

April 11, 2024

Incorporated Village of Westhampton Beach held its Planning Board meeting on Thursday, April 11, 2024, at 5:00 p.m. in the Municipal Building, located at 165 Mill Road, Westhampton Beach, New York.

PRESENT: Ralph Neubauer, Acting Chairman
 Larry Jones
 Rocco Logozzo
 Donald Steinert

 Ron Hill, Village Engineer
 Britton Bistran, Village Planner

 Brad Hammond, Building & Zoning Administrator

 Maeghan Mackie, Board Secretary

ABENT: David Reilly
 Anthony C. Pasca, Esq., Village Attorney

Mr. Neubauer opened the meeting to salute the flag.

DECISIONS: NONE

PUBLIC HEARING AGENDA:

SITE PLAN REVIEW: NONE

FILL APPLICATION REVIEW: NONE

WORK SESSION AGENDA:

1. 4 MAIN STREET LLC-(GD DAEGLO VENTURES) 132 MAIN STREET SCTM#905-12.4-1-5

-Initial work session on Modification to Site Plan to convert a dry retail store to a personal service shop

Genna DiGiovanna and Craig Arm, Architect appeared on behalf of the application. Mr. Arm said he is the owner of the building and the architect for the applicant. They purchased this unit and it used to be a retail store and the proposed is to be a retail store and cosmetic and skin care and facial massages and applications of products. Both are classified under the retail use according to the Board of Health and it is a dry use and the use is not a wet use and I believe the Building Department wanted us here to clarify this and have it on the record.

Mr. Hammond said it is a waiver, if it is a dry use and we thought the design flow was increasing, and if they understand the use is dry until the sewers are installed. I'm okay with it being a waiver.

Mr. Neubauer asked about the site lighting?

Mr. Hammond said I don't know.

Mr. Neubauer said he thinks the Board would like to know if its compliant.

Mr. Hill said there is no parking, so there is just building lights and they are down pointing.

4-10-24v2

April 11, 2024

Mr. Steinert asked about the six parking spaces and Chase Bank has one.

Mr. Arm said he believes its only Main Street and Chase Bank owns the lot behind them. There is no parking spaces owned by us.

Mr. Neubauer said the concerns are the water that's being pumped out on a non stop basis out of the bricks and that's a concern; it wont get better its ground water and it keeps the area very wet. Is this an opportunity to look at the drainage and mitigating that with sump pumps.

Mr. Arm said to that point, I'm a new owner of two units, 132-4 and 132-5 and this is just for unit 5 and we had a meeting on site with Mr. Hammond and the majority owner of the building and a few other owners to look at it and when that will happen. What they can do to get the sewer connection in place, and to figure out the ground water issue.

Mr. Neubauer said the sewer won't impact that.

Mr. Arm said there are a few things, and an engineer is going to address that and the dry wells to help, you can't fight ground water and they have tod o more involvement to mitigate it but for drainage on the building until the combination plan is in place it is hand in hand and they can redo it in one shot. They did, yesterday, start to work on the Main Street so today it was not running down Main Street. It's a work in progress and hopefully we can make progress.

Mr. Hill said looking at the survey, there are 8 or 10 lights on posts on the Easterly property line; and two in the front and you have to make sure they are down cast and what they are, we should see the cut sheet on them. If they do run to adjacent property it can't hurt because the adjacent lot is a parking lot. We'd like to see the height and what they are to see if they are conforming or not.

Mr. Arm said okay he will look into that.

Mr. Neubauer asked what the next step should be.

Mr. Hammond said we can have a resolution at the next meeting. The drainage issue, with the sewers we changed the Code to allow the Building Department to look at the plans with Mr. Hill and we are confident that we will address it so it will be done. I don't feel the need to hold up a waiver for an interior modification.

Mr. Arm said he will get the information on the lighting.

2. 132 NYCO LLC- (WHITE'S PHARMACY)132 MAIN STREET SCTM#905-12.4-1-6,8,9

-Initial work session on Modification to Site Plan to perform interior alterations to combine two units

David Schwartz appeared on behalf of the application together with Jared Mandel Architect. Mr. Mandel said his client purchased the units at 132 Main Street to summarize its an interior renovation, and its for dry retail and impacted by the water issues and they are aware of it and looking to combine two store fronts that existing and it was a real estate office and remains as retail and a hot yoga studio that existed. The owner has other stores, and

April 11, 2024

he did the work on the East Hampton building they own and they want to comply with the requirements in other municipalities. They will address the lighting and the water issues, they don't want those issues for their site at all. There are engineers working on solving the water issues and they'll comply with whatever's needed.

Mr. Neubauer said we just echo the comments from the previous application.

Mr. Hammond said it's three units, and are they being left separate or are they being combined? Do they get easements with it?

Mr. Neubauer asked if he can settle that with Anthony Pasca by telephone? Are we in the same position and waiver it for the next meeting?

Mr. Hammond said yes. It's dry retail, and per the Code there is no changes to the parking or sanitary and it may be more active than the real estate office but it's the same use.

3. BUILD COASTAL, LLC- 26 OLD RIVERHEAD ROAD SCTM#905-4-2-9

-Initial work session on Modification to Site Plan to build a new second floor on existing warehouse building

Thomas Downing appeared on behalf of the application, together with Gaby Tchilinguirian, architect. Mr. Downing said they are here because they went to the ZBA for a front yard variance and a side yard variance and at that time, the ZBA felt it was best for us to come to this Board and have a discussion and get this Board's feedback and it's premature for a site plan review because we don't have established what we're going to be able to build, but we know we have to do a lot of work. We are looking for your comments to go to ZBA. We have an existing building and our offices are there, and we are looking to build a second floor in the same footprint in the existing structure and there's a slight reduction in the rear building; the addition juts out on the Eastern side and then we're squaring off the building as well. If you notice a change in the square footage, it's a reduction and then an addition. We want to double the size of the building from 2062 to 4124 square feet; we stay within the 20% and we are proposing a building and keep the streetscape effect as minimal as possible and we have a flat roof structure and we're trying to keep the height as low as possible because we're close to the road and that's driven our design and that's not finalized until we finish with ZBA. We have appeared before this Board when we did the Special Exception and we have recent site plan review where we formalized parking, lighting, and changed lighting and added landscaping to the property lines and a lot of that was done and looked at before.

Mr. Steinert said it looks like a knock down.

Mr. Downing said if we knock the building down, it pushes the building back 50' and we have another pre-existing building in the rear and it would impact the existing drainage that was installed 20 years ago. We have done a lot of work recently with a 2021 site plan; we have a full foundation that is sound and that's why we're adding a second floor. Our existing roof the peak is only going 9' higher than what exists.

Mr. Logozzo said he is undecided about the building; it looks like an industrial building in Hauppauge. Maybe we can do something with the roofline.

Mr. Downing said we looked at that and we were trying to minimize the impact; this is not 100% because we are still before the ZBA. If the second floor gets pushed back 2' by them the look will change.

4-10-24v2

April 11, 2024

Mr. Logozzo said it looks very commercial.

Mr. Downing said I did prepare pictures for the Board and they are the neighboring properties on Old Riverhead Road; there is a modern aesthetic that's been approved on that road.

Mr. Logozzo said there is a lot relief on them, yours is a flat face it looks very commercial office space that you'd see further West. You can't compare what you're showing us to what you're presenting.

Mr. Neubauer said we're ahead of ourselves right now.

Mr. Downing said he knows the ARB will weigh in on it; my point with the photos is that Old Riverhead Road is a very mixed bag of architectural styles, and I don't think we're deviating from what's there.

Mr. Logozzo said this building doesn't fit into Old Riverhead Road.

Mr. Downing said the property to the South of him is two boxes on top of one another.

Mr. Steinert said this is the entrance to Westhampton Beach.

Mr. Downing said we're trying to improve the look of Old Riverhead Road.

Mr. Neubauer said we don't have to drill too deep on the esthetics we have other things to discuss and we can redirect this but that being said, you know there are Board members with opinions on the site.

Mr. Tchilinguirian said he is the architect on this and the intent of the application was to get a feel for the setbacks they are requesting and they are all non conforming and we flattened the roof and if we add a gable it will look a lot larger in scale; hence flattening the roof.

Mr. Logozzo said I don't think you should; but maybe do something other than a flat face. Something to look like it has depth. I don't think the design fits with the character of the road.

Mr. Tchilinguirian said yes; we respect what this Board is saying; we were referred from ZBA and we were trying to get a feel from this Board. There is 35' volume wise so we have room to raise the roof, we just don't want it to look too large because it's so close to the road. It is the main path, we do understand that and we're going to pay attention to that detail. They are a very involved construction company.

Mr. Neubauer said the point is to bring us to a situation where we give a report to the ZBA? Do we object or not.

Mr. Hammond said if the ZBA gives them their relief, we want it to the applicant that its not set in stone there is a level of review with respect to relief and windows etc for this Board.

Mr. Tchilinguirian said yes.

Mr. Downing said yes, we understand that.

April 11, 2024

Mr. Logozzo said that's why I suggested that now so we don't spend too much time on this.

Ms. Bistran said there is no difference; the finished floor of the existing and it doesn't make a difference and it would be positive if you rebuilt it and I don't know if you're struggling to keep it. You are getting relief and argue to keep the setbacks with the ZBA and I wrote a memo late in the day, and you can soften the façade from color, to trim, to the roof line and to soften it because it's 26' off of the road and the impact is greater the way it was designed. If you soften it and compel this Board visually and you're getting a front yard setback so it's important location.

Mr. Tchilinguirian said they will look at it. Would we conclude that this Board is okay with our proposal of the setbacks.

Mr. Neubauer said we would say to the ZBA that we have no objection to its location with the setbacks and them considering the variances.

Ms. Bistran said they should look at the visual impact on the neighborhood and the entrance that the setbacks would not impact.

Mr. Downing said they have looked at tearing it down and they have a lot of preexisting utilities and drainage and things. It will look like a new building, but there is a lot there when you get into it and tearing it down is not something we want to disrupt due to the costs.

Mr. Neubauer said okay.

SUBDIVISION REVIEW: NONE
TRUSTEE REFERRAL: NONE
SITE PLAN REVIEW: NONE

MINUTES:

Motion was made by Mr. Logozzo to adopt the minutes of the MARCH 28, 2024 meeting as written; seconded by Mr. Jones and unanimously carried 3 ayes, 0 nays, 1 absent, 1 recused.

HOLDOVERS (last Board review date):

1. 85 & 105 MONTAUK LLC- 85 &105 MONTAUK HWY SCTM#905-5-1-12, 53.1 &52.2(pending response)
2. FIRST DUNES DEVELOPMENT 496 LLC- 496 DUNE ROAD SCTM#905-16-1-19 (4/13/2023)
3. ROBERT SCHOENTHAL- 22 BAYFIELD LANE SCTM#905-10-6-2
4. RICHARD OLIVO-72 SOUTH ROAD SCTM#905-8-1-27 (6/22/2023)
5. 55-59 OLD RIVERHEAD ROAD LLC-55&59 OLD RIVERHEAD ROAD SCTM#905-4-1-7, 9.2, 9.3(10/12/2023)
6. 161 MONTAUK HIGHWAY LLC, 161 Montauk Highway SCTM#905-5-2-12.1(10/12/2023)
7. WESTHAMPTON PROPERTY MGT LLC-141 MONTAUK HWY SCTM#905-5-2-6.1(3/14/2024)
8. WESTHAMPTON INN, LLC 43 MAIN STREET SCTM#905-11-1-15 (3/14/2024)
9. BEAVER LAKE DEVELOPMENT, CORP 36 SUNSET AVENUE SCTM#905-12-4-25 (3/14/2024)
10. PINE BARN LLC-13 PINE STREET SCTM#905-6-2-24.3(3/28/2024)

4-10-24v2

April 11, 2024

FUTURE MEETINGS:

April 25, 2024, May 9, 2024

Motion was made by Mr. Neubauer to adjourn the meeting at **5:23 p.m.**; seconded by Mr. Steinert and unanimously carried 4 ayes, 0 nays, 1 absent.