



March 11, 2011

Dear Club Member:

You have probably heard rumors or received letters related to the Club's application to renovate some portions of the Club building. The letters and rumors that have come to my attention are inaccurate in some cases and simply wrong in others. Here is an accurate update on the application before the Village ZBA regarding the proposed renovation of the Club.

Before I write further, though, let me state in absolute terms that the Club has not sued the Village; it has not threatened to sue the Village; it has not sued or threatened to sue the ZBA; the Club did not hire an attorney to begin any such suits. The Club did not even file a request that the ZBA reconsider the decision that it rendered in December 2010.

Here are the facts.

At a regularly scheduled meeting, the Board voted unanimously (all who were present) to restore the Club building. We notified the membership in writing last spring of our intent. We met separately with the Marine Walk residents to address concerns specific to them. We devoted most of the annual meeting to a presentation of the plan.

In October, 2010 we applied for a building permit to renovate the northern portion of the Club building. The proposed construction included a very minor reconfiguration of the eastern wall of the kitchen area and the addition of second floor attic space for storage purposes. The unfinished second floor attic space would replace storage lost elsewhere due to the renovation and could serve a number of the Club's existing operations. As expected, the building permit application was denied because existing portions of the Club building and the existing deck encroach into the required setbacks. The renovation would not change that condition. Many of the older homes in the Village have similar existing legal nonconformities and, like us, they are subject to ZBA review of their renovation applications.

At the ZBA's October 30, 2010 public hearing, the Club presented its application. On December 30, 2010, the ZBA issued its decision granting the bulk of the application, including those parts involving encroachments into the required setbacks. Other aspects of the renovation plan were prohibited by the decision. These included the second floor storage and certain aspects of interior design. We had not sought a variance for the second floor storage or for any aspect of interior design because both our interior design and the second floor storage conformed to height and setback requirements. In fact, until receipt of the decision, all communications between the Club and the Village regarding the application indicated that the variance related specifically to height and setback requirements.



SALTAIRE YACHT CLUB, INC.

We were surprised and disappointed by the decision. Several Board members who read it believed that it was incorrect; but they are not experts in the field. We retained counsel to review the decision. We agreed upon retaining him that we would not seek and he would not pursue a suit against the Village (more on this below).

In reviewing the ZBA determination, the Village attorney discovered certain procedural irregularities which warranted corrections; those corrections required an additional public hearing. On January 21, 2011, the ZBA adopted a resolution acknowledging this and authorizing the additional public hearing. The Club was informed about this, and, as noted in the ZBA resolution, the Club consented to the additional public hearing to correct the procedural irregularities. The Club consented because it prefers to work constructively through the process and has no interest in litigating with our own Village. Additionally, our own review of the application and the public hearing transcript, made it clear that we should have been clearer and more detailed in explaining certain elements of the plan to the community. We should have tried harder to elicit and address reasonable objections to the plan.

As I state above, the Club's review required that we consult an attorney. Eventually, we retained Jim Gesualdi, who is experienced with zoning matters and who has worked with a number of Suffolk County villages and towns, community organizations and private applicants. Mr. Gesualdi is not a litigator and does not handle zoning litigation. In fact, he has written and lectured on the importance of mediating in order to resolve land use disputes.

At the additional public hearing, on February 20, 2011, the Club presented extensive testimony and a substantial submission (available online at: [www.Saltaireyc.org](http://www.Saltaireyc.org), under "Letters and Forms" click "ZBA Submission"). As part of the Club's presentation, which emphasized our commitment to work with the Village and our neighbors, we proposed to record covenants and restrictions that would prohibit housing in the Club building in the absence of explicit Village approval. We also explained and detailed measures to alleviate reasonable concerns and improve existing conditions for our neighbors. This information is included in the submission posted online.

The ZBA kept the public hearing open as it requested additional information and documentation, which the Club is in the process of preparing.

We hope to get the annual mailing out to all members shortly but given the amount of misinformation that has flooded our community I wanted to get this to you as soon as possible. Please contact me if you have any questions relating to this important Club project.

Sincerely yours,  
SALTAIRE YACHT CLUB, Inc.

RoseAnn Trentacoste  
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