INCORPORATED VILLAGE OF OCEAN BEACH
FIRE ISLAND, NEW YORK
PLANNING BOARD/ARCHITECTURAL REVIEW BOARD
PUBLIC HEARINGS
March 23, 2024
2:03 p.m.
Boat House
Ocean Beach, New York
------------------------------------------------

B E F O R E:
JOSEPH SPERANZA, CHAIRMAN
CRAIG SHERMAN, MEMBER
CONSTANTINE KARALIS, MEMBER
BYRON CHENAULT, ALTERNATE MEMBER
JUDITH STEINMAN, MEMBER, via Zoom
JOEL SILVERBERG, MEMBER, via Zoom
DAVID LIEBER, ALTERNATE MEMBER, via Zoom GINA RAGUSA, ALTERNATE MEMBER, via Zoom JONNEIGH M. ADRION, VILLAGE CLERK KENNETH GRAY, ESQ., VILLAGE ATTORNEY
D. Leigh Chapman Court Reporter

A P P E A R A N C E S:

Special Permit Application Number 315
Jay Fenley, Esq.
Fenely, LLP
260 West Main Street, Suite 1
Bay Shore, New York 11706
Michael Dunn, Architect
256 Orinoco Drive, Suite B
Brightwaters, New York 11718

ALSO PRESENT:
Chris and Laura Mercogliano, Applicants

Special Permit Application Number 316
Paul Mohring, Applicant
56 East Bay View
Ocean Bay Park, New York 11770

Special Permit Application Number 317
Kenneth Oberlies, Sales Manager (Via Zoom)
East Islip Lumber
33 Wall Street
East Islip, New York 11730

ALSO PRESENT:
Harvey Levine, Applicant's Landlord

## Special Permit Application Number 318

Jonathan Randazzo, Applicant
32 Angela Lane
Bay Shore, New York 11706

ALSO PRESENT:
Applicants
Joe Bonocore
Evan Brett
Dina Rossen (phonetic)

Tyler Sterck, Applicant's Landlord (Via Zoom)

# Application 

Page

CHAIRMAN SPERANZA: I call the meeting to order, Planning Board/Architectural Review Board. Ken, can you take roll call, please?

Bunny has the agenda.
MR. GRAY: Bunny, can you take roll call, please?

CLERK ADRION: Oh, you want me to do the roll call?

MR. GRAY: Yeah.
CLERK ADRION: Joe Speranza?
CHAIRMAN SPERANZA: Here.
CLERK ADRION: Craig Sherman?
MEMBER SHERMAN: Present.
CLERK ADRION: Constantine Karalis?
MEMBER KARALIS: Here.
CLERK ADRION: Byron Chenault?
ALTERNATE MEMBER CHENAULT: Here.
CLERK ADRION: Joel Silverberg?
(No verbal response given.)
CLERK ADRION: Gina Ragusa?
ALTERNATE MEMBER RAGUSA: Here. (Via Zoom.)
CLERK ADRION: Lisa Pace?
(No verbal response given.)
CLERK ADRION: David Lieber?
(No verbal response given.)

CLERK ADRION: David Silver?
(No verbal response given.)
CHAIRMAN SPERANZA: Judy, are you on?
MR. ARMENT: She's on the call.
CHAIRMAN SPERANZA: She's got to unmute. CLERK ADRION: All right. So we don't have David Lieber, David Silver, or Joel. What about Bob Stack?

CHAIRMAN SPERANZA: Bob Stack, are you on? (No verbal response given.)

MR. ARMENT: We have a David, but I don't know which one. I don't see a Bob Stack. CLERK ADRION: Might be Robert Stack. MR. ARMENT: Yeah, no.

CHAIRMAN SPERANZA: You have a David? I think it's David Lieber, but I'm not sure. He said he was going to join by Zoom.

ALTERNATE MEMBER RAGUSA: Hi, this is Gina. David says, "I'm here but can't unmute or start the video."

CHAIRMAN SPERANZA: Okay.
ALTERNATE MEMBER RAGUSA: I believe Judy Steinman is on. David said it's not working and he has his hand up.
(Trouble shooting Zoom issues.)

CHAIRMAN SPERANZA: We'll continue then. In fairness to everybody here and the length of the agenda, I'm going to continue. I think there's a 4:45 boat I think some people want to catch.

The first item on the agenda is the continuation of Special Permit Application

Number 315, which is for 153 Bay Walk.
Is the applicant here?
ATTORNEY FENLEY: Jason Fenley, for the applicant. Good afternoon, everybody.

CHAIRMAN SPERANZA: Thank you.
ATTORNEY FENLEY: I guess I'll just start. Remember we were here back in January with the application for Special Use Permit. That application has now been amended, and, importantly, it is no longer an application for a special permit.

The current building at 153 Bay Walk is going to be restored. The second floor is going to remain residential units. The first floor, which is currently permitted for retail use, the request is to convert that from three units to four. The building will be completely renovated both interiors and out. Significant investment
in the property. The kind of materials that will be used will be discussed by Project Architect, Mr. Michael Dunn, who will speak in a second.

But again, quickly, from our view, this is no longer a special use permit. We're not seeking to change the use. It's just simply an ARB application for an approval for the materials being used.

There was that one small request that the first floor be converted from three units to four units and I'll call in Michael Dunn to discuss the materials, and, obviously if you have any questions, we'll speak to those as well.

CHAIRMAN SPERANZA: Well, before Michael speaks, is the liquor store saying?

ATTORNEY FENLEY: For now, yes. They're under lease, and they are going to stay for the balance of the lease.

CHAIRMAN SPERANZA: Can you tell me how
long the lease is for?
ATTORNEY FENLEY: Do you know how long the lease is for?

MS. MERCOGLIANO: Three more years.

CHAIRMAN SPERANZA: Three more years. Thank you. Okay.

MR. DUNN: Good afternoon, everybody. I'm Michael Dunn, the architect for the project.

As you can see in the renderings and the plans, we are converting the downstairs three retail spaces to four. So they will be approximately 400 and change square feet each.

The exterior is essentially going to stay the same. It's going to be stained gray like the shingle you have here. And everything else, the trim will be white and the roofing will stay as is. We're going to add a black awning to give some dimension to the building and it will look like a brand new building when we're all done with it.

CHAIRMAN SPERANZA: Where's the awning?
MR. DUNN: Just above the doors and windows.

MEMBER SHERMAN: It's not on the rendering.
CHAIRMAN SPERANZA: I couldn't find it on here.

MR. DUNN: I can show it to you on my rendering.

CHAIRMAN SPERANZA: Okay. That would help.

CLERK ADRION: Yeah, they have them too. It's this picture, Joe. This picture has the awnings on it.

CHAIRMAN SPERANZA: Is it in today's package? Thank you.

CLERK ADRION: It's in there, yeah.
CHAIRMAN SPERANZA: All right. Now I see them (perusing). Okay. Thank you.

That's the first time I'm seeing that.
Okay.
Anybody want to look at this? Constantine? That's a sample of the awning and the color of the shingles. I noticed on the rendering that I have, that you're still calling this the Gallery.

MR. MERCOGLIANO: The apartments will be The Gallery Apartments downstairs.

CHAIRMAN SPERANZA: The apartments will still be called The Gallery?

MR. MERCOGLIANO: It's always been referred to as the Gallery, so we figured we would keep the Gallery. So the apartments will be the Gallery Apartments.

CHAIRMAN SPERANZA: Chris, Chris, you have to get up and talk into the microphone.

Actually, Laura is the applicant.
MS. MERCOGLIANO: Yes. The name is the Gallery Apartments.

CHAIRMAN SPERANZA: Gallery Apartments.
Thank you. This says Gallery.
MEMBER SHERMAN: The intent though is to
have signage here (indicating)?
MS. MERCOGLIANO: Very small.
MEMBER SHERMAN: Yeah, it's no worries. CHAIRMAN SPERANZA: Well, just tell me, is it the Gallery Apartments?

ATTORNEY FENLEY: The second floor.
MS. MERCOGLIANO: Here's a better sign (handing).

CHAIRMAN SPERANZA: Yeah, but it's affixed to the first floor, but that's at the door, I guess, to the stairs to the second.

MS. MERCOGLIANO: Yes.
CHAIRMAN SPERANZA: Okay. All right.
And the other -- Gallery Apartments. Okay.
Anyone else have any questions?
MEMBER KARALIS: Yes. Michael, on the drawing, on the large sheets, you're showing (inaudible) walls. Presumably you need firewalls. This is something, not maybe of this

Board, but I just wanted to mark it. We just had a fire in town and what happens then, to me, it's a historic building. And all historic buildings suffer from insulation and fireproofing. So I would think, number one, that, and I know you're quite a competent architect. You know what you're doing. You have to make sure that the ceilings are also providing the right kind of separation because we have different use upstairs, as you very well know. That's fair enough.

One question $I$ have is a practical reality. If somebody wanted to rent two of those units, would you have to come back to this Board and ask for putting a door in between? Or would you now consider actually having some fire doors in there so the owners can actually rent two units through one person, with the passage in between that's already been approved.

MR. DUNN: That's a good question. I guess you could rent it to two.

ATTORNEY FENLEY: The question is if one tenant rents two spaces?

MEMBER KARALIS: Yeah. Right now, you have four identical, separated boxes with a firewalls
between them and if you have a person that wants to rent twice the amount of space, you should have the capability built in, so that you can actually rent two of those units to one person without having to come back to the Building Department or to this Board without having to ask for special consideration. I'm just recommending that. It's up to you to pick it up or not.

ATTORNEY FENLEY: So we will certainly take that into consideration. Thank you.

MEMBER KARALIS: Okay. And also, I suppose it's this attachment here (holding up a document) that's the wishful thinking for how the building is going to look like eventually because neither of the other drawings, I know they've been done at different times and they don't necessarily match with each another, but I think we're going to be looking at this. Thank you. That's all I have to say.

MR. DUNN: Yes, that's the one.
CHAIRMAN SPERANZA: Any other questions?
Any one on Zoom?
ALTERNATE MEMBER RAGUSA: Yeah, this is
Gina Ragusa, a member of the Planning Board.

Besides the liquor store, what other stores do you have planned to be in there? Or do you have them leased yet?

ATTORNEY FENLEY: There are no current tenants. The owners plan on hiring a broker to rent the spaces and they're going to evaluate each tenant's application to rent the spaces and work with the community and make sure they have a viable option. A business that can pay rent. Add resources to the community and do everything they can to further the community. And, again, the applicant is running a business. So they have to vet each tenant individually and make sure they can pay their rent and all applicants will be fairly considered.

CHAIRMAN SPERANZA: All applicants will have to come in for special permits as well.

ALTERNATE MEMBER RAGUSA: Yeah, that was going to be my next question. And my other question was, it looks like on the plans there will be four new bathrooms downstairs; is that correct? For the retail spaces?

MR. DUNN: Yes, each retail space will have their own bathroom.

ALTERNATE MEMBER RAGUSA: Is that

SPA No. 315
excessive? I mean, could we knock that down to two? To a shared space, rather than each one having their own? That would be a concern of mine, so many bathrooms.

MR. DUNN: I believe each tenant space is going to have to have their own bathroom.

ALTERNATE MEMBER RAGUSA: Why is that?
MR. DUNN: For the employees and for their workers to use and even the shoppers to use the bathroom if they need it.

ALTERNATE MEMBER RAGUSA: Okay. Thank you.
CHAIRMAN SPERANZA: Anyone else have any questions? On Zoom or otherwise? No more questions? Any questions?

MS. SOBEL: Can the public ask a question or not?

CHAIRMAN SPERANZA: I'm sorry?
MS. SOBEL: Can the public ask a question, or is it just for the Planning Board?

CHAIRMAN SPERANZA: The public can ask a question.

MS. SOBEL: I have two questions.
CHAIRMAN SPERANZA: Well, wait. Hold on.
Who are you and where do you live?
MS. SOBEL: My name is Laura Sobel,
$S-O-B-E-L$.
CHAIRMAN SPERANZA: Where do you live?
MS. SOBEL: 152 Ocean Road.
CHAIRMAN SPERANZA: Thank you. Okay.
Ask your question, please.
MS. SOBEL: Question number one is also about the bathrooms downstairs. I was wondering if an environmental impact study had been done on what these additional bathrooms will be doing? Since it is a very old building and the plumbing also in Ocean Beach is quite old, as we've been reading about. What impact would that have on the environment in the area around the building and the surrounding houses?

ATTORNEY FENLEY: I do not believe that an environmental impact study was conducted. But I don't believe one is required under the current code.

MS. SOBEL: Okay. And then I was also curious, what is the legal capacity for each of the apartments upstairs in the Gallery Apartments?

ATTORNEY FENLEY: What is it permitted for now?

MS. SOBEL: Correct.

ATTORNEY FENLEY: I don't know off the top of my head, but it is currently permitted for four individual residential units.

MS. SOBEL: No, no. What is the capacity of each unit?

ATTORNEY FENLEY: In terms of the occupancy?

MS. SOBEL: One bedroom, two bedroom, three bedroom? How many people can live in them?

ATTORNEY FENLEY: I don't know off the top of my head.

MS. SOBEL: One of my concerns is the impact that additional people would have on the building and also on the surrounding areas in regards to peace and tranquility of the Village and being a very busy corner as far as the environmental impact on the community.

MEMBER SHERMAN: Sorry. The apartments above are already existing, so those are not new apartments. They're not going to be additions. They're already there, and, I believe, occupied. They have been there for a very long time.

ATTORNEY FENLEY: Thank you for that answer. That's exactly what we were going to say.

CHAIRMAN SPERANZA: Hold on. And the rule in the Village, these apartments will have to get rental permits, and you can have two people in a bedroom. That's it. MS. SOBEL: Two people per bedroom. That's what I believed it was.

CHAIRMAN SPERANZA: That's the rule. MS. SOBEL: I saw a (sic) advertisement for four people for each apartment. CHAIRMAN SPERANZA: Okay. Report that to the Village Office. MS. SOBEL: Okay. CHAIRMAN SPERANZA: Thank you. Anybody else?

MS. CAFUOCO: Joe Speranza, this is Susie Cafuoco.

CHAIRMAN SPERANZA: Hi, Susie Cafuoco. MS. CAFUOCO: How are you all? CHAIRMAN SPERANZA: I'm good. MS. CAFUOCO: I appreciate your efforts all being out there on this awful day.

My question is about the bathrooms as well. So we have three units upstairs. That's four bathrooms and another three/four downstairs. So now there's going to be seven or eight bathrooms
in the building. It's about the sewer system. Can the Village's sewer system handle that?

CHAIRMAN SPERANZA: Yeah. I mean, the short answer is we'll find out. But there is no need, nothing in the code that says an applicant has to submit an environmental study in conjunction with this application. MS. CAFUOCO: As you know, that corner floods so bad. CHAIRMAN SPERANZA: Plus there is no environmental study of how many toilets you can put in this building. So that will be an issue between the applicant and the building inspector. ATTORNEY FENLEY: One additional point as well. There's currently six bathrooms in the structure, so it's only an increase from six to eight. CHAIRMAN SPERANZA: Understood. Again, it's an issue between the applicant and the building inspector. ATTORNEY FENLEY: I agree. CHAIRMAN SPERANZA: Okay, Susie? MS. CAFUOCO: Yes. Just a point of information. The original application was in

Laura's name and this amended application is in Chris' name and nothing is signed and I don't know. It doesn't look like a complete application to me, having worked in the Village Office for so long.

CHAIRMAN SPERANZA: Hold on. I couldn't hear what you said because people were speaking out loud. What is your comment, Susie? Can you repeat that, please?

MS. CAFUOCO: I was just mentioning, in terms of the two applications, the original and this amended version, the original was in Laura's name and the recent one is in Chris' name.

CHAIRMAN SPERANZA: Yeah.
MS. CAFUOCO: And nothing is signed, and I just think it should be more complete. CHAIRMAN SPERANZA: The copy I have -ATTORNEY FENLEY: So the applicant is 153 Bay Walk, LLC. It's a corporate entity that's the applicant.

MS. CAFUOCO: Okay. I guess that answers it.

CLERK ADRION: I think the second
application that you did was for informational
purposes. It wasn't an actual formal application.

ATTORNEY FENLEY: Yes. The initial application was amended. The initial application was by 153 Bay Walk, LLC. CHAIRMAN SPERANZA: The first application was signed by Laura, and this application was amended by their representative. Okay?

MS. CAFUOCO: Okay.
CHAIRMAN SPERANZA: It's not a separate application; it's an amendment. All right, Susie? Thank you for your comment.

MS. CAFUOCO: I'm sure the building will look beautiful when it's complete.

CHAIRMAN SPERANZA: It will. It should. You know, the color looks nice and with the black awning, it's going to look nice. We're happy with it. Any other questions?

MS. SILDORF: Hello, It's Maria Silsdorf, might I?

CHAIRMAN SPERANZA: Sure.
MS. SILDORF: Hi, good afternoon. I'm excited to have some new retailers in the Village. Although, I'm going to miss The Gallery terribly. It's very nice that you're
keeping the name of Gallery as an ohmage to the past. But I did have three comments.

In terms of the retail tenants, am I correct that there cannot be any food?

CHAIRMAN SPERANZA: Any food?
MS. SILDORF: No food; am I correct?
CHAIRMAN SPERANZA: You're correct.
MS. SILDORF: Okay. So that's good.
In terms of the bathrooms, there is not a retailer in the Village that offers bathrooms to their customers. So just in the interest of space, as a former retailer, I would just suggest that perhaps the owners reconsider that and have shared bathrooms or take full advantage of the Community House bathrooms that are right across the street. Space is at a premium and bathrooms don't produce sales. So you might just want to reconsider that. The third comment, rather a question, the apartments above, as Craig stated, have been rented forever to full-year tenants or full-season tenants. Two people in each of those two apartments. I, too, saw the ad that Laura mentioned. I believe that those apartments will now be converting to weekly or
more rentals with a higher capacity. So I think the wear and tear on the plumbing will increase naturally just by the change in rental use. I just wanted to make that comment out loud, but thank you.

CHAIRMAN SPERANZA: Okay. Anyone else?
ALTERNATE MEMBER RAGUSA: Roberta.
CHAIRMAN SPERANZA: Roberta?
ALTERNATE MEMBER RAGUSA: Roberta Geiger has her hand up. Roberta, did you want to say something?

MS. GEIGER: Yes. Hi, Roberta Geiger, 199 Midway Walk, Ocean Beach.

I was just wondering what type of retail stores they were looking to put in that building?

ATTORNEY FENLEY: Well, like we advised the Board before, the owners are going to hire a broker to seek out tenants that can provide a viable business and pay rent. So they're open to businesses that can obtain a special use permit that add to the business community of the Village and, again, that will serve a useful business function.

MS. GEIGER: Thank you. I'm looking
forward to it. Good luck, Chris and Laura.
CHAIRMAN SPERANZA: Anyone else?
ALTERNATE MEMBER RAGUSA: There's someone iPhone A? Do you have a question?
(No verbal response given.)
How about Ken Klein? Ken, do you have a question? Are you able to unmute yourself?
(No verbal response given.)
Okay. IPhone A and Ken Klein both had their hands up.

CHAIRMAN SPERANZA: Who's talking?
ALTERNATE MEMBER RAGUSA: It's Gina Ragusa.
I'm looking at the Zoom.
CHAIRMAN SPERANZA: Oh, hi, Gina.
ALTERNATE MEMBER RAGUSA: Sorry about that.
Sorry I didn't introduce myself. And then there's Kim's iPhone.

Marco, do you have to unmute people or they just need to do it themselves?

MR. ARMENT: Everyone else has the ability to do it, and, Gina, you have the same ability as I do now. So you can ask people to unmute with the little button under their names.

ALTERNATE MEMBER RAGUSA: Perfect. So if you unmute yourself in the lower left hand
corner, the people that have their hands up. That's iPhone A and Ken Klein. Do you have something that you wanted to add?
(No verbal response given.)
They're not coming through.
Well, this is Gina Ragusa from the Planning Board, and I did want to go back to the question I asked for the upstairs apartments. It wasn't clear if they were one or two bedrooms or studios from the plans. I just wanted to ask again, what size the rooms are going to be upstairs?

MR. DUNN: One bedrooms.
ALTERNATE MEMBER RAGUSA: One bedrooms, okay. And, again, will it be weekly rentals or are you looking for long term or whatever you can get?

ATTORNEY FENLEY: Seasonal rentals. And, again, there will be a rental application submitted with potential tenants.

ALTERNATE MEMBER RAGUSA: Well, seasonal application means you're going to rent it for the season. So you're not renting it weekly?

ATTORNEY FENLEY: There's no plan to rent it weekly.

ALTERNATE MEMBER RAGUSA: Oh, okay. So you plan on renting it for the season if someone is interested. Okay. And will the apartments be ready this summer?

ATTORNEY FENLEY: Hopefully.
ALTERNATE MEMBER RAGUSA: And has construction started and/or when will it start?

ATTORNEY FENLEY: Construction could not start until this Board approves it and once it's approved, we'll start construction.

ALTERNATE MEMBER RAGUSA: Thank you.
ATTORNEY FENLEY: And we need additional approval.

CHAIRMAN SPERANZA: Correct. The trustees need to approve it.

ATTORNEY FENLEY: Yeah.
ALTERNATE MEMBER RAGUSA: Okay, thank you.
And to iPhone A, Ken Klein.
MR. KLEIN: Yes. Can you hear me now?
ALTERNATE MEMBER RAGUSA: I can, yes.
MR. KLEIN: I have a quick comment. I
assume that when they renovate the apartments, they're going to put in new fixtures, et cetera, et cetera. If they put in, under the current codes, low-flow fixtures, you'll have less
discharge than you currently have now.
MEMBER SHERMAN: Thanks, Ken. MR. KLEIN: You're welcome. CHAIRMAN SPERANZA: Thank you, Ken. Keep in mind, everyone, that Ken helped write the New York City Building Code for plumbing. That's a true story.

ALTERNATE MEMBER RAGUSA: Thank you, Ken. Judy Steinman? Judy Steinman from the Planning Board, can you speak?

MEMBER STEINMAN: Yes. Can you hear me?
ALTERNATE MEMBER RAGUSA: Yes, can you
introduce yourself?
MEMBER STEINMAN: Yes, I'm Judy Steinman. I live on Surf View Walk. I've been in the Village about, I don't know, 35 years. ALTERNATE MEMBER RAGUSA: You're a member of the Planning Board, right? CHAIRMAN SPERANZA: Judy, Judy, you don't have to introduce yourself. You're a member of the Planning Board. You're a voting member of the Planning Board. You're just on Zoom. MEMBER STEINMAN: Thank you, sir. Joe, you're a good guy.

I want to reinforce what Maria said. I
think you have units downstairs that do not each need a bathroom. We need to be concerned about conserving water in our Village. You're drawing down out of the aquifer. Yes, it will be there long after all of us are gone, but who knows what happens after that? This is a very, very serious concern.

The other thing, of course, is the notion of what you do with all the sewage. The more bathrooms you have, possibly, you have more sewage to dispose of. Therefore, I would suggest the notion of one central bathroom or somehow sharing the bathrooms downstairs so that there will be many fewer than four.

MEMBER SHERMAN: I just want to point something out that $I$ took into consideration when looking at the application.

ALTERNATE MEMBER RAGUSA: Who's speaking? MEMBER SHERMAN: Craig Sherman.

ALTERNATE MEMBER RAGUSA: Oh, thanks, Craig.

MEMBER SHERMAN: You're welcome, Gina. What I took into consideration was we have two new bathrooms, actually, and they're both in spaces that will not be occupied by residential,

24-hour use, et cetera. That these would be, you know, in retail stores and have very limited use and as Kenny pointed out, modern plumbing that will definitely help the situation.

Obviously, we're all concerned about natural resources being utilized here in the Village, but there's also a shortage of bathrooms and for retail employees, et cetera, to have to use the bathrooms across the street in the Community House along with the day trippers, et cetera, I mean, in my consideration, I did not think that this was something detrimental.

MEMBER KARALIS: I'd like to add to that. Actually, the only way to reduce the number of bathrooms is to actually, the only ones that are available are two that are side by side in the middle of the building. So essentially, you're talking about giving up commercial space in order to provide a corridor to one bathroom and eventually what are we talking about? We're talking about employees only using it.

MEMBER SHERMAN: Yeah, the use wouldn't change. You'd just have one less toilet being used twice as much.

CHAIRMAN SPERANZA: Anyone else?
ALTERNATE MEMBER RAGUSA: This is Gina from the Planning Board. I'm going to go to the people who have their hands up. Roberta, your hand is still up. Do you have another question? MS. GEIGER: No, I don't know how to get it down.

ALTERNATE MEMBER RAGUSA: Okay. Where you raised your hand, you can click on that again. IPhone A, you're still on there. IPhone A, do you have something to add?
(No verbal response given.)
They're not coming through whoever that is. Sorry.

ALTERNATE MEMBER LIEBER: Can you hear me? This is David Lieber. (Via Zoom.)

ALTERNATE MEMBER RAGUSA: Now we can.
ALTERNATE MEMBER LIEBER: Okay. I got on a computer. Sorry I had some problems and couldn't unmute with the iPad, but I came in here in the ninth inning. Sorry. I'm just trying to figure out, I heard about the bathrooms --

ALTERNATE MEMBER RAGUSA: David Lieber is a member of the Planning Board.

ALTERNATE MEMBER LIEBER: I am a member of the Planning Board, and $I$ came in in the ninth inning, as I just said. The bathrooms are for employees or for customers? I'm just trying to understand what the bathrooms are for.

ATTORNEY FENLEY: It would be for both the employees of the retail spaces and customers thereof.

ALTERNATE MEMBER LIEBER: Okay. I mean, you do have bathrooms across the street, but if you feel you need that amount of bathrooms for customers. I mean, we don't have bathrooms in Ocean Beach for customers unless you're a restaurant.

ATTORNEY FENLEY: We currently have six bathrooms in the building, two downstairs, four upstairs. We're adding two additional downstairs to accommodate the employees.

ALTERNATE MEMBER LIEBER: I understand that. Okay. That was it.

CHAIRMAN SPERANZA: Anyone else would like to speak?
(No verbal response given.)
Okay. Hearing none, no one, rather, I'm going to close, make a motion to close the

SPA No. 315
public hearing regarding Special Permit Application Number 315. Do I have a second? MEMBER KARALIS: Second. CHAIRMAN SPERANZA: All in favor? And in terms of voting today, on the Zoom call are two normally voting members, full members of the Planning Board. They are Judy Steinman and Joel Silverberg. Although, I haven't heard from Joel.

MEMBER SILVERBERG: I'm here. (Via Zoom.) CHAIRMAN SPERANZA: All right. Hi, Joel. MEMBER SILVERBERG: Hi, guys. CHAIRMAN SPERANZA: So the voting members, so we don't get confused here, today will be Constantine Karalis, Craig Sherman, myself, Judy Steinman, and Joel Silverberg.

Ken, can you please poll the Board to vote on the motion?

MR. GRAY: Motion to close the public
hearing?
CHAIRMAN SPERANZA: Yes.
MR. GRAY: Is there a second?
CHAIRMAN SPERANZA: There was.
CLERK ADRION: Constantine.

SPA No. 315

MR. GRAY: All in favor?
ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Okay. Thank you.
Now I make a motion to approve Special
Permit Application Number 315 with the only condition that $I$ can think of being that you submit a real proposal for a sign to the Architectural Review Board. It's not the Planning Board. This is the same Board. And upon its receipt, the Architectural Review Board Secretary will provide it to either Joel Silverberg or Constantine Karalis, who review the signs for our Board and render an opinion. Hopefully, an approval of that sign. This complies with the Architectural Review Board statute in the Village Code, that review. This sign you've submitted I don't think meets the standards of a document to review. It needs to show the size, colors, whatever. You have birds flying or something. Okay?

So I have a motion on the floor to approve. MR. GRAY: Is there a second?

CHAIRMAN SPERANZA: With that condition. MEMBER SHERMAN: Second.

MR. GRAY: All in favor?

ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Any opposed?
(No verbal response given.)
Hearing none, thank you very much for coming in.

ATTORNEY FENLEY: We thank the Board for their consideration.

CHAIRMAN SPERANZA: Thank you.
MS. MERCOGLIANO: May I say something?
CHAIRMAN SPERANZA: This is Laura
Mercogliano.
MS. MERCOGLIANO: Laura Mercogliano. I
just wanted to apologize to the Board for delaying the meeting the last time that we had the meeting. I have a lot of respect for everyone who's volunteering on this committee to make sure that we maintain proper standards and approve the plans. So $I$ just wanted to say that to you, and thank you very much.

CHAIRMAN SPERANZA: Thank you.
MR. DUNN: Thank you.
CHAIRMAN SPERANZA: Now we have Special
Permit Application Number 316, 620 Bay Walk, it should say, LLC. I'm sorry, it's 620 Bay, LLC, doing business as the Dunes, 621-624 Bayberry

SPA No. 316

Walk, Ocean Beach, New York to consider Special Use Permit for change of ownership at 621-624 Bayberry Walk, Ocean Beach, New York, §164-32 Uses permitted by special permit, \$164-36 Site Plan Review.

MR. MOHRING: How're you doing? Good morning.

CHAIRMAN SPERANZA: Good. Applicant, can you please tell us your name and address and so on?

MR. MOHRING: Paul Mohring, located at 56 East Bay View, Ocean Bay Park. I own the Schooner Inn down there, along with some other businesses. I've been in the restaurant business for 30 years. Started my first job when $I$ was 12 at Crickets in Sayville, washing dishes. Saw an opportunity for a restaurant in town. Took over as the new owner. Everything is staying the same, as far as the tables, the number of people that are allowed there, as per the permits already existing for the building. The bar stayed in the same spot that it was. Nothing has changed. Obviously, there will be a new menu, new food, new ideas. You know, that's basically where I'm coming
from.
CHAIRMAN SPERANZA: Okay. Does anyone on the Board have any questions? I'm sorry, what was your first name?

MR. MOHRING: Paul.
CHAIRMAN SPERANZA: Paul, right.
MEMBER SHERMAN: Paul, you're basically leaving the footprint that The Landing, the previously tenant, had with no changes, correct? MR. MOHRING: No changes, yeah.

MEMBER SHERMAN: So the double doors that are here to the kitchen area, whatever, this is open, this is double doors existing heading into the kitchen area, the prep area, the cooking line?

MR. MOHRING: Correct, yeah. Bathrooms in the same spot. Everything is the same, basically, except there's nothing there. The bar is there. There's new table, new chairs, but the same count that was existing for the building.

MEMBER SHERMAN: Have you guys come to any decision about the signage that, because we have a couple of different options?

MR. MOHRING: Yeah. I'm going to do black
and white, like you see. I'm going to hang one like The Landing had hanging off the post in the same spot. It's going to say "The Dunes". There's going to be one on the building, virtually in the same spot as The Landing. MEMBER SHERMAN: So we have two pictures here for alternates. One over the entryway and then one over the menu board. Which do you, is it going to be the -MR. MOHRING: Is there one that you guys would have to approve or the one that I want? I wasn't sure.

CHAIRMAN SPERANZA: You just heard me say that all the signs have to be approved by ARB. MR. MOHRING: Yeah. CHAIRMAN SPERANZA: If they're not here in submission form, you have to submit them and we have a committee that reviews them. MR. MOHRING: So as you see then the one over the door, it's gonna hang right there, (indicating) like you see. And then the one to the right above the menu (inaudible). MEMBER KARALIS: I would suggest that you put, keep the signs together as option two. CHAIRMAN SPERANZA: Say it again,

Constantine, please?
MEMBER KARALIS: I looked at the two options. I would prefer that the signs are put together, rather than all over the facade. So just keep them at the lower level.

MEMBER SHERMAN: That's what Paul is saying. The over the entranceway is gone. That's not an option.

CHAIRMAN SPERANZA: Right. You know you're only allowed one, right? One sign?

MR. MOHRING: One sign on the whole building?

CHAIRMAN SPERANZA: Yeah.
Unless you're on a corner and you're not.
MR. MOHRING: So I was just putting back the signs that were on the building. There was a hanging sign and there was one on the building.

CHAIRMAN SPERANZA: I'm just telling you what the code says. There's a lot of things you see in the Village that are not compliant to code. We can't condone them.

MR. MOHRING: Gotcha.
MEMBER SHERMAN: Based on that information, what I'm assuming is it will be the one --

SPA No. 316

MR. MOHRING: The one above the menu board. MEMBER SHERMAN: Perfect.

CHAIRMAN SPERANZA: Thank you. I had to tell you that.

MEMBER SHERMAN: It's kind of what we do. Did anybody else have any questions?

CHAIRMAN SPERANZA: I have a comment though. I wanted to know, Paul, if you knew that you had a famous signature on your application?

MR. MOHRING: Do I?
CHAIRMAN SPERANZA: Harvey Levine. That is a very famous signature. MR. LEVINE: Thank you. CHAIRMAN SPERANZA: You're welcome. I was going to say infamous, but I didn't. Are there any other comments? ALTERNATE MEMBER CHENAULT: Joe, I just had a quick question. CHAIRMAN SPERANZA: Go ahead. ALTERNATE MEMBER CHENAULT: I know on The Landing, they used to have to close at two because of the hotel. Are you still going to be --

MR. MOHRING: That's still, as far as I
know that's the permit, and I'll abide to that as well.

CHAIRMAN SPERANZA: Good comment.
Any other comments from the Board?
ALTERNATE MEMBER RAGUSA: Yeah. This is Gina Ragusa. I just wanted to confirm, are you open for breakfast, lunch, and dinner?

MR. MOHRING: Yes, ma'am, breakfast, lunch, and dinner.

ALTERNATE MEMBER RAGUSA: Do them all.
Great.
Maria Silsdorf from the public has her hand up.

MS. SILDORF: Thank you, Gina. I was asking the same question as Byron, so thank you. But I wanted to say, Paul, I love Schooners and I look forward to having that type of food available in Ocean Beach. Good luck to you.

MR. MOHRING: Thank you.
CHAIRMAN SPERANZA: Paul, you still have the store on corner?

MR. MOHRING: Yes. Sunny Daze.
CHAIRMAN SPERANZA: Sunny Daze, right.
Thank you.
Any other questions from the public?
(No verbal response given.)
Hearing none, I make a motion to close the public hearing. Do I have a second?

MEMBER SHERMAN: Second.
CHAIRMAN SPERANZA: Seconded. Okay.
MR. GRAY: All in favor?
ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: I make a motion to approve Special Permit Application Number 316, with the one condition of the submission of $a$ sign presentation for further review and approval by the Architectural Review Board.

Do I have a second?
MEMBER STEINMAN: Second.
CHAIRMAN SPERANZA: Thank you. Who was that, Judy?

MEMBER STEINMAN: Yeah, it was I.
MR. MOHRING: I have a question about that. Different than what I submitted or --?

CHAIRMAN SPERANZA: Yeah. I don't --
MR. MOHRING: The dimensions are on there and the colors are on there, so I just wanted to --

CHAIRMAN SPERANZA: Wait. Okay. Further back. It's at the end. The picture I have has
a big sewer pipe. You'll take that out.
Yeah, you're only allowed one sign, Paul.
MR. MOHRING: Yeah. So the dimensions for the one sign is there.

CHAIRMAN SPERANZA: Well, yes.
MR. MOHRING: You told me $I$ got to get rid of the other one.

CHAIRMAN SPERANZA: Yeah. Fine. You're right. Good point. I'll redo. I'm going to amend my motion to approve Special Permit Application Number 316 with the following condition that there be one sign pursuant to Village Code as submitted in the current application, not the menu sign. Just the sign depicting the name of the establishment. That's my motion.

MEMBER KARALIS: That is a two by two maximum, two feet by two feet maximum.

CHAIRMAN SPERANZA: Sorry?
MEMBER SHERMAN: The maximum, there's dimensions on there.

CHAIRMAN SPERANZA: It has to comply with the code. Constantine, it's all laid out in the code. And you have to submit that, or rather it's already submitted. I'm sorry. So that's
the motion. Thanks for pointing that out. But you lost the menu board.

MR. GRAY: Is there a second the motion?
MEMBER SHERMAN: Second.
MR. GRAY: All in favor?
ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Any opposed?
(No verbal response given.)
Hearing none, thank you.
MR. MOHRING: Thank you very much.
CHAIRMAN SPERANZA: Good luck. I'll see you at Schooners.

Next is Special Permit Application Number 317, East Islip Lumber, 621-624 Bayberry Walk, Ocean Beach, New York to consider Special Use Permit for Change of Ownership/Use at 621-624 Bayberry Walk, Ocean Beach, New York, §164-32 Uses permitted by special permit, \$164-36 Site Plan Review.

Is the applicant present?
MR. LEVINE: The landlord is present, and the applicant is on Zoom.

CHAIRMAN SPERANZA: Okay. You're not the applicant.

MR. LEVINE: No, I'm not. thank you.

MEMBER SHERMAN: The applicant is on Zoom. CHAIRMAN SPERANZA: Can the applicant identify himself, please?

MR. OBERLIES: I'm Kenneth Oberlies (phonetic), Sales Manager of East Islip Lumber. CHAIRMAN SPERANZA: All right. Make your presentation.

MR. OBERLIES: Okay. So what we plan on doing with this storefront showroom on Bayberry Walk will be just a little more presence than what we already have and how we already service the contractors and homeowners and everybody else on Ocean Beach that does buy from us. So it's going to be a place where contractors can bring their homeowners, check out some of the products that we sell. Stuff we stock, up-sale to a special order product. You know, just really a place to show off what we do. CHAIRMAN SPERANZA: Okay. MR. GRAY: What's there now? MEMBER SHERMAN: It was ooh La La and it's closed.

CHAIRMAN SPERANZA: Are you making any exterior improvements? MR. OBERLIES: I believe we're just going
to be refacing the deck that's already there. So just from normal pressure treated, we're going to put a mahogany deck with a cable rail and then just change out the door because the door doesn't close properly. CHAIRMAN SPERANZA: So, an in-kind door, in other words?

MR. OBERLIES: Yes, it's all going to look exactly the same.

CHAIRMAN SPERANZA: All right. And you're refacing what?

MR. OBERLIES: The deck that's out the entryway to that door. So it's just a regular pressure treated deck now and it's going to be changed over to mahogany with a cable rail so it will look a lot nicer.

CHAIRMAN SPERANZA: That's also in-kind?
MR. OBERLIES: Yes. It's just a working display for our customers so that way, the homeowners can see what they're buying and what they're putting on their homes out there.

CHAIRMAN SPERANZA: That's not what I'm asking. I'm asking what's going on the outside?

MR. OBERLIES: That would be that. It's a working display.

CHAIRMAN SPERANZA: A working display. MR. OBERLIES: Yeah, so the deck will be refaced into stock materials off of what we, it's going to like in-kind of what's already there. It's just in a nicer material now. It's regular pressure treated there. Now we're going to just do it in mahogany stock material from East Islip Lumber.

CHAIRMAN SPERANZA: Wait. Wait. Are you changing the configuration of the stairs?

MR. OBERLIES: No, sir. Everything is the exact same size, same amount of steps, same height.

CHAIRMAN SPERANZA: Can I finish my
question, please?
MEMBER SILVERBERG: They're covering it with mahogany. That's what they're doing. CHAIRMAN SPERANZA: May I finish my question, please?

Are you making any changes to the exterior of the building including the stairs?

MR. OBERLIES: No changes. Everything will be of like kind that gets refurbished or refinished.

MR. LEVINE: Can I comment on that? To
make it a little more clear? If you look there now, wood was put there and it's rotting away. What he's doing is going to replace it just exactly the way it is and it's going to be a much better substance material. He's a lumberyard and it's a showroom and he wants to make it beautiful and he's going to change it. Not change the way it is, but change the lumber. CHAIRMAN SPERANZA: Okay. So putting it in builder's terms, he's going to replace the material, not the design.

MR. LEVINE: Exactly. It's going to be exactly the same.

CHAIRMAN SPERANZA: What is the material going to be?

MR. LEVINE: Can you answer that?
MR. OBERLIES: We just did, mahogany. CHAIRMAN SPERANZA: Mahogany. Okay. Same design, configuration, and function as existing so it's in-kind. The door is in-kind. Are there any other changes? MR. OBERLIES: To the exterior? No. MEMBER KARALIS: Excuse me. I'd like to -CHAIRMAN SPERANZA: Wait. I want to point something out, Harvey. That upon my inspection
of the exterior of that side of the building, there are seven different types of light fixtures. Can you account for that?

MR. LEVINE: Seven what?
CHAIRMAN SPERANZA: Different types of lighting fixtures, sconces on the outside of the building. Count them, you'll see. They're different designs. It's like you have a lighting store.

MR. LEVINE: Is that good or bad?
CHAIRMAN SPERANZA: All right. That's not part of the application. All right? I said I wanted to point it out to you because I know you're not aware of it. MR. LEVINE: I'm not. CHAIRMAN SPERANZA: I know. Okay. So you had something to say, Constantine? MEMBER KARALIS: Well, I have a condition that the door and the window will not be used for display of merchandise purposes. A lot of times you look at a store and there's a window there and right behind the window, there's a whole bunch of things that prohibit people from seeing into the store or out of it. I would like to suggest that there is a condition that
the window and the door glass not be used for display purposes.

MR. OBERLIES: Okay. We can respect that. We're going to have, like a small conference table right there anyway. We want people to look in and see that we're in there, sitting at the desk, ready for customers to come in. It's only going to be one person a day over there pretty much.

MEMBER KARALIS: I just to make sure that there's nothing behind the glass.

MR. OBERLIES: I understand. You're talking about products, showing them off at the glass at the window. That won't happen.

MEMBER SILVERBERG: Advertising.
MR. OBERLIES: Yes.
ALTERNATE MEMBER RAGUSA: This is Gina Ragusa from the Planning Board. I do have a question.

What are the products, obviously besides lumber, what other products will you be showing and will you be showing them out of books? I mean, you're not storing lumber or anything there?

MR. OBERLIES: No, no, nothing of big size
is going to be stored there. No products that we're going to be selling to customers are going to be stored there since we already send everything on the freight boat every day.

What we're going to have is interior, one of the walls are going to have a display of two or three different sidings that we deal with that we stock, that's an upgrade from a lot of the stuff going on over there and it's in-kind to all of the sidings that are currently approved in Ocean Beach. So it's all, whether it's cedar, mahogany, shake, or it's like kind. It's all approved items. And then there's going to be, whether it's like a corner cut of a window. I don't know if you know that there's different lines of windows and there's ones that are impact rated, like Ross Brothers job on Bungalow all the way at the water. We had to get samples and show them exactly what they were getting with and if we were present on the beach during all of these things, it would be a lot easier. Instead of getting the customer to come over on to the main land.

ALTERNATE MEMBER RAGUSA: Great. Thank
you.

Judy Steinman has her hand up. MEMBER STEINMAN: I do. I just want to say, as a former customer of East Islip Lumber, that they are lovely people to deal with. Their products are first rate. My husband and I did a major chunk of reconstruction on our house a couple of years ago and they provided all the lumber and all the siding and all the materials that were needed to do that construction job and they were just a real pleasure to work with. So I would think having them here in the Village would be a good service to all of us.

MR. OBERLIES: Thank you very much, Judy. MEMBER STEINMAN: Thank you.

ALTERNATE MEMBER LIEBER: This is David Lieber from the Planning Board. I would concur with that. I've purchased myself from you and I love your products.

MR. OBERLIES: We love to hear that. We're here to give back just a little more. Even if it means us going to the job site, walking the house, giving measurements on doors. Even upgrading the doorknobs and hinges that you guys are using on your projects now. Simple little things. We're just here for that, that extra
care.
ALTERNATE MEMBER LIEBER: Thank you.
MR. OBERLIES: Thank you.
CHAIRMAN SPERANZA: Okay. Any other comments?

MR. OBERLIES: I did have a question that followed up on the last one, on the sign. I never got anything that said the size of it or the requirements so I could submit something.

CHAIRMAN SPERANZA: I'm sorry. Who was
that speaking?
MR. OBERLIES: That's Kenny from East
Islip.
CHAIRMAN SPERANZA: Oh, the sign? I mean, we can send you that, but it's a two by two sign.

MR. OBERLIES: Okay. That's very simple. I'm going to get something made up. Who do I submit that to once I get something drawn up?

CHAIRMAN SPERANZA: You send it to the Architectural Review Board, care of the Village Ocean Beach. The same place that you filed your application.

MR. OBERLIES: Okay. Thank you very much.
CHAIRMAN SPERANZA: Right. Two by two is
the maximum. Doesn't have to be that big, but that's the max.

MR. OBERLIES: Yes.
CHAIRMAN SPERANZA: Okay. Any other
questions from the public?
(No verbal response given.)
Hearing none, I make a motion to close the public hearing. Do I a second?

MEMBER STEINMAN: Second that.
CHAIRMAN SPERANZA: What happened?
Somebody spoke?
MEMBER STEINMAN: I seconded it.
CHAIRMAN SPERANZA: Oh, that was Judy seconding. Got it, um --

MR. GRAY: All in favor?
ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Okay. I make a motion
to approve Special Permit Application 317.
MR. LEVINE: Thank you.
CHAIRMAN SPERANZA: Wait a minute. Subject to the submission of a sign in accordance with Village Code to the Architectural Review Board and it's approval thereof.

That's it. Do I have a second?
MEMBER STEINMAN: Second.

## CHAIRMAN SPERANZA: All in favor?

ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Thank you very much. MR. OBERLIES: Thank you very much. CHAIRMAN SPERANZA: Now congratulations to you. You're welcome.

MR. OBERLIES: Thank you, everybody. We look forward to it. Thank you very much. CHAIRMAN SPERANZA: Now we have Special Permit Application Number 318.

MEMBER SHERMAN: A familiar face, Jon Randazzo.

CHAIRMAN SPERANZA: Let me finish so that nobody can challenge this, successfully challenge it.

Ocean Beach Market, Ltd. doing business as OBT, 476-478 Bayberry Walk, Ocean Beach, New York to consider Special Use Permit for Change of Ownership at 476-478 Bayberry Walk, Ocean Beach, New York \$164-32 Uses permitted by special permit, $\$ 164-36$ Site Plan Review.

Okay. State your name, please.
MR. RANDAZZO: Sure. It's Jon Randazzo, 32
Angela Lane, Bay Shore, New York 11706.
I'm here today with three of my partners,
three out of five of my partners. The group will continue to operate this location at 476 Bay Walk as a market, which has been a market for the past 30 plus years. We will sell perishable, nonperishable items, produce, soft drinks, baked goods, beer, frozen items, paper goods and we will feature a deli coffee bar and (inaudible).

CHAIRMAN SPERANZA: Okay. Do you want to state your partners' names for the record?

MR. RANDAZZO: Sure. With me today is my partner Joe Bonocore, Evan Brett, and Dina Rossen (phonetic).

Dina, Stephanie, who's not here today and Jackson, who's not here today are all new Ocean Beach business owners, which is very exciting.

CHAIRMAN SPERANZA: All right. Do we have the Board, the present board, in person Board have any questions?

MEMBER SHERMAN: Jon, you guys are basically using the same footprint as the prior OBT, correct?

MR. RANDAZZO: Correct. There is a bunch of paint. The owner already redid the floors. They look beautiful. So just brighten it up a
little bit and we'll have a better selection of items.

MEMBER SHERMAN: So let's get the layout here. So the deli area is going to replace where the produce area was?

MR. RANDAZZO: It's changed a bunch over the past five years, but the deli area actually remains the same. The previous owner installed a hood fan, I think two or three years ago, and that will all remain the same too.
(Multiple unmuted Zoom conversations happening.)

ALTERNATE MEMBER RAGUSA: Who's speaking?
MEMBER SILVERBERG: Sorry.
ALTERNATE MEMBER RAGUSA: Okay. Thank you. Sorry, Jon.

MEMBER KARALIS: Jon, I realize this is a sketch.

MR. RANDAZZO: It is. But it's good
handwriting though, right?
MEMBER SHERMAN: I was going to comment on that.

MEMBER KARALIS: The bathroom, even then, the bathroom looks like a bowling alley.

MR. RANDAZZO: The bathroom, it didn't fit
on my eight by ten sketch.
MEMBER KARALIS: It doesn't fit on your paper, I know. However, there's an area here that's identified as garage, which we understand to be behind those sliding doors on Bayberry and then you have a walk-in in the corner. My present understanding is that's storage and as a walk-in, $I$ suspect it will become a refrigerator area?

MR. RANDAZZO: They're all three walk-in refrigerators, in there already. Currently, three walk-ins. It's a great amount of storage. We do not need any more.

MEMBER KARALIS: That's fair enough. Now you had quite a few hours spent here having to do with the exterior of the building. Are you undertaking any work on that?

MR. RANDAZZO: The exterior of the building, it's not my, uh, it's not my zone. So I have to take care of it, maintain it, clean it, but we're not responsible for the outside of the building. The landlord is. And nothing is going to change on that. The siding stays the same. We're changing the four sconces that are there because they're rotting away.

MEMBER SHERMAN: I'm glad you brought up the siding situation. We have had an open matter with the owner of the building for quite some time about cedar shingling the north facing side of the building and although -CHAIRMAN SPERANZA: And the east. MEMBER SHERMAN: I'm sorry, and the east side. I forgot about that.

CHAIRMAN SPERANZA: And enclosing the chimney on the west. Those are the open issues with the owner.

MEMBER SHERMAN: Although, that is not your responsibility, obviously. We would ask for your help in trying to persuade the landlord into complying with the request that has been -MR. RANDAZZO: We have a great relationship, so I will do my best. On the front of the building, so the front of the building on Bay Walk is cedar, but not shake, so the top is shake.

MEMBER SHERMAN: It's been referred to a lot of different things but, basically, we have a stucco wall as the entryway into Ocean Beach. And so, for a long time we have been asking, as part of various other applications and
applicants that have come through here, to have the owner of the building comply with the request that has been open for many, many years, to have that side of the building, both sides of the building, the east side and the north facing side, cedar shingled as was required in other applications.

MR. RANDAZZO: That is not my
responsibility, but I have to say we've had nothing but good talks and experiences with Tyler, the owner, so far. I think he's great and he's treating us great so far, but I will do my best to talk to him about that. You know, that could come about because of all the work that was just done on the east and north side of the building because of the construction. So I will talk to him about that. MEMBER SHERMAN: You're a great business owner here and a great contributor to the Village.

MR. RANDAZZO: I appreciate that. We work very, very hard to keep that image for people. We love it here.

MEMBER SHERMAN: Not everybody is. CHAIRMAN SPERANZA: How long is your lease?

MR. RANDAZZO: Long time. Could be up to 20 years with renewals.

CHAIRMAN SPERANZA: What's the initial
term?
MR. RANDAZZO: Ten years and then a five and a five.

CHAIRMAN SPERANZA: Thank you. Ten, five, and five.

MR. RANDAZZO: We don't want to be in and out of here. We plan to be here for a long time.

CHAIRMAN SPERANZA: You'll be here at least ten years.

MR. RANDAZZO: Yeah, hopefully longer.
MEMBER STEINMAN: Sounds good.
MR. RANDAZZO: Judy says it's good, it's good. That's it.

CHAIRMAN SPERANZA: Tell me about the four sconces.

MR. RANDAZZO: There's four sconces, so the two stairways that go up to the doors, there is a sconce on each side and they're just rusted. I'm going to replace them with like kind.

CHAIRMAN SPERANZA: So you are modifying the exterior of the building, technically.

SPA No. 318

MR. RANDAZZO: Ah, then, yes. I would like permission to replace those four sconces. Probably with LED timer lights.

CHAIRMAN SPERANZA: Well, we would like to see what you're using.

MR. RANDAZZO: I can give that to the Review Board.

CHAIRMAN SPERANZA: Okay. Thank you.
That's where I was going.
MEMBER SHERMAN: Is there anything you
wanted to add to the shingle matter?
CHAIRMAN SPERANZA: I don't think the chimney on the west side got enough, that was part of the --

MEMBER SHERMAN: I think Tyler is on Zoom, if he has anything to say.

CHAIRMAN SPERANZA: Well -- okay. I mean, he's on Zoom. Well, he signed this application, so you're right. He can speak too.

MR. RANDAZZO: Is Tyler Sterck on Zoom?
CHAIRMAN SPERANZA: Well, you're going to use your best efforts to get Tyler to comply with shingling the two sides --

MR. RANDAZZO: I will --
CHAIRMAN SPERANZA: -- let me finish the
question. The east and the north and the chimney, right? You will use your best efforts to do that.

MR. RANDAZZO: I will use my best efforts to do that.

CHAIRMAN SPERANZA: Thank you.
Lastly, the last question $I$ have is, it doesn't pertain to this application. I can hold it to the end or say it.

MR. RANDAZZO: Say it.
CHAIRMAN SPERANZA: You have two open applications for two of your hotels.

MR. RANDAZZO: Two open applications?
CHAIRMAN SPERANZA: For you hotels.
MR. RANDAZZO: What, a Planning Board application?

CHAIRMAN SPERANZA: Yeah.
MR. RANDAZZO: I believe it's just one for Palm's Bay at 930 something. No, just Palms Bay.

CHAIRMAN SPERANZA: All $I$ want to know is if you're going to withdraw those because they're old.

MR. RANDAZZO: No, we are not withdrawing. They are. But, if you remember, we submitted it
and we took it off the agenda because there was too many on that Board and it never got back on. So when we submitted for Palms Bay --

CHAIRMAN SPERANZA: Too many on what Board?
MR. RANDAZZO: When we submitted the application for this Board for Palms Bay, which is what we call it, somebody asked us if we minded if it went at a later date and we just never got a later date. We're ready when you are. We can resubmit.

CHAIRMAN SPERANZA: You have to generate the request.

MR. RANDAZZO: I will do it for the next Planning Board. I'll be on that also for another application.

MR. BONOCORE: I'm sorry, when you say two --

CHAIRMAN SPERANZA: Palms East.
CLERK ADRION: Summer Place. I don't think you did that.
(People talking at once.)
MR. RANDAZZO: I did not realize.
CHAIRMAN SPERANZA: Is that yours?
MR. RANDAZZO: No. It's Palm's Bay and 8 Bungalow.

CLERK ADRION: The one above Summer Place. CHAIRMAN SPERANZA: It's the last building in town.

MR. RANDAZZO: Yeah, so we'll have two of those.

MR. BONOCORE: No, he's saying it's Palms Bay East, if he's saying it's the last bungalow. CHAIRMAN SPERANZA: You didn't do the east. CLERK ADRION: You didn't do the one you're renting. I don't know what they are. I don't know what the names are but I have them. MR. RANDAZZO: You let us know. CLERK ADRION: I have them. CHAIRMAN SPERANZA: I just want to know if you're withdrawing them. MR. RANDAZZO: No. CHAIRMAN SPERANZA: Then you have to finish them.

CLERK ADRION: You already paid for them. MR. RANDAZZO: Yes, we did already pay for them. We just never went in front of the Board because of time constraints for the last meeting.

CHAIRMAN SPERANZA: Right. All right.
Okay.

Tyler, you're out there, I hear. Do you have anything to say?
(No verbal response given.)
Okay. I guess not.
MR. RANDAZZO: He wanted to come. I believe it was his daughter's birthday is why he didn't come.

CHAIRMAN SPERANZA: He dropped off?
MR. RANDAZZO: He was on.
MR. STERCK: Hi, hello. I'm on, sorry. I was muted. This is Tyler Sterck, 476-478 Bayberry Walk. Owner/proprietor of the address.

What is your question?
CHAIRMAN SPERANZA: I don't have any questions of you. I've just given you an opportunity to ask us anything or say anything you would like before we conclude this public hearing with your tenant.

MR. STERCK: No, I don't have anything further to say. Other than I'm looking forward to a new proprietor in there. I think it's exciting to have somebody in there who has a little heart and a love for the business and I think it should thrive for the next decade. I'm pleased to have Jon there and I hope the Board
will see that it's a necessity to have a grocery store in this community and it's one my family has proudly served since 1946. So almost 80 years, Jon, not 30 .

MR. RANDAZZO: Oh, wow.
MR. STERCK: We've been here forever.
Okay? And we've proudly served the community. So I wish Jon well.

CHAIRMAN SPERANZA: Okay. Thank you. You want to ask something? Okay. Craig Sherman has a question.

MEMBER SHERMAN: Tyler, do you have any plans on addressing the shingling on the north, the east side of your building and the chimney?

MR. STERCK: Well, I don't know where to begin. That's an open ended question.

Number one, the chimney keeps coming up with the Board. That is a functional flue for my hot water tanks. It's not there for decoration. It's not there for a fireplace. It is there to remove carbon as part of the proper codes. So it keeps coming up at every Board meeting for the last 20 years. It is functional. It serves a purpose, and it can't be removed.

CHAIRMAN SPERANZA: You're leaving one adjective out, ugly.

MR. STERCK: That's debatable.
CHAIRMAN SPERANZA: Really? I beg to differ.

MR. STERCK: It's a Fire Island red brick chimney. Which is like, has been the decorative brick of choice in this town for multiple decades. What would you like me to do, Joe? I could paint it if you like, but it has to stay.

CHAIRMAN SPERANZA: We're not asking you to remove it. We're asking you to enclose it and put shingles. Just like we've always wanted you to put shingles on the back, on the north and east. Finish the east wall that you started back in 2006, and do the north wall as you were supposed to have done in 2006. Okay. That's what we wanted you to do. That's what this Village has always wanted you to do.

MR. STERCK: I understand. This is out of the realm of this application, but as everyone should be aware, and if not, they should be publicly aware that the Village undermined my building causing destruction to my exterior facia.

As Ken Gray knows, there's a potential lawsuit out there as there's a claim. You're asking me to fix something that is the Village's responsibility and for the decades of it not looking appropriate to the community, it was technically not my wall. As Ken Gray also knows as your Counsel. It was owned by the Village of for Ocean Beach. I had to purchase it back from the Village so the neglect is because the Village neglected it. But that's a whole other conversation. That's not for today, but I answered. The chimney is functional and the destruction to my building, you know, should be a topic that the Village should be going out of their way to somehow remedy.

CHAIRMAN SPERANZA: Well, I gave you the opportunity to speak. Thank you for your dissertation.

And is there anyone else that wants to say something? Constantine, go ahead.

MEMBER KARALIS: In the earlier application by Mr. Sterck, there was attention paid to the alley on west side of the building.

MR. RANDAZZO: Wait, you talking to him or me? Oh, sorry, sorry.

MEMBER KARALIS: You are probably familiar with the location we're discussing. The west side of the building, where there is access from Delivery Lane and from --

UNKNOWN SPEAKER: Bay Walk.
MEMBER KARALIS: That was, part of the application earlier was actually any work in that whole area. Mr. Sterck was asking for storage to be reconfigured and clean up and so on. It's a real mess back there and everybody knows that. I don't know if that's part of your

MR. RANDAZZO: It's not, actually. We've already cleaned it up a bunch, but there's been a bunch of dumping of dirt there from the town project, so we haven't really had the chance to get in there. But in that location is two of our walk-in cooler compressors. That's why we have to go back there, but I'll make sure it's nice and clear and accessible. MEMBER KARALIS: It's also a matter of having exits from the hotel. MR. RANDAZZO: Yeah. You can get from Bay Walk to whatever this is right here. You can get through it nice and clear.

MEMBER KARALIS: Okay. CHAIRMAN SPERANZA: Okay. Does anyone in the public have any questions? MEMBER SILVERBERG: Well, this is Joel on the Planning Board. Can you hear me? MEMBER STEINMAN: Yes. MEMBER SILVERBERG: We went through this building a number of times when $I$ was head of the Planning Board and when I was part of the Planning Board, which I still am. There were agreements made to reface not only the east, the north, but the west as well. We need to have some certification from the owner, from Tyler that this is going to get taken care of because if we agree to everything that you're asking for now, which is very normal and very useful and very likely, then we have no recourse to ask you any further about cleaning up the exterior of the building, which is very, very, very prominent and has been promised any number of times. Is there any reason why we can't get some assurance now that within the next year or two, or whatever the owner and tenant agree to that this will take place? MR. RANDAZZO: Joel, I get your concerns.

It is the first and biggest building you see when you come into Ocean Beach. But my frontage of the building is only where there is already cedar shake and cedar plank board. So I can understand how you'd like to take care of that today, but $I$ would appreciate if it doesn't hold me up.

MEMBER SILVERBERG: Does anybody else on the Board have an opinion?

CHAIRMAN SPERANZA: Yes. I think that Tyler should be held accountable for doing the things he's always said he's going to do but never did.

ALTERNATE MEMBER RAGUSA: This is Gina Ragusa. I agree, Joe, but $I$ don't think that Jon and his partners should be held up since they're not responsible for the outside of the building. There's nothing he can do.

MR. RANDAZZO: We lease our area for, even the deck stops at like the corner and all that is cedar.

CHAIRMAN SPERANZA: But, Jon, you have a receiving area with sliding doors right opposite the --

MR. RANDAZZO: Right, so to that door --

CHAIRMAN SPERANZA: The east wall is yours, really.

MR. RANDAZZO: To that door, the cedar goes up to the door and then --

MEMBER SILVERBERG: It stops at the end of the first floor.

CHAIRMAN SPERANZA: It stops at the hotel, really, the entrance.

MR. RANDAZZO: But there is cedar on the second story of the building and the front and half of the other side.

CHAIRMAN SPERANZA: I'm talking about, it coincides with the entrance of the hotel and the northern half of the east elevation is not covered and it has a big overhead door where you're going to receive your goods. Right?

MR. BONOCORE: I understand all of this 100 percent. I think that our lease covers the interior space only of the building. So whatever the Planning Board wants to do, we will respect, but that has to be something that Tyler agrees to do if required by the terms of our lease. You know, we can't start siding the building.

MEMBER SHERMAN: That wasn't the ask.

MR. BONOCORE: And I understand. Whatever you guys decide.

MEMBER SHERMAN: When you have a building that's been there for so long and a family as prominent in this community as Tyler's family has been for 100 years and there's no willingness to beautify his property, which is really the gateway to Ocean Beach, we have to look at a tenant's application to go in. It raises these questions all over again. We just have these ongoing, open ended problems.

MR. STERCK: Hi, Tyler's on. So a couple of things.

One, we did have plans to address this. We had meetings with the Planning Board early in the fall. What stopped that progression or some of the things you're discussing was the destruction the Village caused to my building. I'm happy to know that I did not do the improvements that the Village asked at that time because if I had so, we'd be back in the same position about the way the building looks today. You can look out the seats you're sitting in right now, look out the windows. That is not neglect from the landlord. That is the fault of
the Village project outside your window not properly assessing the situation. I don't know what you're asking me to do, but I do have an application with the Village in pause, and we paused it because of the construction directly outside my building.

So when this Village project is completed, I think that's something we can discuss going forward. But don't say it's something we're neglecting. We have re-cedared the building. We put on that deck outside that doesn't bring any income to the facility, but it does bring a beautiful facade to the community. If you know your history of this community, everybody was up in arms because I was the only one in 60 years that did anything different to that Village in the commercial district. That deck that wraps around is nothing but adding aesthetics to the pleasing eyes of the community of Ocean Beach. I can't do that on other side of the property you're asking for east, west, and north because it reduces the exterior and interior, I'm sorry, the exit of the Ferry Terminal. So you can't ask me to do these things with the construction outside the window. It's not the discussion for
this applicant at this time based on what the Village knows they've done to my building.

CHAIRMAN SPERANZA: Okay. Is there anyone else in the public that wants to comment?

MEMBER STEINMAN: Joe? Judy Steinman.
CHAIRMAN SPERANZA: Is there anyone else in
the public that wants to comment?
ALTERNATE MEMBER RAGUSA: Roberta Geiger and Maria Silsdorf have their hands up. Roberta, why don't you go?

MS. GEIGER: Okay. I, Robert Geiger, 199 Midway Walk, Ocean Beach, I agree that the application should not be held up because of situations that you have with Tyler. Two different items. That's kind of silly.

CHAIRMAN SPERANZA: Can you restate your name, please? I missed it.

MS. GEIGER: Robert Geiger, 199 Midway Walk, Ocean Beach.

CHAIRMAN SPERANZA: Okay. Thank you. Anybody else?

ALTERNATE MEMBER RAGUSA: Maria Silsdorf.
MS. SILDORF: Hey, Gina, thank you. I guess, Gina, you're monitoring the chat, thank you.

ALTERNATE MEMBER RAGUSA: Yes, I are (sic). MS. SILDORF: I just want to say that I think on behalf of the residents of Ocean Beach it's critically important that Ocean Beach continue to have a grocery store. A community does not exist without a grocery store and I think for the greater good, prioritizing our need for a grocery store, which is what this application is all about, should take precedent over an adjacent dispute with the landlord. I, as Roberta, am in favor of this.

MEMBER SHERMAN: Just to address this. Just so that everybody understands, we're not going to hold up the application. That's not our intent.

MS. SILDORF: That's great to hear. Thank you.

MEMBER SHERMAN: When the application came before us, it's an opportunity for us to remind Tyler of some of his responsibilities that have been talked about over a long period of time and that's what's happening.

MS. SILDORF: Understood and appreciated.
Thank you for explaining it, Craig.
CHAIRMAN SPERANZA: Okay. I had one other
comment.
By the way, is there anyone else from the public that wants to comment?
(No verbal response given.)
Okay. No more public comment. Thank you.
I had one other thing. Are you planning
any tables and chairs?
MR. RANDAZZO: There will be no tables or
chairs inside or on the deck.
CHAIRMAN SPERANZA: Thank you.
MEMBER STEINMAN: Excellent.
CHAIRMAN SPERANZA: Good.
MR. RANDAZZO: I know what you like. I
know what you like. There will be none.
CHAIRMAN SPERANZA: You know, because the code says no more restaurants.

MR. RANDAZZO: Right.
MEMBER STEINMAN: Joe?
CHAIRMAN SPERANZA: Yes?
MEMBER STEINMAN: If I may?
CHAIRMAN SPERANZA: Who's this?
MEMBER STEINMAN: Judy.
CHAIRMAN SPERANZA: Oh, Judy. Hi, Judy.
MEMBER STEINMAN: Hello. You know, I
haven't been on the Planning Board as long as

Joel has, but $I$ certainly do remember a number of sessions spent with Tyler and also he and I have spoken privately. He understands very well what needs to be done. His building is, sorry to say this, it's an eyesore and it just makes it so difficult to have people come into the Village and that be their first view of Ocean Beach.

Tyler, you're a reasonable guy. We've talked about that. You've made promises on other applications that you've made. We've agreed on some of the things that you have to do. Please, for the sake of the Village, do it. You love the Village. Do it as a sign of your love for the Village. We would all appreciate it a whole lot. Thanks.

CHAIRMAN SPERANZA: Okay. Anyone else have anything to say from the public?
(No verbal response given.)
Okay. Hearing none, I make a motion to close the public hearing. Do I have a second?

MEMBER STEINMAN: Yes.
CHAIRMAN SPERANZA: That's Judy Steinman seconded.

MR. GRAY: All in favor?

ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Okay. My next motion is to approve Special Permit Application Number 318, subject to the following conditions and they are that there be no tables and chairs anywhere in the establishment or outside on the deck.

That the applicant submit specifications for the lighting fixtures that he wants to install on the east exterior of the building to the Architectural Review Board for further review and approval.

And the next condition is that the applicant use his best efforts to convince the owner of the building to apply shingles to the east, to the remaining area of the east wall, the entire north wall, and the west wall that do not have shingles. Including, but limited to, the enclosure of the existing ductwork on the west wall.

That's the motion.
Okay. Do I have a second?
MEMBER KARALIS: Second.
CHAIRMAN SPERANZA: Constantine seconds.
I'm going to poll the Board myself.

Joel?
MEMBER SILVERBERG: Yes.
CHAIRMAN SPERANZA: Judy?
MEMBER STEINMAN: Absolutely.
CHAIRMAN SPERANZA: Absolutely yes or no?
MEMBER STEINMAN: Yes.
CHAIRMAN SPERANZA: Thank you.
Constantine?
MEMBER KARALIS: Yes. Absolutely.
CHAIRMAN SPERANZA: Craig?
MEMBER SHERMAN: Yes.
CHAIRMAN SPERANZA: Okay, and I vote yes.
MR. BONOCORE: Thank you.
MR. RANDAZZO: Appreciate that very much. Thank you very much.

CHAIRMAN SPERANZA: As you deserve.
I actually make a motion that the trustees use their due diligence before giving out this permit.

Hold on a minute. I make a motion to close the meeting. Do I have a second?

MEMBER KARALIS: Second.
CHAIRMAN SPERANZA: All in favor?
ALL MEMBERS: Aye.
CHAIRMAN SPERANZA: Thank you all for
coming.
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(Time Noted: 3:34 p.m.)

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## CERTIFICATION

I, D. Leigh Chapman, a Notary Public in and for the State of New York, do hereby certify:

THAT the forgoing is a true and accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of March, 2024.


ALL MEMBERS: [8] 33/2 34/1 41/7 43/6 53/16 54/2 79/1 80/24

## ALTERNATE MEMBER CHENAULT: [3]

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ALTERNATE MEMBER RAGUSA: [40] 5/21 6/18 6/22 13/24 14/18 14/25 15/7 $15 / 11$ 23/7 23/9 24/3 24/12 24/15 24/24 25/14 25/21
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ATTORNEY FENLEY: [28] 7/10 7/13 8/18
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CHAIRMAN SPERANZA: [201]
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MEMBER KARALIS: [24] 5/15 11/22 12/24 13/12 29/14 32/4 37/23 38/2 42/17 47/23 48/18 49/10 56/17 56/23 57/2 57/14 68/21 69/1 69/6 69/21 70/1 79/23 80/9 80/22
MEMBER SHERMAN: [42] 5/13 9/20 11/6
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MEMBER SILVERBERG: [10] 32/11 32/13 46/16 49/15 56/14 70/4 70/7 71/8 72/5 80/2
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MR. ARMENT: [4] 6/4 6/11 6/14 24/20 MR. BONOCORE: [5] 63/16 64/6 72/17 73/1 80/13
MR. DUNN: [10] 9/3 9/18 9/23 12/20 13/21 14/23 15/5 15/8 25/13 34/21
MR. GRAY: [13] $5 / 5$ 5/9 32/20 32/23 33/1 33/22 33/25 41/6 43/3 43/5 44/20 53/15 78/25
MR. KLEIN: [3] 26/19 26/21 27/3
MR. LEVINE: [10] 39/14 43/21 43/25 46/25 47/12 47/16 48/4 48/10 48/15 53/19
MR. MERCOGLIANO: [2] 10/16 10/20 MR. MOHRING: [23] 35/6 35/11 36/5 36/10 36/16 36/25 37/10 37/15 37/19 38/11 38/15 38/23 39/1 39/11 39/25 40/8 40/19 40/22 41/18 41/21 42/3 42/6 43/10
MR. OBERLIES: [26] 44/4 44/8 44/25 45/8
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MR. STERCK: [8] 65/10 65/19 66/6 66/15 67/3 67/6 67/20 73/12
MS. CAFUOCO: [10] $18 / 15$ 18/18 $18 / 20$
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MS. GEIGER: [5] 23/12 23/25 30/6 75/11 75/18
MS. MERCOGLIANO: [7] $8 / 25 \quad 11 / 2 \quad 11 / 8$

11/13 11/18 34/9 34/12
MS. SILDORF: [9] 21/19 21/22 22/6 22/8 40/14 75/23 76/2 76/16 76/23
MS. SOBEL: [14] 15/15 15/18 15/22 15/25 16/3 16/6 16/19 16/25 17/4 17/8 17/12 $18 / 5$ 18/8 18/12
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| 164-36 [3] 35/4 43/18 54/21 |
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| 2006 [2] 67/16 67/17 |
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| 24-hour [1] 29/1 |
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addressing [1] 66/13
adjacent [1] 76/10
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ADRION [1] 1/21
advantage [1] 22/14
advertisement [1] 18/8
Advertising [1] 49/15
advised [1] 23/17
aesthetics [1] 74/18
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Angela [2] 3/2 54/24
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answers [1] 20/22
any [34] 8/14 $11 / 21$ 13/22 13/23 15/12 $15 / 14$ 21/18 22/4 22/5 34/2 36/3 36/22 39/6 39/17
40/4 40/25 43/7 44/23 46/20 47/21 52/4 53/4
55/19 57/13 57/17 65/14 66/12 69/7 70/3 70/18 70/20 70/21 74/12 77/7
anybody [5] 10/11 18/13 39/6 71/8 75/21
anyone [13] 11/21 15/12 23/6 24/2 30/1 31/21
36/2 68/19 70/2 75/3 75/6 77/2 78/17
anything [10] 49/23 52/8 61/10 61/16 65/2
65/16 65/16 65/19 74/16 78/18
anyway [1] 49/5
anywhere [1] 79/6
apartment [1] 18/9
apartments [20] 10/16 10/17 10/18 10/22
10/23 11/3 11/4 11/11 11/20 16/21 16/22
17/18 17/20 18/2 22/20 22/23 22/25 25/8 26/3
26/22
apologize [1] 34/13
applicant [20] $2 / 13$ 3/2 $7 / 9$ 7/11 $11 / 1$ 14/12
19/5 19/13 19/20 20/19 20/21 35/8 43/20
43/22 43/24 44/1 44/2 75/1 79/8 79/14
Applicant's [2] 2/21 3/9
applicants [5] 2/10 3/6 14/14 14/16 59/1
application [56] 2/3 2/12 2/16 3/1 4/3 4/5 4/6
4/7 4/8 7/7 7/15 7/167/17 8/8 14/7 19/7 19/25
20/1 20/4 20/25 21/2 21/4 21/5 21/6 21/7
21/11 25/19 25/22 28/17 32/2 33/5 34/23
39/10 41/9 42/11 42/14 43/13 48/12 52/23
53/18 54/10 61/18 62/8 62/16 63/6 63/15
67/21 68/21 69/7 73/9 74/4 75/13 76/9 76/14
76/18 79/3
applications [6] 20/11 58/25 59/7 62/12 62/13 78/11
apply [1] 79/15
appreciate [5] 18/20 59/21 71/6 78/15 80/14
appreciated [1] 76/23
appropriate [1] 68/5
approval [6] 8/8 26/13 33/14 41/12 53/23 79/12
approve [9] 26/15 33/4 33/21 34/18 37/11 41/9 42/10 53/18 79/3
approved [5] 12/19 26/10 37/14 50/11 50/13 approves [1] 26/9
approximately [1] 9/8
aquifer [1] 28/4
ARB [2] 8/8 37/14
architect [4] 2/6 8/3 9/4 12/7
ARCHITECTURAL [9] $1 / 4$ 5/2 33/8 33/10 33/15 41/12 52/21 53/22 79/11
are [61] $6 / 3$ 6/9 8/19 9/6 12/8 14/4 15/24
17/19 17/19 18/18 22/15 23/18 24/7 25/11 25/16 28/5 29/16 29/17 29/17 29/21 31/3 31/5 32/6 32/8 35/20 36/12 38/3 38/21 39/17 39/23 40/6 41/21 41/22 44/23 46/9 46/20 47/20 48/2 49/20 50/2 50/6 50/10 50/17 51/4 51/5 51/24 55/15 55/20 57/16 57/24 58/10 60/24 62/24 62/25 63/10 64/10 64/11 69/1 76/1 77/6 79/5 area [13] 16/13 36/12 36/14 36/14 56/4 56/5 56/7 57/3 57/9 69/8 71/19 71/23 79/16 areas [1] 17/14
arms [1] 74/15
around [2] 16/13 74/18
as [57] 8/14 9/5 9/13 10/21 12/10 14/17 16/11 17/16 17/16 18/22 19/8 19/15 22/1 22/12 22/20 24/22 29/3 29/25 31/3 34/25 35/18 35/19 35/19 35/21 37/5 37/19 37/24 39/25
39/25 40/2 40/15 42/13 47/19 51/3 54/16 55/3
55/21 57/4 57/7 58/23 58/24 59/6 66/21 67/16
67/21 68/1 68/2 68/6 68/7 70/12 73/4 73/5
76/11 77/25 77/25 78/14 80/16
ask [14] $12 / 15$ 13/7 15/15 15/18 15/20 16/5
24/22 25/10 58/13 65/16 66/10 70/17 72/25
74/24
asked [3] 25/8 63/7 73/20
asking [11] 40/15 45/23 45/23 58/24 67/11
67/12 68/3 69/8 70/15 74/3 74/21
assessing [1] 74/2
assume [1] 26/22
assuming [1] $38 / 25$
assurance [1] 70/22
attachment [1] 13/13
attention [1] 68/22
ATTORNEY [1] 1/22
available [2] 29/17 40/18
aware [3] 48/14 67/22 67/23
away [2] 47/2 57/25
awful [1] 18/21
awning [4] 9/13 9/17 10/12 21/17
awnings [1] $10 / 3$
Aye [8] 33/2 34/1 41/7 43/6 53/16 54/2 79/1 80/24

## B

back [14] 7/14 12/14 13/5 25/7 38/15 41/25 51/20 63/2 67/14 67/16 68/8 69/10 69/19 73/21
bad [2] 19/9 48/10
baked [1] 55/6
balance [1] $8 / 20$
bar [3] 35/22 36/19 55/7
based [2] 38/24 75/1
basically [5] 35/25 36/7 36/18 55/21 58/22
bathroom [9] 14/24 15/6 15/10 28/2 28/12
29/20 56/23 56/24 56/25
bathrooms [27] 14/21 15/4 16/7 16/9 18/22
18/24 18/25 19/16 22/9 22/10 22/14 22/15
22/17 28/10 28/13 28/24 29/8 29/9 29/16
30/23 31/3 31/5 31/10 31/11 31/12 31/16 36/16
Bay [23] 2/5 2/13 2/14 3/3 7/8 7/19 20/20 21/5
34/23 34/24 35/12 35/12 54/24 55/3 58/19
62/19 62/20 63/3 63/6 63/24 64/7 69/5 69/23
Bayberry [9] 34/25 35/3 43/14 43/17 44/9
54/17 54/19 57/5 65/12
be [87]
beach [28] $1 / 11 / 8$ 16/11 23/13 31/13 35/1
35/3 40/18 43/15 43/17 44/13 50/11 50/20
52/22 54/16 54/17 54/20 55/16 58/23 68/8
71/2 73/8 74/19 75/12 75/19 76/3 76/4 78/8
beautiful [4] 21/14 47/7 55/25 74/13
beautify [1] 73/7
because [21] 12/9 13/16 20/7 36/23 39/23
45/4 48/13 57/25 59/14 59/16 62/22 63/1
64/22 68/9 70/14 73/21 74/5 74/15 74/21
75/13 77/15
become [1] 57/8
bedroom [5] 17/8 17/8 17/9 18/4 18/5
bedrooms [3] 25/9 25/13 25/14
been [23] 7/16 10/20 12/19 13/17 16/8 16/12
17/22 22/20 27/15 35/14 55/3 58/15 58/21
58/24 59/3 66/6 67/7 69/14 70/20 73/4 73/6
76/21 77/25
beer [1] $55 / 6$
before [5] 8/16 23/18 65/17 76/19 80/18
beg [1] 67/4
begin [1] 66/16
behalf [1] $76 / 3$
behind [3] 48/22 49/11 57/5
being [6] 8/9 17/16 18/21 29/6 29/24 33/6
believe [9] $6 / 22$ 15/5 16/15 16/17 17/21 $22 / 24$
44/25 62/18 65/6
believed [1] 18/6
besides [2] 14/1 49/20
best [6] 58/17 59/13 61/22 62/2 62/4 79/14
better [3] 11/13 47/5 56/1
$\begin{array}{llllll}\text { between [5] } & 12 / 15 & 12 / 18 & 13 / 1 & 19 / 13 & 19 / 20\end{array}$
big [4] 42/1 49/25 53/1 72/15
biggest [1] 71/1
birds [1] 33/19
birthday [1] $65 / 6$
bit [1] 56/1
black [3] 9/13 21/17 36/25
board [62] $1 / 41 / 4$ 5/2 5/3 12/1 $12 / 14$ 13/6
13/25 15/19 23/18 25/7 26/9 27/10 27/18
27/21 27/22 30/3 30/25 31/2 32/8 32/18 33/8
33/9 33/9 33/10 33/13 33/15 34/6 34/13 36/3
37/8 39/1 40/4 41/12 43/2 49/18 51/16 52/21
53/22 55/18 55/18 55/18 61/7 62/15 63/2 63/4
63/6 63/14 64/21 65/25 66/18 66/22 70/5 70/9
70/10 71/4 71/9 72/20 73/15 77/25 79/11 79/25
BOARD/ARCHITECTURAL [2] 1/4 5/2
boat [3] 1/8 7/4 50/4
Bob [3] 6/8 6/9 6/12
Bonocore [2] 3/6 55/12
books [1] 49/22
both [5] 7/25 24/9 28/24 31/6 59/4
bowling [1] 56/24
boxes [1] $12 / 25$
brand [1] 9/15
breakfast [2] 40/7 40/8
Brett [2] 3/7 55/12
brick [2] 67/6 67/8
brighten [1] 55/25
Brightwaters [1] 2/7
bring [3] 44/15 74/11 74/12
broker [2] 14/5 23/19
Brothers [1] 50/17
brought [1] 58/1
builder's [1] 47/10
building [63] 7/19 7/24 9/14 9/15 12/3 13/5
13/15 16/10 16/14 17/14 19/1 19/12 19/13
19/21 21/13 23/16 27/6 29/18 31/16 35/22
36/21 37/4 38/12 38/16 38/18 46/21 48/1 48/7
57/16 57/19 57/22 58/3 58/5 58/18 58/19 59/2
59/4 59/5 59/16 60/25 64/2 66/14 67/24 68/13 68/23 69/3 70/8 70/19 71/1 71/3 71/18 72/10
72/19 72/24 73/3 73/18 73/22 74/6 74/10 75/2
78/4 79/10 79/15
buildings [1] $12 / 4$
built [1] 13/3
bunch [5] 48/23 55/23 56/6 69/14 69/15
bungalow [3] 50/18 63/25 64/7
Bunny [2] 5/4 5/5
business [11] 14/9 14/12 23/20 23/22 23/24
34/25 35/15 54/16 55/16 59/18 65/23
businesses [2] 23/21 $35 / 14$
busy [1] 17/16
button [1] 24/23
buy [1] 44/13
buying [1] 45/20
BYRON [3] 1/16 5/16 40/15
C
cable [2] 45/3 45/15
Cafuoco [2] 18/16 18/17
call [8] 5/1 5/3 5/5 5/8 6/4 8/12 32/6 63/7
called [1] 10/19
calling [1] 10/14
came [3] 30/20 31/2 76/18
can [55] $5 / 3$ 5/5 8/21 $9 / 5$ 9/23 12/17 13/3 14/9
14/11 $14 / 14$ 15/15 15/18 15/20 17/9 18/3 19/2

## C

can... [39] 19/11 20/8 23/19 23/21 24/22 25/1 26/19 26/20 27/10 27/11 27/12 30/9 30/15 30/17 32/18 33/6 35/8 44/2 44/14 45/20 46/14 46/25 47/16 48/3 49/3 52/15 54/14 61/6 61/19 62/8 63/10 69/23 69/24 70/5 71/4 71/18 73/23 74/8 75/16
can't [7] 6/19 38/22 66/24 70/21 72/23 74/20 74/23
cannot [1] 22/4
capability [1] $13 / 3$
capacity [3] 16/20 17/4 23/1
carbon [1] 66/21
care [5] 52/1 52/21 57/20 70/14 71/5
catch [1] 7/5
caused [1] 73/18
causing [1] 67/24
cedar [9] 50/12 58/4 58/19 59/6 71/4 71/4
71/21 72/3 72/9
cedared [1] 74/10
ceilings [1] $12 / 8$
central [1] 28/12
certainly [2] 13/10 78/1
certification [2] 70/13 82/2
certify [1] $82 / 5$
cetera [5] 26/23 26/24 29/1 29/8 29/11
CHAIRMAN [1] 1/13
chairs [4] 36/19 77/7 77/9 79/5
challenge [2] 54/14 54/15
chance [1] 69/16
change [12] $8 / 7$ 9/8 23/3 29/24 35/2 43/16
45/4 47/7 47/8 47/8 54/18 57/23
changed [3] 35/23 45/15 56/6
changes [5] 36/9 36/10 46/20 46/22 47/21
changing [2] 46/10 57/24
Chapman [3] $1 / 2482 / 482 / 12$
chat [1] 75/24
check [1] 44/15
CHENAULT [2] 1/16 5/16
chimney [7] 58/10 61/13 62/2 66/14 66/17 67/7 68/12
choice [1] 67/8
Chris [4] $2 / 10$ 10/24 10/24 24/1
Chris' [2] 20/2 20/13
chunk [1] 51/6
City [1] 27/6
claim [1] 68/2
clean [2] 57/20 69/9
cleaned [1] 69/14
cleaning [1] 70/18
clear [4] 25/9 47/1 69/20 69/25
CLERK [1] 1/21
click [1] 30/9
close [9] 31/25 31/25 32/20 39/22 41/2 45/5
53/7 78/21 80/20
closed [1] 44/22
code [11] 16/18 19/5 27/6 33/16 38/20 38/22
42/13 42/23 42/24 53/22 77/16
codes [2] 26/25 66/22
coffee [1] 55/7
coincides [1] 72/13
color [2] 10/12 21/16
colors [2] 33/19 41/22
come [12] 12/14 13/5 14/17 36/22 49/7 50/22
59/1 59/14 65/5 65/7 71/2 78/6
coming [7] 25/5 30/13 34/5 35/25 66/17 66/22
81/1
comment [14] 20/8 21/12 22/19 23/4 26/21
39/7 40/3 46/25 56/21 75/4 75/7 77/1 77/3
77/5
comments [4] 22/2 39/17 40/4 52/5
commercial [2] 29/19 74/17
committee [2] 34/16 37/18
community [15] $14 / 8$ 14/10 $14 / 11117 / 17$ 22/15
23/22 29/10 66/2 66/7 68/5 73/5 74/13 74/14
$74 / 1976 / 5$
competent [1] 12/6
complete [3] 20/3 20/17 21/14
completed [1] 74/7
completely [1] 7/24
compliant [1] 38/21
complies [1] 33/15
comply [3] 42/22 59/2 61/22
complying [1] 58/15
compressors [1] 69/18
computer [1] 30/19
concern [2] 15/3 28/7
concerned [2] 28/2 29/5
concerns [2] 17/12 70/25
conclude [1] 65/17
concur [1] 51/16
condition [7] 33/6 33/23 41/10 42/12 48/18
48/25 79/13
conditions [1] 79/4
condone [1] 38/22
conducted [1] 16/16
conference [1] 49/4
configuration [2] 46/10 47/19
confirm [1] 40/6
confused [1] 32/15
congratulations [1] 54/5
conjunction [1] 19/7
conserving [1] 28/3
consider [4] 12/16 35/1 43/15 54/18
consideration [6] 13/7 13/11 28/16 28/23
29/12 34/7
considered [1] 14/15
CONSTANTINE [12] $1 / 15$ 5/14 10/11 32/16
32/25 33/12 38/1 42/23 48/17 68/20 79/24
80/8
constraints [1] 64/22
construction [7] 26/7 26/8 26/10 51/9 59/16
74/5 74/24
continuation [1] 7/7
continue [4] 7/1 7/3 55/2 76/5
contractors [2] 44/12 44/14
contributor [1] 59/19
conversation [1] 68/11
conversations [1] 56/11
convert [1] 7/23
converted [1] 8/11
converting [2] 9/6 22/25
convince [1] 79/14
cooking [1] 36/14
cooler [1] 69/18
copy [1] 20/18
corner [8] 17/16 19/8 25/1 38/14 40/21 50/14
57/6 71/20
corporate [1] 20/20
correct [10] 14/22 16/25 22/4 22/6 22/7 26/14
36/9 36/16 55/22 55/23
corridor [1] 29/20
could [7] 12/21 15/1 26/8 52/9 59/14 60/1 67/10
couldn't [3] 9/21 20/6 30/20
Counsel [1] 68/7
count [2] 36/20 48/7
couple [3] 36/24 51/7 73/12
course [1] 28/8
Court [1] 1/24
covered [1] 72/15
covering [1] 46/16
covers [1] 72/18
CRAIG [9] 1/14 5/12 22/20 28/19 28/21
32/16 66/10 76/24 80/10
Crickets [1] 35/16
critically [1] 76/4
curious [1] 16/20
current [5] 7/19 14/4 16/17 26/24 42/13
currently [7] 7/22 17/2 19/16 27/1 31/15
50/10 57/11
customer [2] 50/22 51/3
customers [8] 22/11 31/4 31/7 31/12 31/13
45/19 49/7 50/2
cut [1] 50/14

## D

date [2] 63/8 63/9
daughter's [1] 65/6
DAVID [13] 1/19 5/24 6/1 6/7 6/7 6/11 6/15
6/16 6/19 6/23 30/16 30/24 51/15
day [5] 18/21 29/10 49/8 50/4 82/9
Daze [2] 40/22 40/23
deal [2] 50/7 51/4
debatable [1] 67/3
decade [1] 65/24
decades [2] 67/9 68/4
decide [1] 73/2
decision [1] 36/23
deck [10] 45/1 45/3 45/12 45/14 46/2 71/20
74/11 74/17 77/9 79/7
decoration [1] 66/20
decorative [1] 67/7
definitely [1] 29/4
delaying [1] 34/14
deli [3] 55/7 56/4 56/7
Delivery [1] 69/4
Department [1] 13/6
depicting [1] 42/15
deserve [1] 80/16
design [2] 47/11 47/19
designs [1] 48/8
desk [1] 49/7
destruction [3] 67/24 68/13 73/18
detrimental [1] 29/13
did [16] 20/25 22/2 23/10 25/7 29/12 39/6
47/17 51/5 52/6 63/20 63/22 64/20 71/13
73/14 73/19 74/16
didn't [6] 24/16 39/16 56/25 64/8 64/9 65/7
differ [1] $67 / 5$
different [12] 12/10 13/17 36/24 41/19 48/2
48/5 48/8 50/7 50/16 58/22 74/16 75/15
difficult [1] 78/6
diligence [1] 80/18
dimension [1] 9/14
dimensions [3] 41/21 42/3 42/21
Dina [3] 3/7 55/12 55/14
dinner [2] 40/7 40/9
directly [1] 74/5
dirt [1] 69/15
discharge [1] 27/1
discuss [2] 8/13 74/8
discussed [1] 8/2
discussing [2] 69/2 73/17
discussion [1] 74/25
dishes [1] 35/17
display [6] 45/19 45/25 46/1 48/20 49/2 50/6
dispose [1] 28/11
dispute [1] 76/10
dissertation [1] 68/18
district [1] 74/17
do [71] 5/7 8/23 14/2 14/2 14/10 15/24 16/2
16/15 24/4 24/6 24/18 24/19 24/21 24/22 25/2
28/1 28/9 30/5 30/10 31/10 32/3 36/25 37/8
39/5 39/11 40/10 41/3 41/13 44/18 46/7 49/18
51/2 51/9 52/18 53/8 53/24 55/9 55/17 57/13
57/16 58/17 59/12 62/3 62/5 63/13 64/8 64/9
65/1 66/12 67/9 67/16 67/18 67/19 71/12
$71 / 18$ 72/20 72/22 73/19 74/3 74/3 74/20
$74 / 2478 / 178 / 1378 / 1378 / 1478 / 2179 / 17$
79/22 80/21 82/5
document [2] 13/14 33/18
does [6] 36/2 44/13 70/2 71/8 74/12 76/6
doesn't [7] 20/3 45/5 53/1 57/2 62/8 71/6

## 74/11

doing [9] $12 / 7$ 16/10 34/25 35/6 44/9 46/17
47/3 54/16 71/11



## L

lawsuit [1] 68/2
layout [1] 56/3
lease [8] 8/19 8/20 8/22 8/24 59/25 71/19
72/18 72/23
leased [1] 14/3
least [1] 60/12
leaving [2] 36/8 67/1
LED [1] 61/3
left [1] 24/25
legal [1] 16/20
Leigh [3] $1 / 2482 / 482 / 12$
length [1] 7/2
less [2] 26/25 29/24
let [3] 54/13 61/25 64/12
let's [1] $56 / 3$
level [1] 38/5
Levine [2] 2/21 39/12
LIEBER [7] 1/19 5/24 6/7 6/16 30/16 30/24 51/16
light [1] 48/2
lighting [3] 48/6 48/9 79/9
lights [1] 61/3
like [33] 9/10 9/15 13/15 14/20 20/3 23/17
29/14 31/21 37/1 37/2 37/21 46/4 46/23 47/23 48/8 48/25 49/4 50/12 50/14 50/17 56/24
60/23 61/1 61/4 65/17 67/7 67/9 67/10 67/13
71/5 71/20 77/13 77/14
likely [1] 70/17
limited [2] 29/2 79/18
line [1] 36/15
lines [1] 50/16
liquor [2] 8/17 14/1
Lisa [1] 5/22
little [7] 24/23 44/10 47/1 51/20 51/24 56/1 65/23
live [4] 15/24 16/2 17/9 27/15
LLC [4] 20/20 21/5 34/24 34/24
LLP [1] 2/4
located [1] 35/11
location [3] 55/2 69/2 69/17
long [13] 8/22 8/23 17/22 20/5 25/16 28/5 58/24 59/25 60/1 60/10 73/4 76/21 77/25
longer [3] 7/17 8/6 60/14
look [17] 9/15 10/11 13/15 20/3 21/14 21/17
40/17 45/8 45/16 47/1 48/21 49/6 54/8 55/25
73/9 73/23 73/24
looked [1] 38/2
looking [8] 13/19 23/15 23/25 24/13 25/16
28/17 65/20 68/5
looks [4] 14/20 21/16 56/24 73/22
lost [1] $43 / 2$
lot [8] 34/15 38/20 45/16 48/20 50/8 50/21 58/22 78/16
loud [2] 20/8 23/4
love [7] 40/16 51/18 51/19 59/23 65/23 78/14 78/15
lovely [1] 51/4
low [1] 26/25
low-flow [1] 26/25
lower [2] 24/25 38/5
Ltd [1] 54/16
luck [3] 24/1 40/18 43/11
lumber [9] 2/17 43/14 44/5 46/8 47/8 49/21
49/23 51/3 51/8
lumberyard [1] 47/6
lunch [2] 40/7 40/8

## M

ma'am [1] 40/8
made [4] 52/18 70/11 78/10 78/11
mahogany [7] 45/3 45/15 46/7 46/17 47/17 47/18 50/12
main [2] $2 / 550 / 23$
maintain [2] 34/17 57/20
major [1] 51/6
make [19] 12/8 14/8 14/13 23/4 31/25 33/4 34/17 41/2 41/8 44/6 47/1 47/7 49/10 53/7
53/17 69/19 78/20 80/17 80/20
makes [1] 78/5
making [2] 44/23 46/20
Manager [2] 2/17 44/5
many [8] $15 / 417 / 919 / 11$ 28/14 59/3 59/3
63/2 63/4
March [2] 1/7 82/9
Marco [1] 24/18
Maria [5] 21/19 27/25 40/12 75/9 75/22
mark [1] 12/1
market [3] 54/16 55/3 55/3
match [1] 13/18
material [5] 46/5 46/7 47/5 47/11 47/14
materials [5] 8/1 8/9 8/13 46/3 51/8
matter [3] 58/3 61/11 69/21
$\boldsymbol{\operatorname { m a x }}$ [1] $53 / 2$
maximum [4] 42/18 42/18 42/20 53/1
may [3] 34/9 46/18 77/20
maybe [1] 11/25
me [22] $5 / 7$ 8/21 $11 / 1012 / 2$ 20/4 26/19 27/11
30/15 37/13 42/6 47/23 54/13 55/11 60/18
61/25 67/9 68/3 68/25 70/5 71/7 74/3 74/24
mean [8] 15/1 19/3 29/11 31/9 31/12 49/23
52/14 61/17
means [2] 25/22 51/21
measurements [1] 51/22
meeting [6] 5/1 34/14 34/15 64/23 66/23
80/21
meetings [1] 73/15
meets [1] 33/17
member [13] $1 / 14$ 1/15 $1 / 16$ 1/17 $1 / 18$ 1/19
1/20 13/25 27/17 27/20 27/21 30/25 31/1
members [3] 32/7 32/7 32/14
mentioned [1] 22/24
mentioning [1] 20/10
menu [6] 35/24 37/8 37/22 39/1 42/14 43/2
merchandise [1] 48/20
Mercogliano [3] 2/10 34/11 34/12
mess [1] 69/10
Michael [6] 2/6 8/3 8/12 8/16 9/4 11/22
microphone [1] 10/25
middle [1] 29/18
Midway [3] 23/13 75/12 75/18
might [3] 6/13 21/20 22/17
mind [1] 27/5
minded [1] 63/8
mine [1] 15/4
minute [2] 53/20 80/20
miss [1] 21/24
missed [1] 75/17
modern [1] 29/3
modifying [1] $60 / 24$
Mohring [2] 2/13 35/11
monitoring [1] 75/24
more [13] $8 / 25$ 9/1 15/13 20/17 23/1 28/9
28/10 44/10 47/1 51/20 57/13 77/5 77/16
morning [1] 35/7
motion [18] 31/25 32/19 32/20 33/4 33/21
41/2 41/8 42/10 42/16 43/1 43/3 53/7 53/17
78/20 79/2 79/21 80/17 80/20
Mr [2] $8 / 368 / 22$
Mr. [1] 69/8
Mr. Sterck [1] 69/8
much [13] 29/25 34/4 34/19 43/10 47/5 49/9
51/13 52/24 54/3 54/4 54/8 80/14 80/15
multiple [2] 56/11 67/8
muted [1] 65/11
my [40] $9 / 23$ 14/19 14/19 15/25 17/2 $17 / 11$
17/12 18/22 29/11 35/15 42/10 42/16 46/14 46/18 47/25 51/5 54/25 55/1 55/11 57/1 57/6 57/19 57/19 58/17 59/8 59/13 62/4 66/2 66/19 67/23 67/24 68/6 68/13 71/2 73/18 74/6 75/2 79/2 82/7 82/9
myself [4] 24/16 32/16 51/17 79/25
name [12] 11/2 15/25 20/1 20/2 20/13 20/14
22/1 35/9 36/4 42/15 54/22 75/17
name and [1] 20/2
names [3] 24/23 55/10 64/11
natural [1] 29/6
naturally [1] $23 / 3$
necessarily [1] 13/18
necessity [1] 66/1
need [12] 11/24 15/10 19/5 24/19 26/12 26/15
28/2 28/2 31/11 57/13 70/12 76/8
needed [1] 51/9
needs [2] 33/18 78/4
neglect [2] 68/9 73/25
neglected [1] 68/10
neglecting [1] 74/10
neither [1] 13/16
never [5] 52/8 63/2 63/9 64/21 71/13
new [30] $1 / 21 / 82 / 52 / 72 / 142 / 183 / 39 / 15$
14/21 17/19 21/23 26/23 27/5 28/24 35/1 35/3
35/18 35/24 35/24 35/24 36/19 36/19 43/15
43/17 54/17 54/20 54/24 55/15 65/21 82/5
next [7] 14/19 43/13 63/13 65/24 70/22 79/2
79/13
nice [5] 21/16 21/17 21/25 69/20 69/25
nicer [2] 45/16 46/5
ninth [2] 30/21 31/2
no [57] 4/5 4/6 4/7 4/8 5/19 5/23 5/25 6/2 6/10 6/147/17 8/6 11/9 14/4 15/13 17/4 17/4 19/4 19/10 22/6 24/5 24/8 25/4 25/24 30/6 30/12
31/23 31/24 34/3 36/9 36/10 41/1 43/8 43/25
46/11 46/22 47/22 49/25 49/25 50/1 53/6
62/19 62/24 63/24 64/6 64/16 65/3 65/19
70/17 73/6 77/4 77/5 77/8 77/16 78/19 79/5
80/5
nobody [1] 54/14
none [7] 31/24 34/4 41/2 43/9 53/7 77/14
78/20
nonperishable [1] 55/5
normal [2] 45/2 70/16
normally [1] $32 / 7$
north [10] 58/4 59/5 59/15 62/1 66/13 67/14
67/16 70/12 74/21 79/17
northern [1] 72/14
not [70] $6 / 16$ 6/23 8/6 9/20 11/25 13/9 15/16
16/15 17/19 17/20 21/10 22/9 25/5 25/23 26/8
28/1 28/25 29/12 30/13 33/8 37/16 38/8 38/14
38/21 42/14 43/23 43/25 45/22 47/8 47/11
48/11 48/14 48/15 48/19 49/1 49/23 55/14
55/15 57/13 57/19 57/19 57/21 58/12 58/19
59/8 59/24 62/24 63/22 65/4 66/4 66/19 66/20
67/11 67/22 68/4 68/6 68/11 69/13 70/11
71/17 72/14 73/19 73/24 74/1 74/25 75/13
76/6 76/13 76/14 79/18
Notary [1] 82/4
Noted [1] $81 / 3$
notes [1] 82/7
nothing [11] 19/5 20/2 20/16 35/23 36/18
49/11 49/25 57/22 59/10 71/18 74/18
noticed [1] 10/13
notion [2] 28/8 28/12
now [26] 7/16 8/18 10/7 12/16 12/24 16/24
18/25 22/25 24/22 26/19 27/1 30/17 33/4
34/22 44/20 45/14 46/5 46/6 47/2 51/24 54/5 54/9 57/14 70/16 70/22 73/24
number [21] $2 / 32 / 12$ 2/16 3/1 7/8 12/5 16/6
29/15 32/2 33/5 34/23 35/20 41/9 42/11 43/13
54/10 66/17 70/8 70/20 78/1 79/3

## 0

Oberlies [2] 2/17 44/4
OBT [2] 54/17 55/22
obtain [1] 23/21
obviously [5] 8/13 29/5 35/23 49/20 58/13

## 0

occupancy [1] 17/7
occupied [2] 17/21 28/25
OCEAN [30] $1 / 11 / 82 / 1416 / 316 / 1123 / 13$ 31/13 35/1 35/3 35/12 40/18 43/15 43/17 44/13 50/11 52/22 54/16 54/17 54/19 55/15 58/23 68/8 71/2 73/8 74/19 75/12 75/19 76/3 76/4 78/7
off [8] 17/1 17/10 37/2 44/18 46/3 49/13 63/1 65/8
offers [1] 22/10
Office [2] 18/11 20/5
Oh [9] 5/7 24/14 26/1 28/20 52/14 53/13 66/5 68/25 77/23
ohmage [1] 22/1
okay [69] $6 / 21$ 9/2 9/25 10/8 10/10 11/19
11/20 13/12 15/11 16/4 16/19 18/10 18/12
19/23 20/22 21/8 21/9 22/8 23/6 24/9 25/15
26/1 26/3 26/17 30/8 30/18 31/9 31/20 31/24
33/3 33/20 36/2 41/5 41/24 43/23 44/8 44/19
47/9 47/18 48/16 49/3 52/4 52/17 52/24 53/4
53/17 54/22 55/9 56/15 61/8 61/17 64/25 65/4 66/7 66/9 66/10 67/17 70/1 70/2 75/3 75/11
75/20 76/25 77/5 78/17 78/20 79/2 79/22 80/12
old [3] 16/10 16/11 62/23
once [3] 26/9 52/19 63/21
one [55] 6/12 8/10 12/5 12/12 12/18 12/22
13/4 13/21 13/23 15/2 16/6 16/17 17/8 17/12
19/15 20/13 25/9 25/13 25/14 28/12 29/20
29/24 31/24 37/1 37/4 37/7 37/8 37/10 37/11 37/19 37/21 38/10 38/10 38/11 38/17 38/25
39/1 41/10 42/2 42/4 42/7 42/12 49/8 50/5 52/7 62/18 64/1 64/9 66/2 66/17 67/1 73/14 74/15 76/25 77/6
ones [2] 29/16 50/16
ongoing [1] 73/11
only [12] 19/17 29/15 29/16 29/22 33/5 38/10
42/2 49/8 70/11 71/3 72/19 74/15
ooh [1] 44/21
open [10] 23/20 36/13 40/7 58/2 58/10 59/3
62/11 62/13 66/16 73/11
operate [1] 55/2
opinion [2] 33/13 71/9
opportunity [4] 35/17 65/16 68/17 76/19
opposed [2] 34/2 43/7
opposite [1] 71/23
option [3] 14/9 37/24 38/8
options [2] 36/24 38/3
order [3] 5/2 29/20 44/17
original [3] 19/25 20/11 20/12
Orinoco [1] 2/7
other [26] 11/20 13/16 13/22 14/1 14/19 21/18
28/8 35/14 39/17 40/4 40/25 42/7 45/7 47/21
49/21 52/4 53/4 58/25 59/6 65/20 68/10 72/11
74/20 76/25 77/6 78/11
otherwise [1] 15/13
our [11] 8/5 28/3 33/13 45/19 51/6 69/18
71/19 72/18 72/22 76/7 76/15
out [31] 7/25 18/21 19/4 20/8 23/4 23/19 28/4
28/16 29/3 30/22 42/1 42/23 43/1 44/15 45/4
45/12 45/21 47/25 48/13 48/24 49/22 55/1
60/10 65/1 67/2 67/20 68/2 68/14 73/23 73/24
80/18
outside [9] 45/23 48/6 57/21 71/17 74/1 74/6 74/11 74/25 79/6
over [14] 35/18 37/7 37/8 37/20 38/4 38/7
45/15 49/8 50/9 50/23 56/6 73/10 76/10 76/21
overhead [1] 72/15
own [4] 14/24 15/3 15/6 35/13
owned [1] 68/7
owner [12] 35/18 55/24 56/8 58/3 58/11 59/2 59/11 59/19 65/12 70/13 70/23 79/15
Owner/proprietor [1] 65/12
owners [5] 12/17 14/5 22/13 23/18 55/16
ownership [3] 35/2 43/16 54/19
Ownership/Use [1] 43/16
P
p.m [2] $1 / 781 / 3$

Pace [1] 5/22
package [1] 10/5
Page [1] $4 / 3$
paid [2] 64/19 68/22
paint [2] 55/24 67/10
Palm's [2] 62/19 63/24
Palms [5] 62/19 63/3 63/6 63/18 64/6
paper [2] $55 / 657 / 3$
Park [2] 2/14 35/12
part [7] 48/12 58/25 61/14 66/21 69/6 69/11 70/9
partner [1] 55/12
partners [3] 54/25 55/1 71/16
partners' [1] 55/10
passage [1] 12/18
past [3] 22/2 55/4 56/7
Paul [10] 2/13 35/11 36/5 36/6 36/7 38/6 39/8
40/16 40/20 42/2
pause [1] 74/4
paused [1] 74/5
pay [4] 14/9 14/14 23/20 64/20
peace [1] 17/15
people [19] $7 / 4$ 17/9 17/13 $18 / 3$ 18/5 18/9 20/7
22/22 24/18 24/22 25/1 30/4 35/20 48/23 49/5
51/4 59/22 63/21 78/6
per [2] $18 / 535 / 21$
percent [1] 72/18
Perfect [2] 24/24 39/2
perhaps [1] 22/13
period [1] 76/21
perishable [1] 55/5
permission [1] 61/2
permit [30] 2/3 2/12 2/16 3/1 4/5 4/6 4/7 4/8
7/7 7/15 7/18 8/6 23/22 32/1 33/5 34/23 35/2
35/4 40/1 41/9 42/10 43/13 43/16 43/18 53/18
54/10 54/18 54/21 79/3 80/19
permits [3] 14/17 18/3 35/21
permitted [6] 7/22 16/23 17/2 35/4 43/18 54/20
person [5] 12/18 13/1 13/4 49/8 55/18
persuade [1] 58/14
pertain [1] $62 / 8$
perusing [1] $10 / 8$
phonetic [3] 3/7 44/5 55/13
pick [1] $13 / 8$
picture [3] 10/2 10/2 41/25
pictures [1] 37/6
pipe [1] 42/1
place [6] 44/14 44/18 52/22 63/19 64/1 70/24 plan [8] 14/5 25/24 26/2 35/5 43/19 44/8
54/21 60/10
plank [1] 71/4
planned [1] 14/2
planning [25] $1 / 4$ 5/2 13/25 15/19 25/6 27/10 27/18 27/21 27/22 30/3 30/25 31/2 32/8 33/9 49/18 51/16 62/15 63/14 70/5 70/9 70/10 72/20 73/15 77/6 77/25
plans [6] 9/6 14/20 25/10 34/18 66/13 73/14
please [13] 5/3 5/6 16/5 20/9 32/18 35/9 38/1
44/3 46/15 46/19 54/22 75/17 78/13
pleased [1] $65 / 25$
pleasing [1] 74/19
pleasure [1] 51/10
plumbing [4] 16/11 23/2 27/6 29/3
plus [2] 19/10 55/4
point [6] 19/15 19/24 28/15 42/9 47/24 48/13
pointed [1] 29/3
pointing [1] 43/1
poll [2] 32/18 79/25
position [1] 73/22
possibly [1] 28/10
post [1] 37/2
potential [2] 25/20 68/1
practical [1] 12/12
precedent [1] 76/9
prefer [1] 38/3
premium [1] 22/16
prep [1] 36/14
presence [1] 44/10
present [9] 2/9 2/20 3/5 5/13 43/20 43/21
50/20 55/18 57/7
presentation [2] 41/11 44/7
pressure [3] 45/2 45/14 46/6
Presumably [1] 11/24
pretty [1] 49/9
previous [1] 56/8
previously [1] 36/9
prior [1] 55/21
prioritizing [1] 76/7
privately [1] $78 / 3$
probably [2] 61/3 69/1
problems [2] 30/19 73/11
produce [3] 22/17 55/5 56/5
product [1] 44/17
products [7] 44/16 49/13 49/20 49/21 50/1
51/5 51/18
progression [1] 73/16
prohibit [1] 48/23
project [5] 8/2 9/4 69/16 74/1 74/7
projects [1] 51/24
prominent [2] 70/20 73/5
promised [1] 70/20
promises [1] 78/10
proper [2] 34/17 66/21
properly [2] 45/5 74/2
property [3] 8/1 73/7 74/20
proposal [1] 33/7
proprietor [2] 65/12 65/21
proudly [2] 66/3 66/7
provide [3] 23/19 29/20 33/11
provided [1] 51/7
providing [1] $12 / 9$
public [20] $1 / 5 \quad 15 / 1515 / 1815 / 2032 / 132 / 20$
40/12 40/25 41/3 53/5 53/8 65/17 70/3 75/4
75/7 77/3 77/5 78/18 78/21 82/4
publicly [1] 67/23
purchase [1] 68/8
purchased [1] 51/17
purpose [1] 66/24
purposes [3] 21/1 48/20 49/2
pursuant [1] 42/12
put [11] 19/12 23/15 26/23 26/24 37/24 38/3
45/3 47/2 67/13 67/14 74/11
putting [4] 12/15 38/15 45/21 47/9

## Q

question [28] 12/12 12/20 12/22 14/19 14/20
15/15 15/18 15/21 16/5 16/6 18/22 22/19 24/4
24/7 25/7 30/5 39/19 40/15 41/18 46/15 46/19
49/19 52/6 62/1 62/7 65/13 66/11 66/16
questions [16] $8 / 14$ 11/21 13/22 15/13 15/14
15/14 15/22 21/18 36/3 39/6 40/25 53/5 55/19
65/15 70/3 73/10
quick [2] 26/21 39/19
quickly [1] $8 / 5$
quite [4] 12/6 16/11 57/15 58/3

## R

RAGUSA [8] $1 / 20$ 5/20 13/25 24/12 25/6 40/6
49/18 71/15
rail [2] 45/3 45/15
raised [1] 30/9
raises [1] 73/10
Randazzo [3] 3/2 54/12 54/23
rate [1] 51/5
rated [1] 50/17
rather [5] 15/2 22/19 31/24 38/4 42/24

| R | 65 | /2 |
| :---: | :---: | :---: |
| re [1] 74/10 | responsibilities [1] 76/20 |  |
| re-cedared [1] 74/10 | responsibility [3] 58/13 59/9 68/ responsible [2] 57/21 71/17 | seeking [1] 8/7 selection [1] 56 |
| reading [1] 16 | restate [1] 75/16 | sell [2] 44/16 55/4 |
| ready [3] 26/4 49/7 real [3] 33/7 51/10 | restaurant [3] 31/14 35/15 35/18 | selling [1] 50/2 |
| reality [1] realit | restaurants [1] 77/ | send [3] 50/3 52/15 52/20 |
|  | $\begin{aligned} & \text { restored [1] } 7 / 20 \\ & \text { resubmit [1] } 63 / 10 \end{aligned}$ | $\begin{array}{ll} \text { separate [1] } & 21 / 10 \\ \text { separated [1] } & 12 / 25 \end{array}$ |
|  | retail [9] 7/22 9/7 14/22 14/23 22/3 23/14 29/2 | separation [1] 12/9 |
|  | 29/8 31/7 | serious [1] 28/7 |
| $\left\lvert\, \begin{aligned} & \mathrm{re} \\ & \mathbf{r e} \end{aligned}\right.$ | retailer [2] 22/10 2 | serve [1] 23/23 |
| receipt [1] 33/10 | retailers [1] $21 / 23$ <br> review [18] <br> $1 / 4$ <br> 15 | served [2] 66/3 66/7 |
| receive [1] 72/16 | $33 / 1633 / 1835 / 541 / 1141 / 1243 / 1952 / 21$ | service [2] 44/11 51/12 |
| re | 53/22 54/21 61/7 79/11 79/12 | sessions [1] 78/2 |
|  | reviews [1] 37/18 | set [1] 82/8 |
|  | rid [1] 42/6 | seven [3] 18/25 48/2 48 |
| reconsider [2] | right [35] 6/6 10/7 11/19 12/9 12/24 21/1 | sewage [2] 28/9 28/11 |
| reconstruction [1] 51/6 | $\begin{array}{lllll} 22 / 15 & 27 / 18 & 32 / 12 & 36 / 6 & 37 / 20 \\ 38 / 10 & 37 / 22 & 38 / 9 \\ 38 & 42 / 9 & 44 / 6 & 45 / 10 & 48 / 11 \\ 48 / 12 \end{array}$ | sewer [3] 19/1 19/2 42 <br> shake [4] 50/12 58/19 |
| record [1] 55/10 | 48/22 49/5 52/25 55/17 56/20 61/19 62/2 | shared [2] 15/2 22/14 |
| $\left\lvert\, \begin{aligned} & \mathbf{r e} \\ & \mathbf{r e} \end{aligned}\right.$ | 64/24 64/24 69/24 71/23 71/25 72/16 73/2 | sharing [1] 28/13 |
| redid [1] | 77/17 | She's [2] 6/4 6/5 |
| redo [1] 42 | Road [1] 1 | sheets [1] 11/23 |
| reduce [1] 29/15 | Robert [3] 6/13 75/11 75/18 <br> Roberta [9] 23/7 23/8 23/9 | SHERMAN [5] 1/14 5/12 28/ |
| reduces [1] 74/22 | Roberta [9] 23/7 23/8 23/9 23/10 23/1 $75 / 875 / 1076 / 11$ | shingle [2] 9/116 <br> shingled [1] 59/6 |
| reface [1] 70/11 | roll [3] 5/3 5/5 5/8 | shingles [5] 10/13 67/13 67/14 79/15 79/18 |
| refacing [2] 45/1 | roofing [1] 9/12 | shingling [3] 58/4 61/23 66/ |
| referred [2] 10/20 58 | rooms [1] 25 | shooting [1] $6 / 25$ |
| refinished [1] 46/24 | Ross [1] 50/17 Rossen [2] 3/7 | shoppers [1] $15 / 9$ Shore [3] $2 / 53 / 354 / 24$ |
| refrigerator [1] 57/8 | Rossen [2] <br> rotting [2] | $\begin{array}{\|l} \text { Shore [3] } \\ \text { short [1] } \\ \text { 19/5 } \end{array}$ |
| refrigerators [1] 57/1 | rule [2] 18/1 18/7 | shortage [1] 29/7 |
| regarding [1] | running [1] 14/12 | should [13] 13/2 20/17 21/15 34/24 65/24 |
| regards [1] 17/15 | rusted [1] 60/22 | 67/22 67/22 68/13 68/14 71/11 7 |
| regular [2] 45/13 4 | S |  |
|  | S-O-B-E-L | showing [4] 11/23 49/13 |
| relationship [1] | said [8] 6/17 6/23 20/7 27/25 31/3 48/12 52/8 | showroom [2] 44/9 47/6 |
| remain [2] 7/21 56/10 | 71/12 | sic [2] 18/8 76/1 |
| remains [1 | sake [1] 78/1 | side [16] 29/17 29/17 48/1 58/5 58/8 59/4 59/4 |
| nedy [1] | sale [1] | 59/15 60/22 61/13 66/14 68/23 69/3 |
| remember [3] 7/14 62/25 | sa | 72/11 74/20 |
| remind [1] 76/19 | same [23] 9/10 24/21 33/9 35/19 35/22 36/17 | sides [2] 59/4 61/23 |
| remove [2] 66/21 67/12 | 36/17 36/20 37/3 37/5 40/15 45/9 46/12 46/12 | siding [4] 51/8 57/23 58/2 72/23 |
| removed [1] 66/25 | $\begin{aligned} & \text { 46/12 47/13 47/18 52/22 55/21 56/8 56/1 } \\ & 57 / 2473 / 21 \end{aligned}$ | $\text { sign [18] } 11 / 1333 / 733 / 1433 / 1738 / 1038 / 1$ |
| render [1] 33/13 | sample [1] | 38/17 41/11 42/2 42/4 42/12 42/14 42/14 52 |
| ng [3] | samples [1] 50/19 | 52/14 52/16 53/21 78/14 |
|  | saw [3] 18/8 22/23 35/1 | signage [2] 11/7 36/23 |
| [1] | say [26] $13 / 2017 / 25 \quad 23 / 1034 / 934 / 1834 / 24$ | signature [2] 39/9 39/13 |
| $\text { renovated [1] } 7 / 24$ | 37/3 37/13 37/25 39/16 40/16 48/17 51/3 59/9 | signed [4] 20/2 20/16 21/7 61/18 |
|  | 61/16 62/9 62/10 63/16 65/2 65/16 65/20 68/19 74/9 76/2 78/5 78/18 |  |
| 14/7 14/9 14/14 23/20 25/22 25/24 | cell | $\text { silly [1] } 75 / 15$ |
| rentals [3] 23/1 25/15 25/18 |  | Silsdorf [4] 21/19 40/12 75/9 75/22 Silver [2] 6/1 $6 / 7$ |
| rented [1] 22/21 | Sayville [1] 35/16 | Silver [2] 6/1 6/7 |
| renting [3] 25/23 26/2 64/10 | Schooner [1] 35/13 Schooners [2] 40/16 | $\underset{33 / 12}{\text { SILVERBERG [5] }} 1 / 18$ 5/18 32/9 32/17 |
| rents [1] 12/23 | $\text { sconce [1] } 60 / 22$ | $\begin{array}{\|l\|l\|} \hline 33 / 12 \\ \text { simple [2] } 51 / 2452 / 1 \end{array}$ |
| repeat [1] <br> replace [5] | sconces [5] 48/6 57/24 60/19 60/20 61/2 | simply [1] 8/7 |
| Report [1] 18/10 | season [3] 22/22 25/23 26/2 | since [4] 16/10 50/3 66/3 71/1 |
| Reporter [1] 1/24 | $\begin{aligned} & \text { seasonal [2] } 25 / 1825 / 2 \\ & \text { seats [1] } 73 / 23 \end{aligned}$ | $\begin{array}{\|l} \text { sir [2] } 27 / 2346 / 11 \\ \text { site [4] } 35 / 443 / 1851 / 2154 / 2 \end{array}$ |
| $\text { request [5] } 7 / 238 /$ | second [26] 7/20 8/4 11/12 11/17 20/24 32/3 | sitting [2] 49/6 73/23 |
| required [3] 16/17 59/6 72/22 | 32/4 32/23 33/22 33/24 41/3 41/4 41/13 41/14 | situation [3] 29/4 58/2 74/2 |
| requirements [1] 52/9 | $\begin{aligned} & 43 / 343 / 453 / 853 / 953 / 2453 / 25 \quad 72 / 1078 / 21 \\ & 79 / 2279 / 2380 / 2180 / 22 \end{aligned}$ | $\begin{array}{\|ll} \hline \text { situations [1] } & 75 / 14 \\ \text { six [3] } & 19 / 16 \\ 19 / 17 & 31 / 15 \end{array}$ |
| residential [3] 7/21 17/3 28/25 residents [1] 76/3 | seconded [3] 41/5 53/12 78/24 | size [5] 25/11 33/19 46/12 49/25 52/8 |
| residents [1] 76/3 <br> resources [2] 14/10 29/6 | seconding [1] 53/14 | sketch [2] 56/18 57/1 |
| $\text { respect [3] } 34 / 1549 / 372 / 21$ | seconds [1] 79/24 | sliding [2] 57/5 71/23 |
| response [17] 5/19 5/23 5/25 6/2 6/10 24/5 24/8 25/4 30/12 31/23 34/3 41/1 43/8 53/6 | Secretary [1] 33/11 <br> see [14] 6/12 9/5 10/7 37/1 37/19 37/21 38/21 | $\begin{aligned} & \text { small [3] } 8 / 10 \quad 11 / 8 \quad 49 / 4 \\ & \text { so [90] } \end{aligned}$ |

soft [1] 55/5
some [13] 7/4 9/14 12/16 21/23 30/19 35/14
44/15 58/4 70/13 70/22 73/16 76/20 78/12
somebody [4] 12/13 53/11 63/7 65/22
somehow [2] 28/13 68/15
someone [2] 24/3 26/2
something [20] 11/25 23/11 25/3 28/16 29/13 30/11 33/20 34/9 47/25 48/17 52/9 52/18 52/19 62/19 66/10 68/3 68/20 72/21 74/8 74/9 sorry [21] 15/17 17/18 24/15 24/16 30/14 30/19 30/21 34/24 36/3 42/19 42/25 52/10 56/14 56/16 58/7 63/16 65/10 68/25 68/25 74/22 78/4
Sounds [1] 60/15
space [8] 13/2 14/23 15/2 15/5 22/12 22/16 29/19 72/19
spaces [7] 9/7 12/23 14/6 14/7 14/22 28/25 31/7
speak [6] 8/3 8/14 27/10 31/22 61/19 68/17 speaking [4] 20/7 28/18 52/11 56/13
speaks [1] $8 / 17$
special [31] $2 / 3$ 2/12 2/16 3/1 4/5 4/6 4/7 4/8
7/7 7/15 7/18 8/6 13/7 14/17 23/21 32/1 33/4 34/22 35/1 35/4 41/9 42/10 43/13 43/15 43/18
44/17 53/18 54/9 54/18 54/21 79/3
specifications [1] 79/8
spent [2] $57 / 1578 / 2$
SPERANZA [3] 1/13 5/10 18/15
spoke [1] 53/11
spoken [1] 78/3
spot [4] 35/22 36/17 37/3 37/5
square [1] 9/8
Stack [4] 6/8 6/9 6/12 6/13
stained [1] 9/10
stairs [3] 11/17 46/10 46/21
stairways [1] 60/21
standards [2] 33/18 34/17
start [6] 6/19 7/13 26/7 26/9 26/10 72/23
started [3] 26/7 35/15 67/15
state [3] 54/22 55/10 82/5
stated [1] 22/20
statute [1] 33/16
stay [4] 8/19 9/9 9/12 67/10
stayed [1] 35/22
staying [1] $35 / 19$
stays [1] 57/23
STEINMAN [10] 1/17 6/23 27/9 27/9 27/14
32/8 32/17 51/1 75/5 78/23
stenographic [1] $82 / 7$
Stephanie [1] 55/14
steps [1] 46/12
Sterck [5] 3/9 61/20 65/11 68/22 69/8
 40/20 70/10
stock [4] 44/16 46/3 46/7 50/8
stopped [1] 73/16
stops [3] 71/20 72/5 72/7
storage [3] 57/7 57/12 69/9
store [10] 8/17 14/1 40/21 48/9 48/21 48/24
66/2 76/5 76/6 76/8
stored [2] 50/1 50/3
storefront [1] 44/9
stores [3] 14/1 23/15 29/2
storing [1] 49/23
story [2] 27/7 72/10
street [5] 2/5 2/18 22/16 29/9 31/10
structure [1] 19/17
stucco [1] 58/23
studios [1] 25/10
study [4] 16/8 16/16 19/6 19/11
stuff [2] 44/16 50/9
subject [2] 53/20 79/4
submission [3] 37/17 41/10 53/21
submit [7] 19/6 33/7 37/17 42/24 52/9 52/19

79/8
submitted [8] 25/20 33/17 41/19 42/13 42/25 62/25 63/3 63/5
substance [1] 47/5
successfully [1] 54/14
suffer [1] 12/4
suggest [4] 22/13 28/12 37/23 48/25
Suite [2] 2/5 2/7
summer [3] 26/4 63/19 64/1
Sunny [2] 40/22 40/23
suppose [1] 13/12
supposed [1] 67/17
sure [12] $6 / 16$ 12/8 14/8 14/14 21/13 21/21
34/17 37/12 49/10 54/23 55/11 69/19

## Surf [1] 27/15

surrounding [2] 16/14 17/14
Susie [5] 18/15 18/17 19/23 20/8 21/12
suspect [1] 57/8
system [2] 19/1 19/2
T
table [2] 36/19 49/5
tables [4] 35/20 77/7 77/8 79/5
take [9] 5/3 5/5 13/10 22/14 42/1 57/20 70/24 71/5 76/9
taken [1] 70/14
talk [3] 10/25 59/13 59/17
talked [2] 76/21 78/10
talking [8] 24/11 29/19 29/21 29/22 49/13
63/21 68/24 72/12
talks [1] 59/10
tanks [1] 66/19
tear [1] 23/2
technically [2] 60/25 68/6
tell [5] 8/21 11/10 35/9 39/4 60/18
telling [1] 38/19
ten [4] 57/1 $60 / 560 / 760 / 13$
tenant [6] 12/23 14/13 15/5 36/9 65/18 70/23
tenant's [2] 14/7 73/9
tenants [6] $14 / 5$ 22/3 22/21 22/22 23/19 25/20
term [2] 25/16 60/4
Terminal [1] 74/23
terms [7] 17/6 20/11 22/3 22/9 32/6 47/10 72/22
terribly [1] $21 / 25$
than [7] 15/2 27/1 28/14 38/4 41/19 44/10
65/20
thank [64] 7/12 9/2 10/5 10/8 $11 / 5$ 13/11
13/19 15/11 16/4 17/23 18/13 21/12 23/5
23/25 26/11 26/17 27/4 27/8 27/23 33/3 34/4
34/6 34/8 34/19 34/20 34/21 39/3 39/14 40/14
40/15 40/19 40/24 41/15 43/9 43/10 43/25
50/24 51/13 51/14 52/2 52/3 52/24 53/19 54/3
54/4 54/7 54/8 56/15 60/7 61/8 62/6 66/9 68/17 75/20 75/23 75/24 76/16 76/24 77/5 77/10 80/7 80/13 80/15 80/25
thanks [4] 27/2 28/20 43/1 78/16
that [236]
that's [57] 10/9 10/12 $11 / 16$ 12/11 12/19
12/20 $13 / 14$ 13/20 13/21 $17 / 24$ 18/4 18/5 18/7
18/23 20/20 22/8 25/2 27/6 35/25 38/6 38/8
39/25 40/1 42/15 42/25 45/1 45/12 45/17
45/22 46/17 48/11 50/8 52/12 52/17 53/2
53/24 57/4 57/7 57/14 60/17 61/9 66/16 67/3 67/17 67/18 68/10 68/11 69/11 69/18 73/4 74/8 75/15 76/14 76/16 76/22 78/23 79/21 their [19] 14/14 14/24 15/3 15/6 15/8 21/8 22/11 24/10 24/23 25/1 30/4 34/7 44/15 45/21 51/4 68/15 75/9 78/7 80/18
them [22] $10 / 1 \quad 10 / 8 \quad 13 / 1 \quad 14 / 317 / 9$ 37/17
37/18 38/5 38/22 40/10 48/7 49/13 49/22
50/19 51/11 60/23 64/11 64/13 64/15 64/18 64/19 64/21
themselves [1] 24/19
then [16] 7/1 $12 / 2$ 16/19 24/16 37/8 37/19
37/21 45/4 50/13 56/23 57/6 60/5 61/1 64/17

70/17 72/4

## there [86]

there's [25] 7/4 18/25 19/16 24/3 24/17 25/24
29/7 36/18 36/19 37/4 38/20 42/20 48/21
48/22 49/11 50/13 50/15 50/16 57/3 60/20 68/1 68/2 69/14 71/18 73/6
Therefore [1] 28/11
thereof [2] 31/8 53/23
these [7] 16/9 18/2 29/1 50/21 73/10 73/11 74/24
they [26] 8/19 9/7 10/1 13/17 14/8 14/11
14/12 14/14 15/10 17/22 23/15 24/18 25/9
26/22 26/24 32/8 39/22 50/19 51/4 51/7 51/10
55/25 62/25 64/10 67/22 79/5
they're [20] 8/18 14/6 17/20 17/21 23/20 25/5
26/23 28/24 30/13 37/16 45/20 45/21 46/16
46/17 48/7 57/10 57/25 60/22 62/23 71/17
they've [2] 13/17 75/2
thing [2] 28/8 77/6
things [10] 38/20 48/23 50/21 51/25 58/22 71/12 73/13 73/17 74/24 78/12
think [26] 6/16 7/3 7/4 12/5 13/19 20/17 20/24
23/1 28/1 29/12 33/6 33/17 51/11 56/9 59/11 61/12 61/15 63/19 65/21 65/24 71/10 71/15 72/18 74/8 76/3 76/7
thinking [1] 13/14
third [1] 22/19
this [72] 6/18 8/5 10/2 $10 / 2$ 10/11 10/14 $11 / 5$
11/25 11/25 12/14 13/6 13/13 13/19 13/24
18/15 18/21 19/7 19/12 20/1 20/12 21/7 25/6
26/4 26/9 28/6 29/12 30/2 30/16 33/9 33/14
33/16 34/10 34/16 36/12 36/13 40/5 44/9
49/17 51/15 54/14 55/2 56/17 61/18 62/8 63/6
65/11 65/17 66/2 67/8 67/18 67/20 67/21
69/24 70/4 70/7 70/14 70/24 71/14 72/17 73/5
73/14 74/7 74/14 75/1 75/1 76/8 76/11 76/12
77/21 78/5 80/18 82/9
those [11] 8/14 12/13 13/4 17/19 22/23 $22 / 24$
57/5 58/10 61/2 62/22 64/5
though [3] 11/6 39/8 56/20
three [15] $7 / 23$ 8/11 $8 / 25$ 9/1 $9 / 6$ 17/8 $18 / 23$
18/24 22/2 50/7 54/25 55/1 56/9 57/10 57/12
three/four [1] 18/24
thrive [1] 65/24
through [6] 12/18 25/5 30/13 59/1 69/25 70/7
time [12] 10/9 17/22 34/14 58/4 58/24 60/1
60/11 64/22 73/20 75/1 76/21 81/3
timer [1] 61/3
times [4] 13/17 48/21 70/8 70/21
today [9] 32/6 32/15 54/25 55/11 55/14 55/15
68/11 71/6 73/22
today's [1] 10/4
together [2] 37/24 38/4
toilet [1] 29/24
toilets [1] 19/11
told [1] 42/6
too [6] 10/1 22/23 56/10 61/19 63/2 63/4
took [4] 28/16 28/23 35/18 63/1
top [3] 17/1 17/10 58/20
topic [1] 68/14
town [5] 12/2 35/18 64/3 67/8 69/15
tranquility [1] 17/15
transcript [1] 82/7
treated [3] 45/2 45/14 46/6
treating [1] 59/12
trim [1] 9/12
trippers [1] 29/11
Trouble [1] 6/25
true [2] 27/7 82/6
trustees [2] 26/14 80/17
trying [3] 30/22 31/4 58/14
twice [2] 13/2 29/25
two [43] 12/13 12/17 $12 / 21 \quad 12 / 2313 / 415 / 2$ 15/22 17/8 18/3 18/5 20/11 22/22 22/23 25/9 28/24 29/17 31/16 31/17 32/6 37/6 37/24 38/2 39/22 42/17 42/17 42/18 42/18 50/6 52/15

## T

two... [14] 52/15 52/25 52/25 56/9 60/21 61/23 62/11 62/12 62/13 63/16 64/4 69/17 70/23 75/14
Tyler [15] 3/9 59/11 61/15 61/20 61/22 65/1 65/11 66/12 70/13 71/11 72/21 75/14 76/20 78/2 78/9
Tyler's [2] 73/5 73/12
type [2] 23/14 40/17
types [2] 48/2 48/5

## U

ugly [1] 67/2
uh [1] $57 / 19$
um [1] 53/14
under [4] 8/19 16/17 24/23 26/24
undermined [1] 67/23
understand [8] 31/5 31/19 49/12 57/4 67/20
71/5 72/17 73/1
understanding [1] 57/7
understands [2] 76/13 78/3
Understood [2] 19/19 76/23
undertaking [1] 57/17
unit [1] 17/5
units [10] 7/21 7/23 8/11 8/12 12/13 12/17
13/4 17/3 18/23 28/1
unless [2] 31/13 38/14
unmute [7] 6/5 6/19 24/7 24/18 24/22 24/25
30/20
unmuted [1] 56/11
until [1] 26/9
up [33] $6 / 2410 / 25 \quad 13 / 8 \quad 13 / 8 \quad 13 / 13 \quad 23 / 10$
24/10 25/1 29/19 30/4 30/5 40/13 44/16 51/1
52/7 52/18 52/19 55/25 58/1 60/1 60/21 66/17 66/22 69/9 69/14 70/18 71/7 71/16 72/4 74/14
75/9 75/13 76/14
up-sale [1] 44/16
upgrade [1] 50/8
upgrading [1] 51/23
upon [2] 33/10 47/25
upstairs [6] 12/10 16/21 18/23 25/8 25/12 31/17
us [11] 28/5 35/9 44/13 51/12 51/21 59/12
63/7 64/12 65/16 76/19 76/19
use [22] 7/15 7/22 8/6 8/7 12/10 15/9 15/9
23/3 23/21 29/1 29/3 29/9 29/23 35/2 43/15
43/16 54/18 61/22 62/2 62/4 79/14 80/18
used [6] 8/2 8/9 29/25 39/22 48/19 49/1
useful [2] 23/23 70/16
Uses [3] 35/4 43/18 54/20
using [4] 29/22 51/24 55/21 61/5
utilized [1] 29/6
V
various [1] 58/25
verbal [17] 5/19 5/23 5/25 6/2 6/10 24/5 24/8
25/4 30/12 31/23 34/3 41/1 43/8 53/6 65/3 77/4 78/19
version [1] 20/12
very [31] 11/8 12/10 16/10 17/16 17/22 21/25
28/6 28/6 29/2 34/4 34/19 39/13 43/10 51/13
52/17 52/24 54/3 54/4 54/8 55/16 59/22 59/22 70/16 70/16 70/17 70/19 70/19 70/19 78/3 80/14 80/15
vet [1] 14/13
via [9] $1 / 171 / 181 / 191 / 202 / 173 / 95 / 21$
30/16 32/11
viable [2] 14/9 23/20
video [1] 6/20
view [5] 2/13 8/5 27/15 35/12 78/7
VILLAGE [37] $1 / 1$ 1/21 $1 / 22$ 17/15 18/2
18/11 20/4 21/24 22/10 23/23 27/16 28/3 29/7 33/16 38/21 42/13 51/11 52/21 53/22 59/20 67/19 67/23 68/7 68/9 68/10 68/14 73/18 73/20 74/1 74/4 74/7 74/16 75/2 78/7 78/13

78/14 78/15
Village's [2] 19/2 68/3
virtually [1] 37/5
volunteering [1] 34/16
vote [2] 32/18 80/12
voting [4] 27/21 32/6 32/7 32/14

## W

wait [7] 15/23 41/24 46/9 46/9 47/24 53/20 68/24
walk [26] 7/8 7/19 20/20 21/5 23/13 27/15
34/23 35/1 35/3 43/14 43/17 44/10 54/17
54/19 55/3 57/6 57/8 57/10 57/12 58/19 65/12 69/5 69/18 69/24 75/12 75/19
walk-in [4] 57/6 57/8 57/10 69/18
walk-ins [1] 57/12
walking [1] $51 / 21$
wall [10] $2 / 18$ 58/23 67/15 67/16 68/6 72/1
79/16 79/17 79/17 79/20
walls [2] 11/24 50/6
want [18] 5/7 7/4 10/11 22/18 23/10 25/7
27/25 28/15 37/11 47/24 49/5 51/2 55/9 60/9 62/21 64/14 66/10 76/2
wanted [17] $12 / 112 / 13$ 23/4 25/3 25/10 34/13
34/18 39/8 40/6 40/16 41/22 48/13 61/11 65/5 67/13 67/18 67/19
wants [8] 13/1 47/6 68/19 72/20 75/4 75/7 77/3 79/9
was [57] 6/17 8/10 14/18 14/20 16/7 16/16 16/19 18/6 19/25 20/10 20/12 20/25 21/4 21/5 21/7 21/7 23/14 28/23 29/12 31/20 32/24
35/16 35/23 36/4 36/20 38/15 38/16 38/17
39/15 40/14 41/15 41/17 44/21 47/2 52/10
53/13 56/5 56/21 59/6 59/15 61/9 61/13 63/1
65/6 65/9 65/11 68/5 68/7 68/22 69/6 69/7
69/8 70/8 70/9 73/17 74/14 74/15
washing [1] 35/17
wasn't [4] 21/1 25/8 37/12 72/25
water [3] 28/3 50/18 66/19
way [8] 29/15 45/19 47/4 47/8 50/18 68/15

## 73/22 77/2

we [96]
we'd [1] 73/21
we'll [6] 7/1 8/14 19/4 26/10 56/1 64/4
we're [25] 8/6 9/13 9/15 13/19 21/17 29/5 29/21 31/17 44/25 45/2 46/6 49/4 49/6 50/2 50/5 51/19 51/25 57/21 57/24 63/9 67/11 67/12 69/2 74/9 76/13
we've [8] 16/12 59/9 66/6 66/7 67/13 69/13 78/9 78/11
wear [1] 23/2
weekly [4] 22/25 25/15 25/23 25/25
welcome [4] 27/3 28/22 39/15 54/6
well [24] 8/15 8/16 11/10 12/10 14/17 15/23
18/22 19/16 23/17 25/6 25/21 40/2 42/5 48/18 61/4 61/17 61/18 61/21 66/8 66/15 68/16 70/4 70/12 78/3
went [3] 63/8 64/21 70/7
were [12] 7/14 17/24 20/7 23/15 25/9 38/16 50/19 50/20 51/9 51/10 67/16 70/10
west [9] 2/5 58/10 61/13 68/23 69/2 70/12 74/21 79/17 79/20
what [61] $6 / 7$ 12/2 $12 / 7$ 14/1 $16 / 9$ 16/12 $16 / 20$ 16/23 17/4 17/24 18/6 20/7 20/8 23/14 25/11
27/25 28/6 28/9 28/23 29/21 31/5 36/3 38/6
38/20 38/25 39/5 41/19 44/8 44/11 44/18
45/11 45/20 45/20 45/22 46/3 46/17 47/3
47/14 48/4 49/20 49/21 50/5 50/19 53/10 61/5
62/15 63/4 63/7 64/10 64/11 65/13 67/9 67/18
67/18 73/16 74/3 75/1 76/8 77/13 77/14 78/4
what's [5] 44/20 45/23 46/4 60/3 76/22
whatever [7] 25/16 33/19 36/12 69/24 70/23
72/20 73/1
when [16] 9/15 21/14 26/7 26/22 28/17 35/16 63/3 63/5 63/9 63/16 70/8 70/9 71/2 73/3 74/7 76/18
where [11] 15/24 16/2 30/8 35/25 44/14 56/5
61/9 66/15 69/3 71/3 72/15
Where's [1] 9/17
WHEREOF [1] 82/8
whether [2] 50/11 50/14
which [14] 6/12 7/8 7/22 37/8 55/3 55/16 57/4
63/6 67/7 70/10 70/16 70/19 73/7 76/8
white [2] 9/12 37/1
who [9] 8/3 15/24 28/5 30/4 33/12 41/15 52/10 52/18 65/22
who's [7] 24/11 28/18 34/16 55/14 55/15 56/13 77/21
whoever [1] 30/13
whole [5] 38/11 48/23 68/10 69/8 78/16
why [5] 15/7 65/6 69/18 70/21 75/10
will [60] 7/24 8/2 8/2 8/3 9/7 9/12 9/12 9/14
10/16 10/18 10/22 13/10 14/15 14/16 14/21
14/23 16/9 18/2 19/12 21/13 21/15 22/25 23/2
23/23 25/15 25/19 26/3 26/7 28/4 28/14 28/25
29/4 32/15 33/11 35/24 38/25 44/10 45/16
46/2 46/22 48/19 49/21 49/22 55/2 55/4 55/7
56/10 57/8 58/17 59/12 59/17 61/24 62/2 62/4
63/13 66/1 70/24 72/20 77/8 77/14
willingness [1] 73/7
window [8] 48/19 48/21 48/22 49/1 49/14
50/15 74/1 74/25
windows [3] 9/19 50/16 73/24
wish [1] 66/8
wishful [1] 13/14
withdraw [1] 62/22
withdrawing [2] 62/24 64/15
within [1] 70/22
without [3] 13/5 13/6 76/6
WITNESS [1] 82/8
won't [1] 49/14
wondering [2] 16/7 23/14
wood [1] 47/2
words [1] 45/7
work [6] 14/8 51/10 57/17 59/14 59/21 69/7
worked [1] 20/4
workers [1] 15/9
working [4] 6/23 45/18 45/25 46/1
worries [1] 11/9
would [29] 9/25 10/21 $12 / 5$ 12/14 12/15 $15 / 3$
16/12 17/13 22/12 28/11 29/1 31/6 31/21
37/11 37/23 38/3 45/24 48/24 50/21 51/11
51/12 51/16 58/13 61/1 61/4 65/17 67/9 71/6 78/15
wouldn't [1] 29/23
wow [1] $66 / 5$
wraps [1] 74/17
write [1] 27/5
Y
yeah [29] 5/9 6/14 10/1 10/6 11/9 11/15 12/24
13/24 14/18 19/3 20/15 26/16 29/23 36/10
36/16 36/25 37/15 38/13 40/5 41/17 41/20
42/2 42/3 42/8 46/2 60/14 62/17 64/4 69/23
year [2] 22/21 70/22
years [16] $8 / 25$ 9/1 27/16 35/15 51/7 55/4 56/7
56/9 59/3 60/2 60/5 60/13 66/4 66/23 73/6 74/15
yes [36] 8/18 11/2 11/18 11/22 13/21 14/23
19/24 21/3 23/12 26/19 26/20 27/11 27/12
27/14 28/4 32/22 40/8 40/22 42/5 45/8 45/18
49/16 53/3 61/1 64/20 70/6 71/10 76/1 77/19
78/22 80/2 80/5 80/6 80/9 80/11 80/12
yet [1] $14 / 3$
YORK [16] $1 / 21 / 8 \quad 2 / 5$ 2/7 $2 / 142 / 18$ 3/3 27/6
35/1 35/3 43/15 43/17 54/18 54/20 54/24 82/5 you [249]
you'd [2] 29/24 71/5
you'll [4] 26/25 42/1 48/7 60/12
you're [50] 10/14 11/23 12/6 12/7 21/25 22/7
25/22 25/23 27/3 27/17 27/20 27/21 27/22
27/24 28/3 28/22 29/18 30/10 31/13 36/7 38/9


