

April 25, 2024

Incorporated Village of Westhampton Beach held its Planning Board meeting on Thursday, April 25, 2024, at 5:00 p.m. in the Municipal Building, located at 165 Mill Road, Westhampton Beach, New York.

PRESENT: David Reilly, Chairman`  
Ralph Neubauer  
Larry Jones  
Rocco Logozzo  
Donald Steinert

Ron Hill, Village Engineer  
Anthony C. Pasca, Esq., Village Attorney

Brad Hammond, Building & Zoning Administrator

Maeghan Mackie, Board Secretary

ABSENT: Britton Bistran, Village Planner

**DECISIONS:**

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

Genna DiGiovanna appeared on behalf of the application. Mr. Reilly stated that the Board granted the waiver and the reading of the determination was waived.

RESOLUTION OF THE PLANNING BOARD

VILLAGE OF WESTHAMPTON BEACH

Dated: April 25, 2024

IN RE:

132-4 Main St. LLC

132 Main Street Unit 5, Westhampton Beach

SCTM #: 905-12.4-1-5

WHEREAS, 132-4 Main St LLC, has applied to the Planning Board for a waiver of site plan pursuant to §197-63 (I) of the Village Code, for a change of use to an existing commercial condominium at 132 Main Street Unit 5 to convert a retail store into a personal service shop.

WHEREAS, the Board has reviewed the application and reviewed the floor plan dated March 4, 2024 and

WHEREAS, for a change of use to convert a retail store to a personal service shop, will not result in an increase, change, new or additional Health Department requirements, nor any exterior site plan alterations, and the application complies with the provisions of Section 197-63 I of the Village Code for a waiver of site plan.

NOW THEREFORE IT IS RESOLVED, that the waiver of site plan for a change of use at 132 Main Street Unit 5 from a retail store to a personal service shop is hereby granted.

Dated: April 25, 2024

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Motion was made by Mr. Neubauer to adopt the determination of **132-4 Main Street, LLC., (GD Daeglo Ventures) 132 Main Street, Unit 4 (905-12.1-1-5)** as written; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

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

No one appeared on behalf of the application. Mr. Reilly stated that there was a determination, and the reading was waived.

RESOLUTION OF THE PLANNING BOARD

VILLAGE OF WESTHAMPTON BEACH

Dated: April 25, 2024

IN RE:

132 NYCO, LLC

132 Main Street Units 6,8 & 9 , Westhampton Beach

SCTM #: 905-12.4-1-6,8 & 9

WHEREAS, 132 NYCO, LLC, has applied to the Planning Board for a waiver of site plan pursuant to §197-63 (I) of the Village Code, for a change of occupancy to an existing commercial condominium at 132 Main Street Units 6, 8 &9 to perform interior alterations to combine two units into one retail use.

WHEREAS, the Board has reviewed the application and reviewed the floor plan dated April 2, 2024 and

WHEREAS, for a change of occupancy to combine two units into one retail use, will not result in an increase, change, new or additional Health Department requirements, nor any exterior site plan alterations, and the application complies with the provisions of Section 197-63 I of the Village Code for a waiver of site plan.

NOW THEREFORE IT IS RESOLVED, that the waiver of site plan for a change of occupancy at 132 Main Street Units 6,8 & 9 is hereby granted subject to the filing of a declaration of covenants and restrictions stating that the units will remain in common control and ownership so long as they are combined in one use. Covenant shall be submitted to the Village of Westhampton Beach attorney for review and approval prior to the issuance of a certificate of occupancy and shall be recorded at the Suffolk County Clerk with proof of recording submitted to the Village of Westhampton Beach prior to the issuance of a Certificate of Compliance.

Dated: April 25, 2024

Motion was made by Mr. Neubauer to adopt the determination of **132 NYCO LLC., (White's Pharmacy) 132 Main Street (905-12.4-1-6, 8, and 9)** as written; seconded by Mr. Logozzo and unanimously approved 5 ayes, 0 nays, 0 absent.

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**PUBLIC HEARING AGENDA:**  
**SITE PLAN REVIEW: NONE**  
**FILL APPLICATION REVIEW: NONE**

**WORK SESSION AGENDA:**

1. HAMPTONS JEWISH CULTURAL CENTER, INC.- 161 SUNSET AVENUE SCTM#905-12-1-43.2 Initial work session on Modification to Site Plan to build a new outdoor kitchen area

Frank Lombardo, Architect appeared on behalf of the application. He asked if they needed him to go over the history of this site. He said the application is for a modification of site plan to include an outdoor kitchen, bbq area. They received a \$50,000 donation and thought this would be a great use and this is an "L" shaped kitchen on the North East corner of the paved area where the pool is. There is a fence and we're putting it 3' away and in that corner and they can bbq in that area facing the lawn area between the pool and Brook Road.

Mr. Reilly said the prep area will be in that 3' area?

Mr. Lombardo said they are serving on to the grass. The pool is isolated from this area and we do not want food into that area. It is parallel to Brook Road and it's a 25' counter and a return that is 12' facing the gazebo and that's facing West and a serving area and they put it in a tray and serve it.

Mr. Reilly said the nearest point to the property line is around 40'.

Mr. Lombardo said yes. The site plan and this "L" shaped bbq has no impact to the site. The paving under it and it's an extension of the paving in the pool area and the bbq footprint is around 687 square feet and we have that of a paved area.

Mr. Reilly said the grass area adjacent to it, will that be a picnic area?

Mr. Lombardo said what they talk about is the children's center in Jack's House on Mill Road have lunches for the kids and in the warming pantry and that's not for this, and gives them the option to cook outside occasionally.

Mr. Neubauer said we don't want to see a building.

Mr. Lombardo agreed. He said the bbq area is like a park like setting, and I don't want it uncontrolled. Jack's House has family day where the kids and parents come and just for point of reference if you remember the application for that there are three studios on the second floor; there's a dance, music, and art studio and now they can do a presentation outside for their parents and it's like another dimension to the site. I don't see it, to my knowledge, used for anything else. They want three picnic tables on the site and it's not on the plan because I don't know where they want them. There is no eating by the pool, it is not permitted. There is a 500 gallon LP tank 30' from the corner of the bbq and will connect to that. The sink that is there is really just a gray water sink, you don't wash pots there it's a bbq area and they only have that sink to rinse and get water. It's drained into a drywell because it's gray water. The drywell is 20' away.

Mr. Logozzo asked if that can be on the plan. The drywell?

Mr. Lombardo said yes, I can. If you notice the landscape plan it shows the layout of the bbq in the top right corner of the drawing, and the engineering showing the gas connection and the dry well and water connection to get the water to the sink, I don't have that and it can be part of the building permit application. That is what my intention was, I'm hoping to get a modification of site plan and get a permit.

Mr. Logozzo asked if you'll put the drywell and LP tank on the plan once it's figured out?

Mr. Lombardo said yes.

Mr. Reilly said the buffer along Brook Road looks very sad right now. What was the requirement on the original site plan?

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Mr. Lombardo said the last time we met Mr. Hill brought it up. He wanted to see the plan for the privacy hedge; and there are some gaps during construction but we're going to add to it and regenerate it and fill in so there is a privet along Brook Road.

Mr. Reilly said I can foresee on a Summer day with 20 kids eating outside they will run around, and yelling and screaming and now they are a lot closer to the street where it's more visible. And we want to avoid anything with that.

Mr. Neubauer said the reality of it is, when we talk about 3 picnic tables will be nonsense it will turn into a jamboree every now and then and will be crowded with high visibility so we'd like to see screening.

Mr. Reilly said it's a big area and you can put things up.

Mr. Lombardo said the hedge row along Brook Road, there is a fence that will be in between on Sunset Avenue and as far as kids being noisy, I can't control that but them meandering on the street will not happen.

Mr. Reilly asked for it to be screened.

Mr. Steinert asked if there will be music or use it as a venue?

Mr. Lombardo said not to my knowledge. This is to supplement the children's center and outdoor activities for the kids and birthdays, yes I can see parties there for that.

Mr. Reilly asked if they do music outside do they need a permit?

Mr. Hammond said on private property if you are not, the only limits we have to do with the erection of tents. Public property is different; and private parties is not addressed in the Code and its featured in an on going discussion with the special events code and I expect the code to change on the limitation and scoping of it.

Mr. Reilly said its private property but a public gathering space.

Mr. Hammond said there is nothing on the books now.

Mr. Reilly said okay.

Mr. Neubauer said we don't want this to turn into a building, and that site is crowded.

Mr. Lombardo said when the Parrish House got removed I was glad it was a massive structure. It was two and half times bigger than what is there today.

Mr. Reilly agreed. He asked if there were any other questions or comments. This is a work session do they need to have a public hearing, or file an application.

Mr. Pasca said it is up to this Board, do you feel there is a need for a public hearing. Do you remember the criteria, it's generally something that could create controversy or is it major, it's a modification of a pre existing site plan so it falls under the not required category.

Mr. Hammond said its always deferred to the Board; this falls into the not required category.

Mr. Reilly said I will poll the Board.

Mr. Logozzo said he doesn't think we need a public hearing.

Mr. Neubauer said he doesn't think we need a public hearing.

Mr. Jones said he doesn't think we need a public hearing.

Mr. Steinert said he doesn't think we need a public hearing.

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Mr. Pasca asked if you are okay with the plan?

Mr. Neubauer asked if they should submit something for Mr. Hill.

Mr. Hill said his only question is the dry well.

Mr. Neubauer asked about the lighting.

Mr. Lombardo said there are no lights.

Mr. Reilly said he requests before CO's are issued, there is strict adherence to the buffer requirement.

Mr. Hammond said this is tied to the original site plan approval, and no CO's are issued until the buffer is complete.

Mr. Reilly said the Board will insist on the buffer.

Mr. Pasca said we can agree once the plan with the drywell is in, and if Mr. Hill is okay with that we can render a resolution at the next meeting.

Mr. Hill asked if Mr. Hill can send a copy of the old lighting plan, he thinks there is light over there but he just wants to see and do you think 3' is enough space between the end of the "L" and the fence?

Mr. Lombardo said yes, I do think it is enough. I discussed it with them and that's what they are talking about and all they need is 3'.

Mr. Hill asked if its just grass behind it?

Mr. Lombardo said he's modifying the drawing to show the dry well, do you want me to change the dimension to 3'8" or 4'.

Mr. Hill suggested he go with 4'.

Mr. Lombardo said okay.

**SUBDIVISION REVIEW: NONE**

**TRUSTEE REFERRAL: NONE**

**SITE PLAN REVIEW: NONE**

**MINUTES:**

Motion was made by Mr. Neubauer to adopt the minutes of the APRIL 11, 2024 meeting as written; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 0 absent, 1 abstain.

**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)

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11. BUILD COASTAL LLC 26 OLD RIVERHEAD ROAD SCTM#905-4-2-9(4/11/2024)

**FUTURE MEETINGS:**

**May 9, 2024, May 23, 2024**

Motion was made by Mr. Reilly to adjourn the meeting at **5:25 p.m.**; seconded by Mr. Neubauer and unanimously carried 5 ayes, 0 nays, 0 absent.