

June 13, 2024

Incorporated Village of Westhampton Beach held its Planning Board meeting on Thursday, June 13, 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
Michael Schermeyer

Britton Bistran, Village Planner

Ron Hill, Village Engineer

Brad Hammond, Building & Zoning Administrator

Anthony C. Pasca, Esq., Village Attorney

Maeghan Mackie, Board Secretary

DECISIONS:

1. 196/208 MONTAUK HWY LLC- 200 MONTAUK HIGHWAY SCTM#905-6-2-30

PUBLIC HEARING AGENDA:

SITE PLAN REVIEW:

1. 55-59 OLD RIVERHEAD ROAD LLC-55&59 OLD RIVERHEAD ROAD SCTM#905-4-1-7, 9.2,9.3
- o Continued review of Site Plan for 16 dwelling units in 12 buildings with associated site improvements

Heather A. Wright, Esq., appeared on behalf of the application. She provided the Board with a site plan and said it was the same one that they received in October 2023. It has been awhile since they appeared and they obtained conditional approval and then received the special exception approval from the Board of Trustees. She's here to update the Board and determine whether they are required to pay a park fee.

Mr. Reilly asked what happened with the Trustees? Was anything changed?

Ms. Wright said they did not, it's the same plan.

Mr. Reilly asked in terms of the park fee, what are the options.

Mr. Pasca said the Code requires a park fee but you can get credits for them which is what we've done with the last few MF projects and you get credit for on site recreational areas and that includes alley ways and we ask the applicants to go through that process with Mr. Hammond, Ms. Bistran, and Mr. Hill and check to see if they agree.

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Ms. Wright said we have a pickleball court and fire pit.

Mr. Hammond said it's a square footage calculation. There is one per dwelling unit and that can be reduced up to 50% and it doesn't have to be on the site plan but it should be calculated as the qualified area and we will look at that.

Mr. Pasca asked if there are any walking trails?

Ms. Wright said no, we talked about it but the problem is that it would run behind the units and I don't know any unit owner would want people walking in their backyard.

Mr. Pasca said I don't know what else you could get credit for.

Mr. Hammond said there is an alley design, and that's not this and it's just the square footage of the on site amenities.

Mr. Neubauer said you can remove a few units.

Ms. Bistran said there is an access path to the fire pit and that can be included, and if they want to increase or decrease the amount of money we would be interested in the walking trail if they want to save money that back loop would be helpful. The pickleball, fire pit and walkway to it is it.

Ms. Wright said okay we will do the calculations.

Mr. Reilly said behind model E there is a path of some sort close to the building and it's the only one that has that.

Ms. Wright said it's designed to go to the pickleball court and fire pit.

Ms. Bistran said it's the ADA access.

Ms. Wright said are you talking about right behind it?

Mr. Reilly said yes.

Mr. Hammond said the buildings in the back are Manor Houses so they are not the typical town house, it's more of an apartment building.

Ms. Wright said there are 10 single family units and three unit manor houses, models D and E.

Mr. Reilly asked if they finalized a landscape plan?

Ms. Bistran and Mr. Hill said yes.

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Mr. Reilly said any time I look at Timber Ridge I am pleased at how well it worked out and it should be our standard for MF.

Mr. Jones agreed.

Mr. Pasca said we have to deal with the affordable units.

Ms. Wright said they are in Model E which has the 3 manor units, the top floor is an apartment and there are two side by side.

Mr. Pasca said they have to be spread out.

Ms. Wright said yes, I understand. It's challenging on this plan and we have mostly single family dwellings and economically it doesn't work to put them in the stand alone units.

Mr. Pasca said they have to figure something out. The concept is to not create a discriminatory system where they are all in one place and everything else is treated differently and Rogers went through it and Patio did too and they spread them out, in the case on Rogers Avenue they chose not to.

Ms. Wright said she will go to her client with the options and we may reduce our density.

Mr. Pasca said if they eliminate three units they can convert one to a community building but we are tied with the requirement that the affordable housing is integrated into the site. This Board cannot approve something where all three are stuck in the one building.

Mr. Neubauer said we will not entertain it.

Ms. Wright said okay. She will discuss that with her client and he can decide whether he wants to reduce the density or not. In the meantime, I contacted an appraiser Patty Parsons and this Board is familiar with her and I'm waiting for her to get back to me.

Mr. Pasca said the Patio property used someone else because she did not have time. If you have that problem you can take a look at who they used.

Ms. Wright said okay.

Mr. Hammond said during the Trustee discussion a Trustee could not find the fire hydrants, and I could not find them but they are required and we ask you to please make sure they are compliant with the State Fire Code there should be two on the site and I don't see them on the plan.

Mr. Hill said if we are installing pickleball we may want additional sound landscaping because it's up against a new development and we don't want complaints from them and it's close to the buildings on this site too so you may want to look at that.

Ms. Wright said she will talk to her client and return to this Board.

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WAIVER OF SITE PLAN:

2. WHB Cleaners & Tailors, Inc., 224 Mill Road (SCTM # 905-9-3-14) Waiver of site plan to remove and replace existing roofing, siding, trim, doors and window at garage at existing dry cleaners.

Marcus Stinchi appeared on behalf of the application. This is a fairly simple waiver of site plan.

Mr. Neubauer said we are confused by what we received, it isn't clear. I thought you were putting an extension into the parking lot and I drove by the site and I saw the lean to over what's there. Is that coming down?

Mr. Stinchi said that's not part of this application, we are only preparing to redo the windows, doors, siding, etc.

Mr. Neubauer asked if that's permitted? The lean to?

Mr. Hammond said the plan doesn't match what was there. My understanding and as we have discussed, Code Enforcement wrote a property maintenance violation and they were going to fix the siding.

Mr. Neubauer said are we just going to paint the garage?

Mr. Stinchi said I am only working on the garage. Nick Vero is the architect for the rest of the site. It'll be new windows, doors, roof.

Mr. Neubauer said I don't see the garage on the drawing? I see the building attached to the main building.

Mr. Stinchi asked if they want the lean to addressed?

Mr. Steinert said I went to the site and it's a mess as you know.

Mr. Stinchi agreed.

Mr. Steinert said there's a lot of violations and fire hazards as well if I lived on Maple Street I'd be in front of the Trustees.

Mr. Reilly asked for a site plan for what is there and what they are proposing because that sheet of paper is not clear.

Mr. Stinchi the left and rear don't look like they match to him. Unfortunately, Nick Vero could not attend tonight. We're just trying to clean the garage up for the neighbors to deal with the violation.

Mr. Neubauer said cleaning up the garage is important, getting rid of the lean to is important too.

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Mr. Reilly said my first initial concern was how will it integrate with the building. One part looks nice and the rest will stay the same.

Mr. Stinchi said the garage was an issue. The top rear looks like the lean to and I was not told anything about it.

Mr. Neubauer said it goes out and is there and the bump out is there and arguably in bad shape, but the lean to may have been a patio or something at one point I can't imagine it's legal and if it is it's on its last legs anyway. We're enthusiastic about the site getting cleaned up.

Mr. Stinchi asked what to do about the garage. Would you like a new site plan about the garage? More than removing the lean to.

Mr. Reilly said we would like to know what you're changing.

Mr. Stinchi said we'll remove the lean to and clean up the site and new windows, doors, roof on the garage only what do you need to accomplish that?

Mr. Reilly said a drawing that shows that or a narrative.

Mr. Neubauer said there is a narrative on the bump out and in a perfect world, clean up the garage and make the bump out look good and install a fence.

Mr. Stinchi asked if you want us to remove it or make the bump out look good?

Mr. Neubauer said the lean to off the bump out has to come down.

Mr. Steinert showed Mr. Stinchi a picture he took at the site today.

Mr. Neubauer said you can see the bump out and the lean to that has to get removed.

Mr. Stinchi asked if the bump out part of the site plan, or the garage?

Mr. Hammond said I thought we were talking about the garage I didn't look at the plan we received last second.

Mr. Stinchi said I thought we were getting a waiver of site plan to redo the windows and doors in the garage and I was confused about the amount of paperwork.

Mr. Hammond said if you touch exterior of a commercial building it has to go to this planning board. And the applicant knows you can do it sometimes, but not on this property because there are violations. He didn't say let's paint it, they want to reside it and it's a change that's why I sent it to this Board and the plan submitted at the last minute is causing confusing. It's an empty garage just used for storage.

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Mr. Reilly said the effort was towards the garage; now if its not too much trouble or expense take the extra step to clean it up.

Mr. Neubauer said if you get that within a week before the next meeting is that okay? We can grant the waiver of site plan.

Mr. Stinchi said you want the lean to removed that's attached to the bump out.

Mr. Hammond said it may be tired, but I do think it's legit.

Mr. Reilly said spruce up the bump out, remove the lean to, clean up the garage and install a new fence and give us a narrative with that.

3. WH TENNIS & SPORT, LLC., 86 Depot Road (SCTM # 905-2-1-5.2) Waiver of site plan to add a padel court to existing tennis club.

Bobby Lum appeared on behalf of the application. They'd like to install a Padel Court and it's similar to racquetball but a tennis ball is used. It's smaller than a pickleball court. We're doing it to give additional services for the members and will drive more memberships to our facility. We have a space to install it and its 26' away from the closest property and it's a parking lot and far from residential area and we're zoned Light Industrial.

Mr. Reilly asked if its closer to Depot Road?

Mr. Lum said no it's towards the back and the last row of tennis courts is just before that.

Mr. Hill said there may be a problem because its not over an existing court, it's a new facility and that hits the parking requirement and you may need more parking.

Mr. Lum asked how many we need.

Mr. Hill said we will check, what are you doing with the runoff for that area?

Mr. Lum said it drains off.

Mr. Hill asked where it goes?

Mr. Lum said it's a grassy area.

Ms. Bistran asked the floor of the court?

Mr. Lum said we have to do a cement foundation with footings, and then its almost like a carpet on top.

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Ms. Bistran asked if its like astro turf?

Mr. Neubauer asked if its porous.

Mr. Hill said it's 4 parking spaces per court. There does seem to be room at the end for parking.

Mr. Lum said we can do 40 more on our own road.

Mr. Hill asked if there are any gym facilities?

Mr. Lum said no.

Mr. Hill asked if there was a gym inside a long time ago?

Mr. Lum said yes, it's an employee lounge now.

Mr. Hill said I don't think parking is an issue then.

Mr. Neubauer asked if we can do this as a waiver?

Mr. Hammond said it's a modification of site plan?

Mr. Lum said it's one padel court.

Mr. Hill said I don't think we have to worry about the drainage.

Mr. Reilly asked if there any questions or comments. They do not feel it needs to be publicly noticed.

4. St. Mark's Church, 40 Main Street (SCTM # 905-12-3-15) Waiver of Site Plan to use parking lot at church for valet parking and self-parking service.

Bryan Monahan, Check Valet appeared on behalf of the application. He has talked to Father Chris at the Church and they can be seen on Main Street and I'm trying to get in touch with Nancy Burner to use her lot for appointment only for the Performing Arts Center but for now we can shuttle cars from the theater to Saint Marks and do that all night during shows.

Mr. Reilly said when we gave the approval last time with Seafield there were conditions or expectations.

Mr. Hammond said it's seasonal and the parking lot was not being used on the weekend, and I would assume this is more chartered for a weekend and that's when the Church is in session.

Mr. Reilly said we would have to know from Father Chris, is it Friday and Saturday nights?

Mr. Monohan said special events and Holidays or theater events.

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Mr. Reilly said do we need more information from the Church?

Mr. Hammond said the women's cancer center is there too. It was presented to us that they don't operate on the weekends, I don't know if that's the case.

Mr. Reilly said the only question is Church activity on a Saturday evening.

Ms. Bistran said it was an annual permit, and they'd have to return yearly to keep an eye on it.

Mr. Reilly said yes, I agree. If you have scooters you have to check with the PD.

Mr. Monohan said not on the sidewalk, and we abide by the traffic laws.

Mr. Steinert asked the route?

Mr. Monohan said they meet at St Marks and they get dropped off at their location, and we park their car and return back when they want to get picked and we also offer the rides home too.

Mr. Steinert asked if there are licenses required for the employees?

Mr. Monohan said standard licenses.

Mr. Reilly said if you have issues, you'll work it out with the Church.

Mr. Monahan said Father Chris approached us so I think he's enthusiastic about it.

Mr. Hammond asked if they are doing a pop up tent?

Mr. Monahan said yes, I'd like to to be seen. I know you don't allow sandwich board signs; so yes I would like to.

Mr. Hammond said if you have valet attendants with a 10' x 10' tent there is no issue with that with your logo on it.

Mr. Reilly said if it's annual and renewable lets see how it works out and see what the tent looks like and go from there. Work on social media, no inflatables.

FILL APPLICATION REVIEW: NONE

WORK SESSION AGENDA:

SUBDIVISION REVIEW:

SITE PLAN REVIEW: