

VILLAGE OF GREENPORT
COUNTY OF SUFFOLK: STATE OF NEW YORK

-----X

PLANNING BOARD

WORK SESSION AND REGULAR MEETING

-----X

August 27, 2020
4:00 p.m.

Third Street Firehouse
Greenport, New York

B E F O R E:

WALTER FOOTE - CHAIRMAN

JOHN COTUNGO - MEMBER

REED KYRK - MEMBER

LILY DOUGHERTY-JOHNSON - MEMBER

PATRICIA HAMMES - MEMBER

ALSO PRESENT:

PAUL PALLAS - VILLAGE ADMINISTRATOR

ROBERT CONNOLLY - PLANNING BOARD ATTORNEY

AMANDA AURICCHIO - CLERK TO THE BOARD

JAY WEBSTER

JUSTIN BALES, Homeowner

RYAN SIDOR, Representing Robert Brown

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

4 CHAIRMAN FOOTE: Good
5 afternoon. This is the Village of
6 Greenport Planning Board. This is
7 a work session and regular
8 meeting. It's August 27th, 2020
9 at 4:00 p.m.

15 Do I have a second?

16 MR. COTUNGO: Second.

17 CHAIRMAN FOOTE: All those
18 in favor vote aye?

19 (Chorus of ayes.)

20 CHAIRMAN FOOTE: The Motion
21 carries.

22 Item Number 2: Is a Motion
23 to schedule the combined Planning
24 Board Work Session and Regular
25 Meeting for 4:00 p.m. on

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September 24th, 2020.

Do I have a second?

MR. COTUNGO: Second.

CHAIRMAN FOOTE: All those

in favor?

(Chorus of ayes.)

CHAIRMAN FOOTE: Motion is

carried.

Item Number 3: 110 South

Street. This is a Motion to

accept the findings and

determinations for 110 South

Street Greenport, Inc.

This property is

the Retail Commercial District and

is not located in the Historic

District.

It

It

It's Suffolk County Tax Map

1001-4-6-34.6.

I take it that my fellow

board members had the opportunity

to review the Motion? Rather the

determination and findings which

were circulated previously.

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2 And does anybody have any
3 questions or do they accurately
4 reflect what we agreed to?

5 (No response.)

6 CHAIRMAN FOOTE: And in
7 that case, I move that we accept
8 the findings.

9 Do I have a second?

10 MR. KYRK: Second.

11 CHAIRMAN FOOTE: All those
12 in favor?

13 (Chorus of ayes.)

14 CHAIRMAN FOOTE: Motion
15 carries.

16 Item Number 4: 4-4 -- I'm
17 sorry, 439 First Street.

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Preservation Commission on

August 8th, 2017.

This property is located in

the R-2 (One and Two-Family)

District and is located in the

Historic District.

That's Suffolk County Tax

Map 1001-4-6-40.

At this time would somebody

like to speak on behalf of the

applicant?

MR. BALES: Good afternoon.

So as you can see --

CHAIRMAN FOOTE: I'm sorry,

just I hate to go to the protocol,

but if you could just announce who

you are.

MR. BALES: Sure. Justin

Bales, owner of 439 First Street.

We are continuing to

renovate our home. This is our

primary residence out here.

(Phone ringing)

MR. BALES: Excuse me. And

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we wanted to move the curbcut to I should say the -- what will be our future garage, it's not currently usable in its current format. And with -- I have little kids, and we are trying to just maximize the use of our yard there.

And, like I said, we've been working hard trying to renovate the home, and that's the next part of the process is to work on our barn. Is working on our barn.

CHAIRMAN FOOTE: Does anybody have any questions on the proposed curbcut?

MR. COTUNGO: I think it's a good idea.

CHAIRMAN FOOTE: Anybody else have any questions or comments?

(No response.)

CHAIRMAN FOOTE: Okay.

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2 it.

3 At this time, my
4 understanding is that this is the
5 type of application that does not
6 require a Public Hearing, so I --
7 I move that we take a vote on this
8 application.

11 MR. COTUNGO: Second.

12 CHAIRMAN FOOTE: All those
13 in favor of the application say
14 aye?

15 (Chorus of ayes.)

16 CHAIRMAN FOOTE: The
17 application carries.

18 Congratulations.

19 MR. BALES: Thank you.

20 CHAIRMAN FOOTE: So Item
21 Number 5: 407 Main Street was
22 originally scheduled for today.
23 It's my understanding that the
24 applicant would like to postpone
25 the discussion and we're -- we'll

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going to reschedule it for

September 24th at our next

meeting.

So we move on to Item

Number 6: 300-308 Main Street.

This is a Public Hearing regarding

the site plan review application

of Sterling Square, LLC. c/o

Brenton -- excuse me, Brent Pelton

represented by Robert Brown.

The applicant proposes

interior and exterior renovations.

This property is located in

the CR (Retail Commercial)

District and is located in the

Historic District.

This matter

This matter has been

approved by the Historic

Preservation Commission on

August 20th, 2020.

It's locate

It is located at Barron

County Tax Map Number

100 ± 1.0, 25.0 ±

Would anybody from the

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4 (No response.)

5 CHAIRMAN FOOTE: Okay.

6 Doesn't seem like there's going to
7 be any public discussion of it.

12 MR. KYRK: I thought he was
13 going make some changes to the
14 plans like the drain.

15 MS. HAMMES: There are new
16 plans --

17 CHAIRMAN FOOTE: There are
18 new plans.

19 MR. KYRK: But I didn't see
20 the drains being addressed. We
21 spoke about the drain. I picked
22 up the new plans, but...

23 MS. DOUGHERTY-JOHNSON:
24 Yeah, I couldn't tell what was new
25 about the plan, but I didn't

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2 carefully --

3 MR. KYRK: Well, the two
4 things I looked for I noticed were
5 not changed, because we definitely
6 spoke about that drain at the
7 bottom of the stairway not just
8 dumping as he writes onto the
9 lawn, but going to a drywell, and
10 I think he agreed to that, but I
11 don't think we've shown it.

12 MR. PALLAS: If I -- if I
13 may, Mr. Chairman and members of
14 the board?

15 I met with the architect
16 and the applicant on this project.
17 We did discuss that something
18 needs to be done, and they are
19 going to -- he did commit to put
20 in some kind of a different
21 system, either a drywell
22 underneath, since it's not
23 specifically relevant to your
24 approval, I can tell you
25 affirmatively that I will not let

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an open permit be issued until there's some kind of a holding area, if you will, and only when that holding area can no longer hold the water that it will eject out, so there'll be a 55 gallon drum, for lack of a better description, to hold the water and if it breaches even that, then it would eject out, which would be minimal, minimal times, minimal dump.

MR. COTUNGO: As long as you assured me to do that, then I'm fine.

But the other issue was that front door, which I don't feel comfortable approving an application that is affecting the Planning Board where a front door opens up onto a ramp going down.

CHAIRMAN FOOTE: Yeah, I --
my understanding, in my view,
they've made the best of the

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2 situation. They are putting a
3 ramp in. I understand your
4 concern, John. They did in fact
5 also it looks like include a
6 push-button electric door opener,
7 which I thought was a really good
8 step in the right direction. You
9 know, under the circumstances, I
10 think that they've gone as far as
11 they can really go to kind of make
12 it work so it's accessible, it's
13 not maybe optimally accessible,
14 but it doesn't lend itself to
15 being optimally accessible, so, in
16 my view, I think I would accept it
17 the way they framed it.

18 I don't know, does anybody
19 else have an opinion on the front
20 door and what they've done?

21 MR. KYRK: I'd like to -- I
22 don't want to get all the way down
23 in the weeds here, but it seems to
24 me that the button has to be close
25 enough to the beginning of the

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2 ramp that one could use both hands
3 to continue up the relatively
4 steep ramp, and that's the only
5 thought I have on it, you know, if
6 the button were relatively close
7 to the sidewalk, that would make
8 the most sense because it seems to
9 me to be a, you know, a decent
10 solution to a, you know, a
11 situation that's just not great,
12 you know, the layout just isn't
13 great for it.

14 CHAIRMAN FOOTE: Well, are
15 they putting a handrail in in the
16 front or is it just a ramp? I
17 can't tell from the, you know?

18 MS. HAMMES: It looks like
19 it's just a ramp.

20 MR. COTUNGO: No rail, no
21 railing.

22 CHAIRMAN FOOTE: So there's
23 no rail, where are you gonna put
24 the button? And you can't put it
25 on the bottom on the ground.

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2 MS. HAMMES: It looks like
3 they're just going to put it on
4 the edge of the building, which is
5 as close as they're going to be
6 able to get to the sidewalk.

7 CHAIRMAN FOOTE: Yeah.

8 MR. COTUNGO: I would
9 almost prefer leave it as it is
10 and maybe have a button where some
11 guy comes out and picks a guy up
12 in a wheelchair or something,
13 because by doing this ramp you're
14 not only -- it's still not gonna
15 be handicap accessible, but now
16 you're endangering everybody who
17 goes in there.

18 CHAIRMAN FOOTE: Why do you
19 say it's not gonna be handicap
20 accessible?

21 MR. COTUNGO: Because it
22 doesn't meet the requirements.
23 You have to have five foot
24 completely horizontal before
25 there's any pitch.

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2 CHAIRMAN FOOTE: Well,
3 you're saying -- but that's not
4 the same thing. You're saying
5 it's not technically in
6 compliance, but that doesn't mean
7 it's not generically handicap
8 accessible, it's, you know, a ramp
9 sure beats a staircase for
10 somebody in a wheelchair, right?

11 MS. DOUGHERTY-JOHNSON: But
12 it kind of seems like the
13 push-button sort of eliminates --
14 I mean the idea is you don't want
15 to be opening a door while you're
16 on an incline --

17 CHAIRMAN FOOTE: Right.

18 MS. DOUGHERTY-JOHNSON:
19 (Continuing) If do you the push-
20 button and the door opens, then
21 you can go up the ramp. It seems
22 like, I mean, again, it's not like
23 compliant, just it seems to solve
24 the problem.

25 MS. HAMMES: Walter, I'm

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2 generally in line with your
3 thinking.

4 CHAIRMAN FOOTE: Okay.

5 Well, all right.

7 what you know now, that there's
8 not a handrail, are you okay?

9 Would you be okay with the
10 button's on the side of the
11 building as with the plans?

12 MR. KYRK: Yes. I --

13 that's -- when I looked at it,
14 that's the only thing I thought, I
15 mean it's just not a great
16 situation and I guess I'd want to
17 understand, are you saying, John,
18 that because of the slope on the
19 general sidewalk people, you know,
20 able bodied people may trip over
21 it?

22 MR. COTUNGO: Right.

23 MR. KYRK: Or anybody would
24 trip over it, I guess, I see.

25 MR. COTUNGO: That's why

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2 I'd rather leave it the way it is.

3 MR. KYRK: I was ready to
4 say as long as the button is
5 accessible, you know, is
6 accessible before you hit the ramp
7 it's okay.

8 CHAIRMAN FOOTE: Well, that
9 doesn't seem to be an option, so
10 we're -- we're trying to determine
11 whether we can take a vote on it.

12 MR. KYRK: At this point
13 we're trying to assess whether we
14 can take a vote on it leaving it
15 as it is?

16 CHAIRMAN FOOTE: No, on
17 what they proposed.

18 MR. COTUNGO: On what's
19 proposed.

20 MR. PALLAS: Board members,
21 if I may, if you can just please
22 make sure you're speaking into the
23 microphone for both the recording
24 and the transcription, please, I
25 apologize for interrupting.

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2 CHAIRMAN FOOTE: Yeah, no,
3 no.

4 MR. KYRK: And we talked
5 before it was about a six-inch
6 height difference between the
7 level of the sidewalk and the
8 level of the door threshold,
9 right? From memory that's --
10 that's what I think it is.

11 MR. SIDOR: My name is Ryan
12 Sidor. I'm representing Robert
13 Brown tonight. And I confirm that
14 six inches is the measurement from
15 the sidewalk to the --

16 CHAIRMAN FOOTE: Right.

17 MR. SIDOR: -- finished
18 floor of the space.

19 CHAIRMAN FOOTE: So the
20 overall slope, it increases in
21 height a total of six inches?

22 MR. SIDOR: Six inches,
23 yes.

24 MR. KYRK: And -- and that
25 would be six inches from -- from

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2 the edge of the building, if you
3 will, from the beginning?

4 MR. SIDOR: From the door,
5 yes.

6 CHAIRMAN FOOTE: From the
7 door to the edge of the sidewalk?

8 MR. SIDOR: So there --
9
10 there's a one-foot concrete apron
11 that surrounds the building that
12 separates the property from the
13 sidewalk. And the slope goes all
14 the way up until that sidewalk
15 border, so I believe it sticks out
from the building about a foot.

16 MR. KYRK: Okay. It sticks
17 out into the -- into the sidewalk
18 about a foot and so --

19 MR. SIDOR: Yeah.

20 MR. KYRK: -- there'd be an
21 incline of, oh, a couple of
22 inches, if you're running six feet
23 over --

24 MR. SIDOR: Yeah, I'd say
25 maybe like a hip joint, it would.

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2 you know, go on both sides.

3 MR. KYRK: Well, I

4 mean I --

5 MR. SIDOR: I don't know if

6 that's able to be something that

7 we can paint or, you know, just

8 change something just to notify

9 people of the slope, but --

10 MR. KYRK: Yeah, that's

11 what I was -- that's where I was

12 headed, I'm thinking, you know, it

13 better be, you know, yellow and

14 shout at you visually.

15 CHAIRMAN FOOTE: And what's

16 normally done in these situations?

17 MR. KYRK: I said that it

18 should be yellow and I actually

19 said shout at you visually. I

20 would rephrase that, but that'

21 what I said.

22 CHAIRMAN FOOTE: Is that

23 something that we can do?

24 MS. HAMMES: Would they

25 need Historic Board approval for

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2 that?

3 MR. PALLAS: Say that

4 again?

5 MS. HAMMES: Would they

6 need Historic Board --

7 Preservation Committee approval

8 for that?

9 MR. PALLAS: I don't

10 believe so. If it's -- if the

11 Village -- if the Building

12 Inspector would consider it a

13 safety issue, you know what I

14 mean, and I don't believe it

15 would, it would just simply be a

16 simple yellow stripe, so I don't

17 believe it would, I'll check with

18 the Chair and the attorney, but I

19 don't believe -- that would be a

20 di minimus change, I think, and I

21 think it's a, from the village

22 perspective, I think it's a good

23 idea, depending on the reveal

24 of -- of that ramp between the

25 edge of the Village sidewalk and

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the wall, depending on the length of that reveal, how necessary the -- how high up it is at the wall, you know, there's no specific cross section, but looking at -- at this, I cannot imagine that that lip at that point is gonna be more than an inch at most at the wall --

MR. STDOR: Yeah.

Mr. PALLAS: -- and that's all the way at the wall, and you wouldn't -- you know, I would have to see it to know if it, um, if it is needed based on the reveal of the contrast.

I can also, and if I may,
as far as the location of the
push-button, I can work with them,
the Village will work with them,
with the owners to locate it as
access -- the push-button in an
accessible spot as possible.

CHAIRMAN FOOTE: Okay.

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2 Well, I think we can put it
3 to a vote now.

4 So at this time, do we
5 first close the Public Hearing
6 before we take it to a vote, is
7 that the protocol?

8 MR. CONNOLLY: Yes.

13 Do I have a second?

14 MS. DOUGHERTY-JOHNSON:
15 Second.

16 CHAIRMAN FOOTE: All those
17 in favor?

18 (Chorus of ayes.)

19 CHAIRMAN FOOTE: Motion
20 carries.

21 I propose that we approve
22 this application as modified by
23 the plans and under the conditions
24 that have been discussed including
25 sending it to the Building

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Department and Building

Inspector's review to confirm

whether or not it's necessary to

provide some kind of line

demarcation to show the slope as a

warning of some sort.

And on that basis, all

those in a favor of what the

applicant discussed vote aye?

MR. KYRK: Aye.

MS. HAMMES: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

CHAIRMAN FOOTE: Aye.

All those against?

MR. COTUNGO: I'm opposed.

CHAIRMAN FOOTE: Okay.

The Motion carries. The

application approval carries by a vote of 4-1.

MR. SIDOR: Thank you.

CHAIRMAN FOOTE: Item

Number 7: Is a Motion to adjourn.

Do I have second?

MS. HAMMES: Second.

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MR. KYRK: Second.

CHAIRMAN FOOTE: All those

in favor?

(Chorus of ayes.)

CHAIRMAN FOOTE: So

adjourned.

(4:17 p.m. the Meeting was

adjourned.)

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2

CERTIFICATION

4

5 I, DONNA L. RITZMANN, a Notary Public

6 in and for the State of New York, do hereby

7 certify:

8 THAT the foregoing is a true and

9 accurate transcript of my stenographic notes.

10 IN WITNESS WHEREOF, I have hereunto

11 set my hand this 30th day of August, 2020.

12

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23

24

DONNA L. RITZMANN

<p>A</p> <p>able 14:6 16:20 20:6</p> <p>accept 2:11 3:12 4:7 12:16</p> <p>access 22:23</p> <p>accessible 12:12,13 12:15 14:15,20 15:8 17:5,6 22:24</p> <p>accurate 26:9</p> <p>accurately 4:3</p> <p>addressed 9:20</p> <p>adjourn 24:23</p> <p>adjourned 25:7,9</p> <p>ADMINISTRAT... 1:20</p> <p>affirmatively 10:25</p> <p>afternoon 2:5 5:13</p> <p>agent 4:21</p> <p>agreed 4:4 10:10</p> <p>AMANDA 1:22</p> <p>announce 5:17</p> <p>anybody 4:2 6:16 6:20 8:25 9:9 12:18 16:23</p> <p>apologize 17:25</p> <p>applicant 4:22 5:12 7:24 8:12 10:16 24:10</p> <p>application 4:20 7:5,8,13,17 8:8 9:3 11:20 23:12 23:22 24:19</p> <p>Appreciate 6:25</p> <p>approval 4:19 10:24 20:25 21:7 24:19</p> <p>approve 2:11 23:21</p> <p>approved 4:25 8:19</p> <p>approving 11:19</p> <p>apron 4:23 19:9</p> <p>architect 10:15</p> <p>area 11:4,5</p> <p>assess 17:13</p> <p>assured 11:15</p> <p>attorney 1:21 21:18</p> <p>August 1:8 2:1,8 3:1 4:1 5:1,3 6:1 7:1 8:1,21 9:1</p>	<p>10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1,11</p> <p>AURICCHIO 1:22</p> <p>aye 2:18 7:14 24:10 24:11,12,13,14</p> <p>ayes 2:19 3:7 4:13 7:15 23:18 25:5</p>	<p>button 12:24 13:6 13:24 14:10 15:20 17:4</p> <p>button's 16:10</p>	<p>Commission 5:2 8:20</p> <p>commit 10:19</p> <p>Committee 21:7</p> <p>completely 14:24</p> <p>compliance 15:6</p> <p>compliant 15:23</p> <p>concern 12:4</p> <p>concerning 9:2</p> <p>concrete 19:9</p> <p>conditions 23:23</p> <p>confirm 18:13 24:3</p> <p>Congratulations 7:18</p> <p>CONNOLLY 1:21 23:8</p> <p>consider 21:12</p> <p>continue 13:3</p> <p>continuing 5:21 15:19</p> <p>contrast 22:17</p> <p>COTUNGO 1:15 2:16 3:4 6:18 7:11 11:14 13:20 14:8,21 16:22,25 17:18 24:16</p> <p>County 1:2 3:19 5:8 8:23</p> <p>couple 19:21</p> <p>CR 8:15</p> <p>cross 22:6</p> <p>curbcut 4:23 6:2,17</p> <p>current 6:5</p> <p>currently 6:4</p>	<p>difference 18:6</p> <p>different 10:20</p> <p>direction 12:8</p> <p>discuss 10:17</p> <p>discussed 23:24 24:10</p> <p>discussion 7:25 9:7</p> <p>District 3:16,18 5:6 5:7 8:16,17</p> <p>doing 14:13</p> <p>DONNA 26:5,14</p> <p>door 11:18,21 12:6 12:20 15:15,20 18:8 19:4,7</p> <p>DOUGHERTY... 1:17 9:23 15:11 15:18 23:14 24:13</p> <p>drain 9:14,21 10:6</p> <p>drains 9:20</p> <p>drum 11:8</p> <p>drywell 10:9,21</p> <p>dump 11:13</p> <p>dumping 10:8</p>
				<p>E</p> <p>E 1:12,12</p> <p>edge 14:4 19:2,7 21:25</p> <p>Eileen 4:20</p> <p>either 10:21</p> <p>eject 11:6,11</p> <p>electric 12:6</p> <p>eliminates 15:13</p> <p>endangering 14:16</p> <p>everybody 14:16</p> <p>excuse 5:25 8:10</p> <p>exterior 8:13</p>

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