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VILLAGE OF GREENPORT

COUNTY OF SUFFOLK: STATE OF NEW YORK

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VILLAGE OF GREENPORT PLANNING BOARD

WORK SESSION MEETING

-----X

Little Red Schoolhouse

Greenport, New York 11944

January 12, 2026

5:00 p.m.

B E F O R E:

TRICIA HAMMES - CHAIRPERSON

DANIEL CREEDON - MEMBER

ELIZABETH TALERMAN - MEMBER (ABSENT)

FRANCIS WALTON - MEMBER

SHAWN BUCHANAN- MEMBER

MICHAEL NOONE - CLERK TO THE BOARD

All other interested parties

2 CHAIRPERSON HAMMES: This is  
3 the Village of Greenport Planning  
4 Board for Monday, January 12, 2026.  
5 It is now 5:01 p.m. and I call  
6 this meeting to order.

7 Happy New Year to everyone.  
8 This is a public meeting. The  
9 principle order of business today  
10 is going to be a discussion in  
11 respect of a proposed amendment to  
12 Chapter 150, Sections 41 and 44,  
13 relating to the appointment of  
14 alternate members to the Zoning  
15 Board of Appeals and this Board.

16 Before starting this discussion,  
17 we have a few administrative  
18 matters to attend to. First on  
19 our agenda is Item Number 1 and I  
20 hereby move to accept and approve  
21 the minutes of our meeting on  
22 October 27, 2025. Do I have a  
23 second?

24 MEMBER WALTON: Second.

25 CHAIRPERSON HAMMES: All

2 those in favor?

3 MEMBER WALTON: Aye.

4 CHAIRPERSON HAMMES: Aye.

5 MEMBER CREEDON: Aye.

6 CHAIRPERSON HAMMES: The  
7 motion carries.

8 The next motion is a motion to  
9 approve the continuation of a  
10 Public Hearing regarding the  
11 application of Robert I. Brown, RA  
12 on behalf of Mark and Patty Carlos  
13 in respect to the property located  
14 at 140 Main Street, Suffolk County  
15 Tax Map 1001-5-3-18. This property  
16 is located in the CR-Retail  
17 Commercial District and in the  
18 Historic District.

19 As an update, the Public Hearing  
20 for this application has been open  
21 for, I think, about six months  
22 now. It has been pending based on  
23 the requirement that the project  
24 also receives certain variances  
25 from the ZBA. Those variances

2 were approved at the ZBA's meeting  
3 in December and the formal resolution  
4 approving those variances was  
5 anticipated to approved at the ZBA's  
6 January meeting.

7 We had hoped to begin the  
8 discussion on this project at this  
9 meeting and potentially even take  
10 action on the application, but  
11 unfortunately, there are still a  
12 few pending clarifications and  
13 information that this Board needs  
14 before starting on that discussion  
15 and making a decision. Should I  
16 stop?

17 MEMBER WALTON: Perhaps pause.

18 CHAIRPERSON HAMMES: Yeah,  
19 we're going to stop for a minute  
20 because the transcriptionist just  
21 got here, so we'll wait for you to  
22 set up.

23 (Whereupon, a brief recess  
24 was taken.)

25 CHAIRPERSON HAMMES: So anyway,

2 as I was saying, we had hoped to  
3 begin discussion on this project  
4 at this meeting and potentially  
5 even take action on the  
6 application, but unfortunately  
7 there's still some pending  
8 clarifications and a little bit of  
9 information that this Board needs  
10 before starting on that discussion  
11 and making a decision.

12 The hope is, unless Mike tells  
13 me otherwise, that this will all  
14 be settled this week, in which  
15 case, we would anticipate taking  
16 this up formally at our next  
17 meeting on January 26th. If, for  
18 some reason the outstanding items  
19 aren't resolved in time for that  
20 meeting in accordance with the  
21 Planning Board adopted protocol,  
22 then this will likely potentially  
23 need to be held over to our  
24 meeting scheduled for February 9th.

25 As I understand, this is all,

2 more or less, in the control of  
3 the applicant this time. For the  
4 time being, I'm going to make a  
5 motion to approve the continuation  
6 of this hearing to Monday,  
7 January 26, 2026, and, if  
8 necessary, to Monday, February 9,  
9 2026. Do I have a second?

10 MEMBER WALTON: I'll second.

11 That was going to be my suggestion  
12 is that we allow for the possibility  
13 of going another week. So you've  
14 anticipated it, so I'll second.

15 CHAIRPERSON HAMMES: All  
16 those in favor?

17 MEMBER CREEDON: Aye.

18 CHAIRPERSON HAMMES: Aye.

19 MEMBER WALTON: Aye.

20 CHAIRPERSON HAMMES: Motion  
21 carries.

22 Okay, we are now going to turn  
23 to a discussion of the proposed  
24 amendments to Chapter 150 of the  
25 Village of Greenport code that I

2 referenced earlier. Pursuant to  
3 Section 150-32 of the Village  
4 code, any amendment to Chapter 150  
5 must be referred to this Planning  
6 Board for a report back to the  
7 Board of Trustees and that is the  
8 purpose of this discussion.

9 As background, under New York  
10 State Village law, both the  
11 Planning Board and the Zoning  
12 Board of Appeals are each composed  
13 -- contemplated to be composed of  
14 five members with each member  
15 serving a five-year term. Those  
16 terms are required to be staggered  
17 so that, to the extent practicable,  
18 no more than one term expires in  
19 any given year.

20 Village law also authorizes, but  
21 does not require, the appointment --  
22 and, by the way, when I refer to  
23 Village law, when I say Village  
24 law, I mean, New York State  
25 Village law, not Village code.

2 Village law also authorizes, but  
3 does not require the appointment  
4 of alternate members to both the  
5 Planning Board and the Zoning  
6 Board of Appeals. Absent a  
7 municipal home rule superseding  
8 local law, Village law generally  
9 provides the following with  
10 respect to alternate members:

11 Alternate members are permitted,  
12 but not required.

13 Alternate members must be  
14 formally appointed in the same  
15 manner as regular members.

16 Alternates are considered  
17 members of the relevant merely  
18 advisory participates.

19 Alternates are subject to the  
20 same legal requirements as regular  
21 members including the open meeting  
22 law ethics and conflict of  
23 interest rules and applicable  
24 training requirements.

25 Alternate members are appointed

2 for five-year terms subject to  
3 initial staggering where applicable.

4 Alternates may participate only  
5 when a regular member is unable to  
6 participate due to a conflict of  
7 interest. The mere absence of a  
8 regular member does not permit  
9 substitution of an alternate member.

10 The Village of Greenport Board  
11 of Trustees is considering  
12 amendments to Section 150-41 and  
13 150-44 of the Village Code in  
14 order to adopt a local law  
15 superseding certain permissions of  
16 New York State Village law  
17 pursuant to the municipal home  
18 rule law solely with respect to  
19 the length of the term protection  
20 an alternate member appointed to  
21 the Planning Board or the Zoning  
22 Board of Appeals.

23 Specifically, the proposed  
24 amendment would reduce the term of  
25 service for alternate members from

2 five years to one year. The  
3 proposed amendment does not seek  
4 to supercede the Village law  
5 provisions that limit the  
6 circumstances under which alternate  
7 members may be designated to  
8 participate. Under the proposal,  
9 alternates would continue to be  
10 permitted to participate only in  
11 cases of conflict of interest and  
12 not due to absence, vacancy, or  
13 other inability attend.

14 The Board of Trustees has  
15 indicated to the purpose of the  
16 proposed amendment is to  
17 potentially increase the pool of  
18 residents willing to serve as  
19 alternate members. With that  
20 background, I would be interested  
21 in hearing the views of the  
22 members of the Planning Board who  
23 are here this evening on the  
24 proposed amendments. Dan, maybe  
25 we can start with you?

2 MEMBER CREEDON: I think it's  
3 a good idea.

4 CHAIRPERSON HAMMES: All right.  
5 Frances?

6 MEMBER WALTON: I have no  
7 objection to it. The way the  
8 resolution is written, it's sounds  
9 like it's broader than just a  
10 conflict of interest. It's actually,  
11 I guess, in the findings -- intent  
12 and findings --

13 MEMBER CREEDON: Yeah, I was  
14 surprised to hear that.

15 CHAIRPERSON HAMMES: They're  
16 not amending the -- they're not  
17 amending the actual provisions of  
18 the code.

19 MEMBER WALTON: Right, okay,  
20 but the way this is worded, it  
21 talks about it's cognizant of the  
22 need of alternate members to serve  
23 when current Board members cannot  
24 participate in a meeting or a  
25 particular --

2 CHAIRPERSON HAMMES: Okay,  
3 but that's not a substantive  
4 provision as drafted and it  
5 doesn't override --

6 MEMBER WALTON: The Village  
7 law.

8 CHAIRPERSON HAMMES: -- the  
9 Village law or frankly our code.

10 MEMBER WALTON: Understood.  
11 The way it was written, I thought,  
12 initially, it would be applicable  
13 in a circumstance when somebody  
14 was unable to attend a meeting.  
15 You have provided us with  
16 clarification, but I think the  
17 wording before us could be  
18 misleading if somebody didn't  
19 understand that.

20 CHAIRPERSON HAMMES: Well --  
21 go ahead.

22 MEMBER WALTON: No, if they  
23 didn't have the background that  
24 you shared with us.

25 MEMBER CREEDON: So that begs

2 the question, is this wording  
3 something that was produced here  
4 in the Village or is this what the  
5 State provides when you want to  
6 adopt this?

7 CHAIRPERSON HAMMES: No, this  
8 would have been Brian's wording  
9 because I've looked at laws on  
10 this and this is -- I have a point  
11 I'm going to raise, when you're  
12 done speaking, that relates to  
13 this point.

14 MEMBER WALTON: I think that  
15 was my main point that I wanted  
16 clarified. I also wanted to  
17 understand better, but I'm not  
18 sure that you're in a position to  
19 do this, why they want to change  
20 it from five years to one year.  
21 There is an explanation provided  
22 in terms of broadening the  
23 applicant pool.

24 CHAIRPERSON HAMMES: Well,  
25 the discussion at the last

2 regular work -- the regular  
3 session of the Board of Trustees  
4 where they discussed this, I mean,  
5 they didn't really say much more  
6 than that, other than they thought  
7 more people would be willing to  
8 make a one year commitment as  
9 opposed to a five-year commitment.

10 And just to clarify there, under  
11 New York Village code, once you're  
12 appointed to the Planning Board or  
13 the ZBA, you are not recused from  
14 your responsibilities because you  
15 resign until you're replaced.

16 MEMBER WALTON: Okay.

17 CHAIRPERSON HAMMES: Okay?

18 So everybody that's on this Board  
19 now, if you chose to resign  
20 tomorrow, you would still  
21 technically be obligated to serve  
22 until a replacement was put in  
23 place for you. That's the way  
24 municipal Village code works.

25 MEMBER WALTON: So the same

2 would be applicable here?

3 CHAIRPERSON HAMMES: Correct,  
4 correct.

5 MEMBER WALTON: Because  
6 otherwise a one-year term is  
7 relatively short and could be  
8 disruptive if, you know --

9 CHAIRPERSON HAMMES: Correct.

10 MEMBER WALTON: But, okay.  
11 Helpful.

12 CHAIRPERSON HAMMES: So your  
13 point about the lead-in language,  
14 which, you know, they specifically  
15 said at that meeting that they  
16 weren't looking to, you know,  
17 change -- that they acknowledged  
18 that this is for a conflict of  
19 interest.

20 Having dug into this a little  
21 bit, it seemed to me that by  
22 shortening the term of alternate  
23 members without expanding the  
24 circumstances under which they  
25 actually participate doesn't

2 necessarily encourage people to do  
3 this.

4 Because the way this is drafted,  
5 you would still only actually  
6 participate in Planning Board  
7 meetings as a voting member would  
8 be if there was a conflict of  
9 interest, you, serving a one-year  
10 term, may literally have no real  
11 opportunity to participate, but at  
12 the same time, you will be subject  
13 to all these rules including the  
14 training requirements.

15 I think this kind of creates an  
16 inconsistency in respect to the  
17 stated goal of increasing  
18 participation. And I guess my  
19 view, having looked into it, was  
20 it does appear that you can also  
21 use a municipal home rule law to  
22 override the conflict of interest  
23 and allow for participation under  
24 other circumstances; such as, just  
25 an absence or where there's a lack

2 of quorum, and there are a number  
3 of municipalities that have done  
4 that.

5 MEMBER CREEDON: So with  
6 respect to that then, when  
7 something is carried over from one  
8 meeting to another, like we just  
9 voted a few moments ago, that  
10 alternate member would be expected  
11 to be at all of those sessions,  
12 correct?

13 CHAIRPERSON HAMMES: Well, I  
14 think the way I understand it  
15 works is that the alternate member  
16 is supposed to attend all sessions  
17 no matter what, whether they're  
18 voting or not, so that they're  
19 available to slot in.

20 Now I don't have an answer to  
21 the question of whether, for  
22 instance, if they were here at the  
23 first meeting and, you know, let's  
24 say, you know, Elizabeth wasn't  
25 here, so they sat in for her, but

2 we carried it over to next  
3 meeting, if Elizabeth was there  
4 whether or not they were supercede  
5 her. I don't believe they do  
6 because Elizabeth has the ability  
7 to go watch the tape and bring  
8 herself up to speed.

9 But if we're voting on something,  
10 they would have that ability is  
11 the way I understand this works.  
12 And so I would have thought if  
13 you're going to have alternates  
14 doing a shorter term, that it  
15 would make more sense to also  
16 adopt a broader set of  
17 circumstances under which they  
18 could participate. In order to  
19 participate, they still have to be  
20 designated to participate by the  
21 Chair of the Board having read  
22 through several different codes  
23 that do this. But we all know  
24 that we do have absentees from  
25 time to time. We have one member

2 that's been absent probably almost  
3 half of the meetings in the last  
4 year. I believe the ZBA also has  
5 a member who sometimes is unable  
6 to make it. And I guess from my  
7 perspective, I -- you know, kind  
8 of what you were saying before the  
9 meeting started about, you know,  
10 just quorums generally and the  
11 number of people on a school board  
12 or whatever.

13 I think the more people you have  
14 deciding these, the more  
15 representative it is of the  
16 community and so my preference  
17 would always be to have five  
18 people voting. And, frankly, you  
19 also have the situation that if  
20 you ever were only at four, even  
21 though you would have a quorum to  
22 vote -- and this almost happened  
23 on the recent ZBA meeting on  
24 140 Main, if there's a tie, it's  
25 basically a vote against.

2 And so having thought about it,  
3 since it is an option to expand  
4 the circumstances under which an  
5 alternate would participate, it  
6 would seem to me that if you're  
7 going to decrease this to one  
8 year, you should also adopt that  
9 standard so as to provide more  
10 opportunity for that person to  
11 actually have the option to  
12 participate and also for this  
13 Board to function at a full Board  
14 level in instances of absence.

15 So I don't know what you all  
16 think about that, but that was  
17 kind of my thought having looked  
18 into it. And one of the reasons  
19 this triggered for me was there a  
20 New York Department of State  
21 session last week on Planning  
22 Boards generally, which I didn't  
23 end up -- I signed up for it, but  
24 I didn't watch it, but I have the  
25 slide deck and it actually raised

2 this specific issue in the slide  
3 deck, which is why I then looked  
4 into it further. Because I  
5 though, oh, that's an interesting  
6 thing because I had always  
7 understood that alternates could  
8 only act in, you know,  
9 circumstances of conflict of  
10 interest, which frankly I think,  
11 in this small Village at least  
12 given the current composition of  
13 both the ZBA and this Board where  
14 nobody owns a business, is frankly  
15 not all that likely to happen.

16 So I'm not sure doing if you're  
17 doing this change to one year to  
18 try to broaden the pool that would  
19 be available because you intend,  
20 going forward, to start appointing  
21 alternates, but if you don't tweak  
22 some other things, that really  
23 provides true opportunity for  
24 other community input. Thoughts?

25 MEMBER CREEDON: Yeah, but

2 not about that specifically.

3 Regarding the training that's  
4 required. It's the same training  
5 that's required of us?

6 CHAIRPERSON HAMMES: (Nodding.)

7 MEMBER CREEDON: And we have  
8 a year to get a certain amount of  
9 hours and they would have that and  
10 then the time would be up. So  
11 they, in effect, would not have to  
12 have any training at all.

13 CHAIRPERSON HAMMES: Well,  
14 they technically would, but, yeah,  
15 you're right, if they waited until  
16 the end of the year. But that's  
17 somewhat problematic. We wouldn't  
18 want to go into --

19 MEMBER CREEDON: Well, it's  
20 problematic with a one-year term.

21 CHAIRPERSON HAMMES: Yeah.

22 There are municipalities that  
23 have one-year terms. So, you  
24 know, probably the assumption is  
25 that you do the training. And we

2 usually try to do two hours in the  
3 first half of the year, right?

4 I thought that these Department  
5 of State sessions might be good,  
6 but I don't think that's been sent  
7 around for everybody to sign up  
8 for.

9 But that's kind of a separate  
10 issue we're going to have to deal  
11 with in the near future is our  
12 training for this year, but I hear  
13 you. I hear you. But from that  
14 perspective, then you think it  
15 shouldn't be changed to one year?

16 MEMBER CREEDON: I think  
17 maybe -- you know, one year you're  
18 getting your feet wet. Maybe two  
19 years would be better.

20 CHAIRPERSON HAMMES: Frances?

21 MEMBER WALTON: Well, I'm  
22 definitely supportive of there  
23 being the opportunity for  
24 alternates. As I said, I  
25 questioned whether or not it

2 should go beyond just the conflict  
3 of interest circumstance. It  
4 seems to be much more helpful, and  
5 perhaps more applicable as you  
6 mentioned in the Village this  
7 size, if it were the broader  
8 understanding.

9 And as I said -- as I pointed  
10 out, this seems to almost  
11 contemplate that. I'm not sure to  
12 what degree people are really  
13 focused on --

14 CHAIRPERSON HAMMES: They  
15 specifically said at that  
16 meeting that --

17 MEMBER WALTON: They --

18 CHAIRPERSON HAMMES: I mean,  
19 there wasn't a long discussion  
20 about it, but they recognized that  
21 the law, as New York State law,  
22 provides -- again, unless you  
23 overrule, you supercede it with  
24 Village law, that it limits it to  
25 conflicts of interest and there

2 was no discussion that they were  
3 proposing to change that.

4 MEMBER WALTON: Okay, but --  
5 and I did listen to that recording  
6 and it was a fairly brief  
7 discussion, but in my mind that  
8 doesn't necessarily mean that they  
9 didn't intend it to be broader.

10 So -- but, so I would be  
11 supportive of it being broadened.  
12 And I certainly have no objection  
13 to it being two years versus one  
14 year and it does -- I am concerned  
15 about sort of a disruptive process  
16 of, you know, just a single term  
17 as somebody who's just getting  
18 familiar with the process, and  
19 then they're off. So I think a  
20 two-year commitment is not so  
21 onerous, so I would support that  
22 as well.

23 CHAIRPERSON HAMMES: Okay. I  
24 mean, to go to your point about  
25 the drafting, honestly, because my

2 final point is a technical point,  
3 but, again, having dug into this a  
4 little bit, my understanding is  
5 that when you're overruling or  
6 superseding Village law, as  
7 opposed to Village code, when  
8 you're over -- you're trying to  
9 supercede New York State Village  
10 code -- law.

11 MEMBER WALTON: Law.

12 CHAIRPERSON HAMMES: -- you  
13 have to be very, very specific.  
14 And, in fact, you have to have an  
15 express statement of intent as  
16 well as specific provisions that  
17 set forth the superseding language.  
18 And this draft does not have this  
19 either, a clear description of  
20 what the Village law currently  
21 provides and what is being  
22 modified by the rule of law.

23 So I think that there's some  
24 technical work that probably needs  
25 to be done on this as well, but

2 that is more for the lawyer to  
3 sort out. But assuming that we're  
4 all, kind of, in agreement with  
5 suggesting that maybe two years is  
6 better than one year, that we  
7 think they should change the  
8 circumstances for participation as  
9 well, then, unless somebody has  
10 something else on this, I guess I  
11 would propose to do a short  
12 written report that we can send  
13 back.

14 I'll send that around individually  
15 to everybody because, ideally, I'd  
16 like to get it to the Board by the  
17 end of this week because I believe  
18 that they're having a public  
19 hearing on this at next week's  
20 meeting and probably would like to  
21 vote at it at that meeting, which  
22 they will not be able to do if we  
23 don't get them a report.

24 So, you know, if you have time;  
25 if you don't, then it will be held

2 up. But that would be what I  
3 would propose and if everybody is  
4 okay with taking that approach.

5 MEMBER WALTON: Yeah, I'm  
6 fine with that.

7 CHAIRPERSON HAMMES: All  
8 right, we're done with that item.

9 The next item on our agenda is a  
10 Board discussion with respect to  
11 any other matters relating to  
12 Village Planning and Zoning that  
13 any Planning Board member or  
14 member of the public wishes to  
15 raise for consideration.

16 As we do not have anybody in  
17 person from the public, I assume  
18 that there is nobody from the  
19 public to raise anything.

20 Do either of you have anything  
21 else you want to discuss?

22 MEMBER CREEDON: Nothing that  
23 we haven't discussed before and  
24 I've said what I thought then.

25 CHAIRPERSON HAMMES: Okay.

2 All right, well then, with that, I  
3 will make a motion to adjourn this  
4 meeting at 5:24 p.m. Do I have a  
5 second?

6 MEMBER WALTON: Second.

7 CHAIRPERSON HAMMES: All  
8 those in favor?

9 MEMBER CREEDON: Aye.

10 CHAIRPERSON HAMMES: Aye.

11 MEMBER WALTON: Aye.

12 CHAIRPERSON HAMMES: Motion  
13 carries. Thank you all for your  
14 work and commitment.

15 (Whereupon, the Village of  
16 Greenport Planning Board Meeting  
17 adjourned at 5:24 p.m.)  
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C E R T I F I C A T I O N

I, REBECCA WOOD, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

THAT the above and foregoing contains a true and correct transcription of the proceedings.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of January, 2026.

  
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REBECCA WOOD