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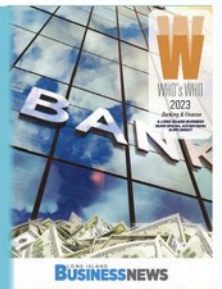
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BUILDING BLOCK



Greenport's controversial moratorium stymies new development

Courtesy of bld architecture/ERA

Rendering of a new 22-room inn proposed for downtown Greenport.

By DAVID WINZELBERG

Erik Warner thought all was going well with his firm's plan to develop a 22-room boutique hotel in the heart of Greenport.

In March 2022, Warner's company Eagle Point Hotel Partners submitted a site-plan application with the Village of Greenport to transform a one-story retail building at the corner of Front and Main into a three-story inn.

After some discussions, village officials raised concerns about traffic and parking, prompting the developer to conduct a traffic and parking study for the \$7 million project aimed to allay their fears. Then sometime last summer, the discussions stopped.

"We had fully answered their concerns and have been waiting for them to respond for several months," said attorney David

Gilmartin of the Bridgehampton office of the Greenberg Traurig law firm, who represents the project. "We asked to be put on the planning board hearing calendar, but they've yet to do that."

Instead, the village board voted in December to enact an administrative moratorium to halt development in Greenport's three commercial districts, which has put the Eagle Point plan in limbo.

The move was a blow to Warner and his Manhattan-based company's plans to expand its Greenport operations. Eagle Point also owns the 55-room Soundview Inn and the 35-room Harborfront Hotel and has invested more than \$12 million in improvements to the properties in the last few years, Warner says.

"I am highly frustrated because I have come into this with good intentions," Warner

told LIBN. "We're not just providing jobs, but also providing a lot of economic stimulus to the village because when people come and stay with us, they go out into the village and they spend a lot of money."

According to the resolution that established the moratorium, the village intends to halt building in its commercial districts to allow time for it to update its Local Waterfront Revitalization Plan (LWRP) and its land-use regulations "to provide for the future orderly development and controlled growth that will not unduly impact the public welfare, community services, schools and infrastructure, to preserve and protect the commercial waterfront...and to plan for a proper mix of residential and commercial development in the village."

Just one-square-mile in size with about 2,000 residents, Greenport has an active

commercial fishing industry, though tourism and hospitality is the main economic driver for its downtown and waterfront. The village's LWRP was last updated in 2014, but the updated version was never officially approved by the state.

"A moratorium had been talked about for 10 months or a year and it's been brought up several times, but never enacted because we were trying to change the zoning codes and do that first before we went to the moratorium," said Greenport Mayor George Hubbard, who has served as mayor since 2015 after serving as deputy mayor for eight years prior. "Then in November a group came in and brought in a petition with 200 signatures of local residents and business owners, and just said we need to get this planning document updated before you get overrun by development because places are being bought up and

COVERSTORY



GEORGE HUBBARD: 'We were trying to change the zoning codes and do that first before we went to the moratorium.'



KEVIN STUESSI: 'After listening to the mayor talk about things with the board for several years now, I didn't see any action taking place.'



RICHARD VANDENBURGH: 'We need to figure out a comprehensive plan, but we shouldn't panic, and we shouldn't overreact.'

there was more investment in the village and they just didn't want to lose the character of the village all of a sudden by people putting up four- or five-story buildings."

However, when reviewing the moratorium, the Suffolk County Planning Commission staff report found that the proposed six-month moratorium, which could have two, three-month extensions, wasn't justified by the village's findings and that there was no data to support its contention that there is "a growing trend of increased demand in the development of many different types of uses in the commercial districts of the village."

The report recommended that the commission disapprove the moratorium because it is based on "an unrealistic time frame that includes establishment of committees, public hearings and update and revision to two village plans and multiple sections of the village code." The planning commission staff also cited the lack of specific findings of urgency that would confirm the need for a moratorium and that the village law doesn't discuss alternatives that would be less burdensome on property rights.

Kevin Stuessi, who spearheaded the petition drive and collected signatures of Greenport residents and business owners in support of the moratorium, argues that the county's planning commission staff report had several inaccuracies, specifically about the moratorium's timeframe and that it ignored the recent formation and meetings of a Waterfront Advisory Committee, of which he is a member.

For Stuessi, who is a candidate for mayor in next month's village elections, the development pause is a key issue of his platform, according to his campaign's website. He said the village administration's inaction to update its zoning code prompted him to get involved.

"After listening to the mayor talk about things with the board for several years now, I didn't see any action taking place," Stuessi said. "And I thought the best way to do that would be to get the community behind it, and we did."

As a former vice president of Manhattan-based Related Companies, who worked on the Hudson Yards project and many others, Stuessi's support for the building moratorium seems to run counter to his background.

"I'm probably one of the most unlikely people to speak up for something like this because I've had a career in development," he said.

But Stuessi maintains that Greenport needs a moratorium now because he has seen "some major pieces of property go up for sale in the heart of the village and the village wasn't doing anything about updating our zoning code." He added that there were some attempts to update zoning, but "each attempt was left unresolved, and they were creating more loopholes that a developer could go in and do something that would not make sense in the village."

One of the locals opposing the moratorium is Richard Vandenburg, owner of the Greenport Harbor Brewing Company and president of the Greenport Business Improvement District. Vandenburg, who is also running for mayor against Stuessi and incumbent Hubbard, says that while the village's zoning code and waterfront plan are in need of updating, a moratorium will ultimately hurt business and economic growth.

"I do agree that we need to figure out a comprehensive plan, but we shouldn't panic, and we shouldn't overreact. With a full-

blown moratorium, it's the little guy that's going to get screwed," Vandenburg said. "It's lazy government. I'm not saying we should never have a moratorium. I'm saying let's do the work and then decide."

In an email sent to Greenport stakeholders and residents last month, Vandenburg called moratoriums "a drastic and last-ditch effort to stop any activity in the community." He cautioned that a moratorium "suspends property rights," and will discourage new businesses and entrepreneurs from investing in the village.

Not surprisingly, development advocates agree with that assessment.

"A moratorium is a draconian tool that should only be used as the absolute last resort by municipalities. As it currently stands, the village can easily vote in favor or against projects on a case-by-case basis, rather than take the drastic step of freezing all investment and economic development within its borders," said Kyle Strober, executive director of the Association for a Better Long Island. "Greenport has become a premier destination as a result of economic development within the village, gaining additional tax revenue and increasing residents' property values as a re-

sult. Stymying growth with a sweeping moratorium hurts both local businesses and residents, creating a needless self-inflicted economic wound on a village whose recent past is a positive example of smart growth."

During a Feb. 1 Zoom hearing on the moratorium, the county planning commission questioned the legality of the village law, asked for proof of development pressure and sought more details on the moratorium's exemption process, while scheduling a continuation of the hearing for March 1, when the village will again make its case for enacting a building ban.

Meanwhile, Eagle Point's plan for a new inn remains on hold.

"The moratorium is premature because they don't know what zoning laws they want to change or enact until they finish whatever study they are proposing," said Gilmartin. "It disproportionately negatively impacts a small number of property owners who are in the process of upgrading or transitioning uses. I don't have an issue with doing a new study or updating the old plan, it's the moratorium that's the problem."

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