor  
19 leading into the toilets can -- a handicapped  
20 person can get in there.

21 MS. QUIROZ: The engineer is here.

22 MR. SHERMAN: Hey, good afternoon. Matt  
23 Sherman. I'm with Sherman Engineering and  
24 Consulting. I've been working with the property  
25 owner over the past several years to get the

1 project approved up to this stage.

2 The -- right now, there is one handicapped  
3 accessible bathroom in that building. We can  
4 modify it, if need be. I don't know what the  
5 trigger is that would cause that -- the need for  
6 the second handicapped, so I'll have to do a little  
7 bit of research on that, and we'll certainly  
8 comply, absolutely.

9 ACTING CHAIRPERSON GIVEN: Can anyone answer  
10 that question? He just said that he doesn't  
11 understand what the trigger is to having that  
12 second handicapped bathroom.

13 MS. BERRY: I only just got this version.

14 ACTING CHAIRPERSON GIVEN: Uh-huh.

15 MS. BERRY: So I would have to go back and  
16 check on the code and the occupancy. I think it's  
17 15 seats, so I think you're probably over it, but I  
18 want to go back and double-check. But it looks  
19 like it's doable.

20 MR. SHERMAN: Yeah, I think it is, yeah.

21 MS. BERRY: You know, if you could just  
22 change this wall, it looks like you'd be okay.

23 MR. SHERMAN: Yeah. The bathroom  
24 configuration had gone through a couple of  
25 iterations. The -- there are some rooms that we

1 could bounce a few things here and there, if we  
2 need to, absolutely. But I'll look into it as well  
3 and we'll get back with the Board on that.

4 ACTING CHAIRPERSON GIVEN: All right. Anyone  
5 else on the restaurant drawing?

6 MR. COTUGNA: No.

7 ACTING CHAIRPERSON GIVEN: How about the  
8 signage application, any comment on the signage?

9 MS. BERRY: The size looks compliant. And  
10 the only thing that wasn't clear, is it being  
11 mounted on the wall over the door, or is it hanging  
12 on the porch? The mounting wasn't clear for me  
13 from the picture.

14 MS. QUIROZ: It's in the porch, in the porch  
15 in front of everything and next to the other store  
16 sign.

17 MR. SHERMAN: So it would be hanging down  
18 below that second floor decking.

19 MS. BERRY: Okay.

20 MR. OLINKIEWICZ: Same as Goldberg's.

21 MR. SHERMAN: Yeah, so it would be parallel  
22 to the road.

23 MS. BERRY: Then I would suggest an  
24 engineer's proposal for the safety of the sign,  
25 because you're going to have the wind load.

1 MR. SHERMAN: Okay.

2 MS. BERRY: You know, it will be a swinging  
3 sign.

4 MR. SHERMAN: Yeah.

5 MS. BERRY: But it's not hanging over the  
6 public space.

7 MR. SHERMAN: Right.

8 MS. BERRY: Proper mounting would be  
9 advisable.

10 MR. SHERMAN: Yeah. And as I said, it will  
11 be identical to the sign for Goldberg's Bagels,  
12 which is on the side of that covered porch, so.

13 MS. BERRY: Okay.

14 ACTING CHAIRPERSON GIVEN: Noah?

15 MR. THOMAS: No.

16 ACTING CHAIRPERSON GIVEN: John?

17 MR. COTUGNO: No.

18 ACTING CHAIRPERSON GIVEN: Motion to accept  
19 both the use evaluation and the sign application of  
20 LaRegia -- is that how you say it?

21 MS. QUIROZ: LaRegia.

22 ACTING CHAIRPERSON GIVEN: LaRegia Deli  
23 Restaurant Corp., represented by president, Maria  
24 Perez, located at 131 Third Street. Do I have a  
25 second?

1 MR. COTUGNA: Second.

2 ACTING CHAIRPERSON GIVEN: All those in  
3 favor?

4 MR. BURNS: Aye.

5 MR. COTUGNO: Aye.

6 MR. THOMAS: Aye.

7 ACTING CHAIRPERSON GIVEN: Aye.

8 Motion carried.

9 MR. SHERMAN: Thank you.

10 ACTING CHAIRPERSON GIVEN: Thank you.

11 MS. QUIROZ: Thank you.

12 MS. PEREZ: Thank you.

13 ACTING CHAIRPERSON GIVEN: Item No. 5, 102  
14 Main Street. Continued discussion and possible  
15 motion on the use evaluation application and  
16 signage application of Evan Hoffman. The applicant  
17 is proposing to open a Jet Ski Tour business at  
18 Preston's Marina, located at 102 Main Street. The  
19 property is located in the Waterfront Commercial  
20 District and the Historic District as well.  
21 SCTM #1001-5.-3-12.1.

22 Evan, are you going to take the podium?

23 MR. EVAN HOFFMAN: Hello, Board Members.

24 Good afternoon.

25 ACTING CHAIRPERSON GIVEN: Do you have

1 anything to add to it, or any further comments that  
2 we haven't already heard?

3 MR. EVAN HOFFMAN: Nothing to add to it. I  
4 just want to see -- I know you said you had some  
5 things to go over and think about last meeting, and  
6 was wanting to hear your decision and what you  
7 think of, you know, the business.

8 ACTING CHAIRPERSON GIVEN: Okay. Does anyone  
9 in the audience have anything to say? John's going  
10 to take the podium.

11 MR. EVAN HOFFMAN: Okay.

12 MR. SALADINO: John Saladino, Sixth Street.  
13 The only question I would have on this application  
14 is I see it as a jet ski tour business at Preston's  
15 Marina.

16 ACTING CHAIRPERSON GIVEN: Yes.

17 MR. SALADINO: I don't believe Preston's is a  
18 marina.

19 ACTING CHAIRPERSON GIVEN: Agreed.

20 MR. SALADINO: And the -- and it seems like  
21 nitpicking, but the question that it raises is the  
22 amount of boats that Preston's or Preston's Marina  
23 would be entitled to have at their particular  
24 space. If it's waterfront property, that's not a  
25 marina, he would be limited to four boats. If it's

1 -- if it's a marina, then he would have to comply  
2 with other things that would make him a marina.  
3 So, in my -- just in my mind, that question would  
4 need to be answered first. Thank you. Thanks for  
5 listening.

6 ACTING CHAIRPERSON GIVEN: Thanks, John.  
7 Anyone have a comment on that?

8 MS. BERRY: I gave you --

9 ACTING CHAIRPERSON GIVEN: I'm sorry?

10 MS. BERRY: I don't have anything to add from  
11 what --

12 ACTING CHAIRPERSON GIVEN: I'm sorry, Glynis.

13 MS. BERRY: I don't have anything to add,  
14 other than what you -- we discussed last time.

15 ACTING CHAIRPERSON GIVEN: Okay.

16 MR. EVAN HOFFMAN: I know it is zoned for  
17 boating, so I don't understand what the issue is  
18 when it is zoned for boating. And there is also  
19 other vessels that are going out of there for  
20 business.

21 MR. BURNS: I have talked with people who use  
22 that area for their boats, and with others who use  
23 the waterfront for a variety of reasons, and I've  
24 not found anybody who would vote yes on that,  
25 primarily because of the busyness of the area,

1 particularly during the times when you're going to  
2 use it. And I would have to vote no on that just  
3 simply from the safety standpoint and overuse of  
4 the area, whatever you call it.

5 MR. EVAN HOFFMAN: So by having three boats,  
6 three jet skis there is overuse? I --

7 MR. BURNS: The type of -- the type of boat.

8 MR. EVAN HOFFMAN: So that is discrimination  
9 you're actually speaking of.

10 MR. BURNS: The type of boat, as well as the  
11 busyness of the area.

12 MR. EVAN HOFFMAN: To me, sir, I don't feel  
13 that is a strong enough answer --

14 MR. BURNS: Well, I do.

15 MR. EVAN HOFFMAN: -- when it's a five mile  
16 an hour zone out of there to the channel. There is  
17 five. There is white markers that line the whole  
18 area and everybody has to stay within five miles an  
19 hour until they get past the white buoys that are  
20 out there. And after the channel, you have to stay  
21 in with the speed limit of 45 miles an hour through  
22 the channel of the harbor.

23 MR. BURNS: You're also talking about people  
24 who are new at boat -- who are doing it maybe for  
25 the first time.



1 MR. EVAN HOFFMAN: So if I had three small  
2 Sunfish sailboats, would that make it different, or  
3 if we --

4 ACTING CHAIRPERSON GIVEN: We're not going to  
5 go into projecting something that isn't happening.

6 MR. EVAN HOFFMAN: Okay.

7 ACTING CHAIRPERSON GIVEN: We're going to  
8 keep it on the facts of the matter and not --

9 MR. EVAN HOFFMAN: Sure, I understand, okay.

10 ACTING CHAIRPERSON GIVEN: -- bring in  
11 situations that we're going to conjure up.

12 MR. BURNS: That's not just my opinion. I'm  
13 expressing the opinion of several people I've  
14 talked with.

15 MR. EVAN HOFFMAN: And who are those people  
16 that you have talked to?

17 MR. CONNOLLY: Don't answer that.

18 ACTING CHAIRPERSON GIVEN: You don't have to  
19 answer that, Ben.

20 MR. BURNS: I'm not.

21 ACTING CHAIRPERSON GIVEN: Thank you.

22 MR. COTUGNA: I have nothing against jet  
23 skis, but I think you could find a better spot.  
24 That's just too busy of an area, too many huge  
25 yachts there, so tall. Those little jet skis, it's

1 just not a good combination. Right across there's  
2 much better spots for this.

3 MR. EVAN HOFFMAN: So people using their  
4 Zodiac inflatables to go across the harbor to go  
5 from their boat across the channel to go to  
6 different places --

7 ACTING CHAIRPERSON GIVEN: They're not here  
8 asking for permission to run a business to do that,  
9 that are not before this Board with a --

10 MR. EVAN HOFFMAN: I understand.

11 ACTING CHAIRPERSON GIVEN: Okay.

12 MR. EVAN HOFFMAN: But he said the smallness  
13 of a vessel.

14 ACTING CHAIRPERSON GIVEN: But we're -- he's  
15 referring to this application.

16 MR. EVAN HOFFMAN: I am, I am.

17 ACTING CHAIRPERSON GIVEN: No, he is.

18 MR. EVAN HOFFMAN: Okay.

19 ACTING CHAIRPERSON GIVEN: You're bringing  
20 something that is not relevant, because those  
21 people are not here to open a business --

22 MR. EVAN HOFFMAN: Okay.

23 ACTING CHAIRPERSON GIVEN: -- before the  
24 Board.

25 MR. EVAN HOFFMAN: I understand, okay.

1           ACTING CHAIRPERSON GIVEN: Thank you. So how  
2 do I proceed on the vote?

3           MR. CONNOLLY: If nobody else has any other  
4 comments, you can poll the Board, make your  
5 decision.

6           ACTING CHAIRPERSON GIVEN: Okay. Does anyone  
7 else wish to comment?

8           MR. HOFFMAN: Mr. Hoffman, Evan Hoffman's father.

9           ACTING CHAIRPERSON GIVEN: Could you speak  
10 into the microphone, please?

11          MR. HOFFMAN: Mr. Hoffman, Evan Hoffman's  
12 father. Okay?

13          Ms. McGiven, Bradley Burns, we've been in a  
14 difficult economy for the last eight years under  
15 the Obama Administration, and it's about time that  
16 you start spurring business on and stop all the  
17 nonsense, because that's what this is, this is  
18 nonsense.

19          I'm just going to ask you one question, and  
20 that question is who is your service of process,  
21 because -- who is your service of process, what is  
22 the name of this Board, and who is -- what is  
23 your -- what is the name of the service -- your  
24 service of process? That's what -- that's what I  
25 want to know right now, okay?

1 MR. CONNOLLY: I'm assuming you're stating  
2 for legal papers?

3 MR. HOFFMAN: I'm sorry, go ahead.

4 MR. CONNOLLY: Legal papers, Mr. Hoffman?

5 MR. HOFFMAN: I don't have legal papers to  
6 serve right now.

7 MR. CONNOLLY: No, I'm asking if that's your  
8 purpose, correct?

9 MR. HOFFMAN: Well, that may be one of my  
10 purposes, yes.

11 ACTING CHAIRPERSON GIVEN: Okay.

12 MR. CONNOLLY: Well, then you can send --  
13 serve it on the Village Clerk.

14 MR. HOFFMAN: Okay. And the address? The  
15 Village Clerk of Greenport?

16 MR. CONNOLLY: Yes.

17 MR. HOFFMAN: Okay. Is there a name?

18 MR. CONNOLLY: You can find that out if  
19 you're going to -- if you're threatening  
20 litigation, then find that information out for  
21 yourself.

22 MR. HOFFMAN: No. I'm asking you politely  
23 and you're giving me a difficult time.

24 MR. CONNOLLY: And that's my answer. My  
25 answer is you can get that information from Village

1 Hall.

2 MR. HOFFMAN: Okay. Village Clerk of  
3 Greenport, okay. And that's your service of  
4 process? Is that your service of process? Okay.

5 I have -- I have seen the video, okay, of  
6 past meetings where Evan Hoffman's statements have  
7 been cut out on purpose on your website for some  
8 reason, okay? That's all going to be brought up,  
9 okay, by discriminating against opening a business.  
10 This older gentleman, he doesn't have to go out on  
11 a jet ski, he can go out on the electric boat.  
12 That's okay, no problem, I understand.

13 ACTING CHAIRPERSON GIVEN: Okay.

14 MR. HOFFMAN: I understand people --

15 ACTING CHAIRPERSON GIVEN: No, this -- you're  
16 not going to go at one of our Board Members, sir.  
17 With all due respect --

18 MR. HOFFMAN: Okay, okay.

19 ACTING CHAIRPERSON GIVEN: Please, that's not  
20 acceptable.

21 MR. HOFFMAN: Well, I'll tell you what, I'm  
22 investigating any collusion --

23 ACTING CHAIRPERSON GIVEN: Do what you need  
24 to do.

25 MR. HOFFMAN: -- that's going on between

1 Board Members and anybody else out there, okay?

2 ACTING CHAIRPERSON GIVEN: How do I stop  
3 this?

4 MS. HOFFMAN: I'm sorry if you have an issue  
5 with that. You shouldn't have an issue with that.

6 ACTING CHAIRPERSON GIVEN: Do what you need  
7 to do, sir, whatever you need to do.

8 MR. HOFFMAN: That's what I'm going to be  
9 doing, okay?

10 ACTING CHAIRPERSON GIVEN: That's fine, yes.

11 MR. HOFFMAN: And trust me, you'll be hearing  
12 from --

13 ACTING CHAIRPERSON GIVEN: Do you have any  
14 other comments on the application itself?

15 MR. HOFFMAN: On the application?

16 ACTING CHAIRPERSON GIVEN: Uh-huh.

17 MR. HOFFMAN: The fact that you're denying  
18 it? Are you denying the application?

19 ACTING CHAIRPERSON GIVEN: Sir, I don't  
20 believe a vote's been had yet, so you're  
21 proclaiming to know the results of the future  
22 before anything's happened. No one has voted on  
23 this application.

24 MR. HOFFMAN: Okay. Well, I was under the --

25 ACTING CHAIRPERSON GIVEN: I don't know where

1 you're getting your misinformation.

2 MR. HOFFMAN: My apologies, then. I was  
3 under the -- I was under the assumption, that this  
4 gentleman said, "No, we don't want it," and I was  
5 under the assumptions that -- the assumption that  
6 he said no, it's not going to carry. That's what I  
7 was under the assumption, and I hope that's not  
8 what the assumption's going to be.

9 ACTING CHAIRPERSON GIVEN: Your finger can  
10 stop pointing at me, please.

11 MR. HOFFMAN: I'm not pointing at you.

12 ACTING CHAIRPERSON GIVEN: This is very  
13 disrespectful.

14 MR. HOFFMAN: No, no, no, no.

15 ACTING CHAIRPERSON GIVEN: Okay.

16 MR. HOFFMAN: Please, don't put it there,  
17 okay? People point at everybody all the time, they  
18 use hand -- hand signals, everything, okay? I'm  
19 not pointing to you.

20 ACTING CHAIRPERSON GIVEN: Again, do you have  
21 any comments on the application itself?

22 MR. HOFFMAN: As far as -- well, as far as  
23 the -- as far as the application itself, it should  
24 not be discriminated against. If it is  
25 discriminated against, you will -- you will be

1 hearing from me and a lot of other -- a lot of  
2 other -- a lot of other political lawyers and  
3 politicians, okay?

4 But I do hope that you vote the right thing,  
5 that you vote for -- to create a business, just  
6 like everybody else that has walked in this door  
7 that you have given them the okay. We don't want  
8 to be discriminated against, okay? And that's  
9 the -- and that's the story.

10 ACTING CHAIRPERSON GIVEN: I heard you. I  
11 heard you.

12 MR. HOFFMAN: Okay?

13 ACTING CHAIRPERSON GIVEN: I heard you the  
14 first time you said that, I heard you.

15 MR. HOFFMAN: If we are discriminated  
16 against, then there's going to be a discrimination  
17 issue. Thank you very much. Okay? Do you have  
18 any questions to ask me?

19 ACTING CHAIRPERSON GIVEN: I do not.

20 MR. HOFFMAN: Thank you.

21 ACTING CHAIRPERSON GIVEN: You may take your  
22 seat.

23 MR. HOFFMAN: Thank you very much. Okay?

24 ACTING CHAIRPERSON GIVEN: Thank you,  
25 Mr. Hoffman.



1 MR. EVAN HOFFMAN: May I go back up?

2 ACTING CHAIRPERSON GIVEN: Evan, yes.

3 MR. EVAN HOFFMAN: So I did hand in all my  
4 paperwork that was needed. I also gave the  
5 insurance certificate that everything was asked  
6 for, all my credentials with the United States  
7 Coast Guard Auxiliary, all my swim test  
8 certifications qualified. And I did everything  
9 that was needed, and drawings, and gave every piece  
10 of paper that was asked for in my file. And like I  
11 did say, it is registered as a New York State boat.  
12 It is not underlined as something else, as a water  
13 scooter, or a jet ski, it is a New York State  
14 registered boat. But I did give all my paperwork  
15 that was needed for the Board, and that's all I  
16 have to say at this point.

17 ACTING CHAIRPERSON GIVEN: Thank you.

18 MR. CONNOLLY: What you might want to like to  
19 look at first before you make your decision is the  
20 C of O for Preston's to see if it is the --

21 MS. BRAATEN: I'm sorry, I can't hear you.

22 MR. CONNOLLY: Oh, I'm sorry, yes. What you  
23 might want to look at prior to rendering decision  
24 is the C of O for Preston's, to go to  
25 Mr. Saladino's point, to see what it's, you know,

1 listed as.

2 ACTING CHAIRPERSON GIVEN: Deemed as, right.

3 MR. CONNOLLY: Yes.

4 ACTING CHAIRPERSON GIVEN: So, in other  
5 words, we would table this.

6 MR. CONNOLLY: Right, for a copy of the C of O.

7 ACTING CHAIRPERSON GIVEN: Until we would --  
8 I make a motion to table the application pursuant  
9 to speaking with -- yes, sir.

10 MR. GRAY: Wasn't this already zoned out for  
11 it and done once before?

12 ACTING CHAIRPERSON GIVEN: No.

13 MR. GRAY: I thought it was with the other  
14 gentleman that was here last. Remember the  
15 gentleman that also had the jet skis out of there,  
16 the one that said that he did it for a year and it  
17 wasn't his place to do it, because he was doing  
18 stand still?

19 ACTING CHAIRPERSON GIVEN: I don't believe  
20 that that's so.

21 MR. GRAY: Yeah, and -- yes. Yeah, he was  
22 here with the other gentleman. You guys zoned it  
23 for the -- for the jet skis with that paddle board.

24 ACTING CHAIRPERSON GIVEN: Okay. We're still  
25 going to proceed the way I'm proceeding.

1 MR. GRAY: I'm just saying it was.

2 MR. COTUGNA: Yeah, we'll check that out,  
3 too. We'll see --

4 MR. GRAY: So, yeah.

5 ACTING CHAIRPERSON GIVEN: We will. That  
6 will be part of the process that --

7 MR. GRAY: Was it you guys that -- was it you  
8 guys that approved it?

9 ACTING CHAIRPERSON GIVEN: No.

10 MR. GRAY: Because it was there before.

11 ACTING CHAIRPERSON GIVEN: Okay. So we'll  
12 bring --

13 MR. GRAY: Was it a different board?

14 ACTING CHAIRPERSON GIVEN: We'll bring that  
15 into the procedure as well.

16 MR. GRAY: Okay. And when -- if you look  
17 over that tape, you guys did ask for the -- for the  
18 -- for the head guy, or whatever it's called, I  
19 forget the name of it, but you guys had asked for  
20 us to look for the -- what was it called?

21 MR. COTUGNO: Doc Master?

22 MR. EVAN HOFFMAN: The Harbor Master.

23 MR. GRAY: The Harbor Master. You guys did  
24 in the first meeting ask for the Harbor Master, if  
25 you do review the tape. I just wanted to let you

1 guys know --

2 ACTING CHAIRPERSON GIVEN: Thank you.

3 MR. GRAY: -- what you guys said, I think I  
4 should mention it. I appreciate it.

5 MR. EVAN HOFFMAN: The jet ski company that  
6 is run by Aquebogue, the gentleman that was here  
7 last meeting said he was there at that same  
8 location five years ago, and also the gentleman  
9 that had the jet -- jet pack with the jet ski was  
10 also at that location last year and he decided to  
11 go somewhere else. But he was at that same exact  
12 location at Preston's doing business out of there  
13 with his jet ski and jet pack on the feed. And I  
14 guess he determined that -- maybe he didn't make  
15 enough money, but there were a couple of different  
16 businesses there of the same type that I am trying  
17 to start, slightly different, but it is a jet ski.  
18 And it is a total of three jet skis and not a large  
19 fleet, two to rent and one to follow the leader.

20 ACTING CHAIRPERSON GIVEN: Thank you.

21 MR. EVAN HOFFMAN: Thank you.

22 ACTING CHAIRPERSON GIVEN: Anyone else?

23 (No Response)

24 ACTING CHAIRPERSON GIVEN: I make a motion to  
25 table the use evaluation application and signage

1 application of Evan Hoffman pursuant to  
2 investigating what the C of O reads for Preston's.  
3 Do I have a second?

4 MR. COTUGNA: Second.

5 ACTING CHAIRPERSON GIVEN: All those in  
6 favor?

7 MR. BURNS: Aye.

8 MR. COTUGNO: Aye.

9 MR. THOMAS: Aye.

10 ACTING CHAIRPERSON GIVEN: Aye.

11 Motion carried.

12 Item No. 6, motion to accept the minutes of  
13 July 27th and August 31st, 2017 and September 7th,  
14 2017 Planning Board meetings. Do I have a second?

15 MR. COTUGNA: Second.

16 ACTING CHAIRPERSON GIVEN: All those in  
17 favor?

18 MR. BURNS: Aye.

19 MR. COTUGNO: Aye.

20 MR. THOMAS: Aye.

21 ACTING CHAIRPERSON GIVEN: Aye.

22 Item No. 7, motion to approve the minutes of  
23 the June 25th, 2017 and July 6th, 2017 Planning  
24 Board meetings. Do I have a second?

25 MR. COTUGNA: Second.

1           ACTING CHAIRPERSON GIVEN: All those in  
2 favor?

3           MR. BURNS: Aye.

4           MR. COTUGNO: Aye.

5           MR. THOMAS: Aye.

6           ACTING CHAIRPERSON GIVEN: Aye.

7           Item No. 8, motion to schedule the Planning  
8 Board work session for 4 p.m. on October 26th,  
9 2017. Do I have a second?

10          MR. COTUGNA: Second.

11          ACTING CHAIRPERSON GIVEN: All those in  
12 favor?

13          MR. BURNS: Aye.

14          MR. COTUGNO: Aye.

15          MR. THOMAS: Aye.

16          ACTING CHAIRPERSON GIVEN: Aye.

17          Item No. 9, motion to schedule the Planning  
18 Board regular session 4 p.m. on November 2nd, 2017.  
19 Do I have a second?

20          MR. COTUGNA: Second.

21          ACTING CHAIRPERSON GIVEN: All those in  
22 favor?

23          MR. BURNS: Aye.

24          MR. COTUGNO: Aye.

25          MR. THOMAS: Aye.

1 ACTING CHAIRPERSON GIVEN: Aye.

2 I'm sorry, Ben.

3 MR. BURNS: Somebody in the audience wants to  
4 talk.

5 MR. OLINKIEWICZ: I just need to -- I needed  
6 just a little clarification about the part with --  
7 please, if the Board would revisit it for the use  
8 application, No. 4, please. Can I just -- can we  
9 just go back to that for two minutes?

10 ACTING CHAIRPERSON GIVEN: Okay.

11 MR. OLINKIEWICZ: Okay. I just need to talk.

12 ACTING CHAIRPERSON GIVEN: I don't know? Can I?

13 MR. CONNOLLY: Yes.

14 ACTING CHAIRPERSON GIVEN: Okay, great.

15 MS. ALLEN: Is next week's -- is next week's  
16 meeting Monday or Thursday?

17 MS. LINGG: Thursday.

18 MS. ALLEN: The 2nd is Monday.

19 ACTING CHAIRPERSON GIVEN: We're not --

20 MS. ALLEN: The 5th is Thursday.

21 ACTING CHAIRPERSON GIVEN: One minute.

22 Chatty, let me deal --

23 MS. ALLEN: Okay, yeah.

24 ACTING CHAIRPERSON GIVEN: Let Jim speak. Hi.

25 MR. OLINKIEWICZ: Hi. James Olinkiewicz.

1 I'm the owner of 131 Third Street.

2 So I got a couple of quick questions, because  
3 it was thrown up that all of a sudden I needed a  
4 second handicapped bathroom in the site, possibly.  
5 So I'm trying to wonder why last year when I was  
6 here, it was six or seven months and it was talked  
7 about there was going to be restaurants with bars  
8 in both of them, and we went over it for months on  
9 redesigning those places, that all of a sudden now,  
10 when I have somebody to rent, it's all of a sudden  
11 an issue, right? I'm just trying to find out why  
12 that pops up now.

13 There's no more than 15 seats at the bar.  
14 It's not a bar, it's a restaurant that serves  
15 alcohol. And if you call it a bar, then you would  
16 have to do the same Andy's down the street that you  
17 guys approved that has one handicapped bathroom and  
18 it has 19 seats at the bar, plus another 80 seats  
19 in the restaurant. So if that's the protocol, he  
20 needs to renovate his whole building.

21 So I'm trying to find out why, after we spent  
22 all of this time working on this for months  
23 beforehand, now, when my renter wants to go in in  
24 the next month-and-a-half, all of a sudden that  
25 this is an issue.



1           We were at the Planning Board, we were in  
2 front of the -- everybody. This has gone over and  
3 over and over again. So I'm just trying to find  
4 out why all of a sudden this becomes another  
5 handicapped issue, which involves me tearing out  
6 two brand new bathrooms and redesigning everything  
7 and moving walls, which puts me back to the Board  
8 of Health, back to everything, back in front of  
9 here for moving all of this when we spent months on  
10 this. And it was always told that it was going to  
11 be two restaurants with bars that served alcohol  
12 when I came here and we designed this a year ago.

13           MR. PALLAS: We're going to have to review  
14 the file. I can't answer that without reviewing an  
15 awful lot of paper. I don't think you want to  
16 spend the time doing that. We can certainly do  
17 that and advise the applicant of the rationale. We  
18 can't --

19           MR. OLINKIEWICZ: So the rationale is if  
20 somebody --

21           MR. PALLAS: If I may.

22           MR. OLINKIEWICZ: Well, no. If somebody else  
23 got approved, are we going to go to them?

24           ACTING CHAIRPERSON GIVEN: Jim, he was  
25 speaking. Please don't interrupt him. Please,

1 Jim.

2 MR. PALLAS: If I may.

3 MR. OLINKIEWICZ: Okay.

4 ACTING CHAIRPERSON GIVEN: Thank you.

5 MR. PALLAS: Again, I think the question was  
6 raised and I think the response was we're going to  
7 check on if it's required. There's no certainty  
8 that it's even required based on the number of  
9 seats and the seats at the bar. So we will check  
10 on that. If it's still required, we will review  
11 the file from the original application for this  
12 building and see what was set and we will discuss  
13 that.

14 MR. OLINKIEWICZ: So, hypothetically, if it  
15 is required, are we going to go back to the other  
16 people you approved since mine and make them come  
17 into compliance?

18 MR. PALLAS: I'm not --

19 MR. OLINKIEWICZ: I'm just -- because I -- I  
20 want to be fair.

21 MR. PALLAS: I don't respond to hypothetical.

22 MR. OLINKIEWICZ: I want to be -- fair is  
23 fair. You know, I mean, I spent six months here  
24 going through this, more than six months. I mean,  
25 it's been a year-and-a-half until I could get that

1 door open because of constant merry-go-round, and I  
2 don't want to get back on the merry-go-round on  
3 something we've already done for months and months  
4 and months, and I've spent an oodle amount of money  
5 on it.

6 MR. PALLAS: Again, I'm not going to respond  
7 to a hypothetical. We'll review this application.  
8 The question was raised about the need for a  
9 handicapped bathroom. We will check on it. If it  
10 is required, we will go back to the original  
11 application and see if anything has changed from  
12 now -- from then to now to warrant the change.  
13 That's all I can offer you at this point.

14 MR. OLINKIEWICZ: So how long until we find  
15 out?

16 MR. PALLAS: We'll try to do it by Monday.

17 MR. OLINKIEWICZ: Okay. Thank you.

18 ACTING CHAIRPERSON GIVEN: Thanks, Jim.

19 Okay. Question of dates, Chatty? Are you --

20 MS. ALLEN: Because the 2nd is Monday, so I  
21 have plenty --

22 MR. PALLAS: The date on the -- the date is  
23 November.

24 ACTING CHAIRPERSON GIVEN: November 2nd is  
25 what --

1 MR. PALLAS: It's for November 2nd.  
 2 ACTING CHAIRPERSON GIVEN: November 2nd.  
 3 MS. ALLEN: Oh, okay.  
 4 ACTING CHAIRPERSON GIVEN: Okay.  
 5 MS. ALLEN: Okay. That's why when I saw --  
 6 ACTING CHAIRPERSON GIVEN: Thank you. All  
 7 right.  
 8 MS. ALLEN: -- the 2nd, I knew it was Monday.  
 9 ACTING CHAIRPERSON GIVEN: All right. Okay.  
 10 MR. EVAN HOFFMAN: Is that for me to return  
 11 also, by November 2nd?  
 12 MR. COTUGNO: No, next week.  
 13 MR. EVAN HOFFMAN: Next week? Okay. What's  
 14 the date and time.  
 15 MS. LINGG: A week from today, the 5th.  
 16 MS. ALLEN: It should be October 5th.  
 17 MR. EVAN HOFFMAN: October 5th at 4 o'clock?  
 18 MS. LINGG: Next Thursday.  
 19 MR. EVAN HOFFMAN: Okay. Thank you.  
 20 ACTING CHAIRPERSON GIVEN: Item No. 10,  
 21 motion to adjourn at 4:47. Do I have a second.  
 22 MR. COTUGNA: Second.  
 23 ACTING CHAIRPERSON GIVEN: All those in  
 24 favor?  
 25 MR. BURNS: Aye.

1 MR. COTUGNO: Aye.

2 MR. THOMAS: Aye.

3 ACTING CHAIRPERSON GIVEN: Aye.

4 (The meeting was adjourned at 4:47 p.m.)

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