

April 9, 2020

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on April 9, 2020, at 5:00 P.M. held via Zoom.

PRESENT: Ralph Neubauer, Acting Chairman
Jack Lawrence Jones
Rocco Logozzo
Michael Schermeyer

Maeghan Mackie, Board Secretary

Brad Hammond, Building & Zoning Administrator

Kyle Collins, Village Planner
Ron Hill, Village Engineer

Anthony C. Pasca, Esq., Village Attorney

1. Brunetti Pizza, 61 Main Street, 905-11.-2-2-5 Referral from the Board of Trustees

Applicant requests new outdoor dining, consisting of six (6) tables, and (12) chairs at the 16-seat Luncheonette.

No one appeared on behalf of the application.

Mr. Reilly said his only issue is the layout and he did not show that on his sketch, and he'd like to see what Aji did. The storefront is very narrow.

Mr. Logozzo said he thinks it should be two (2) tables.

Mr. Reilly wants to see a more detailed plan.

Mr. Neubauer thinks that it's incomplete.

Ms. Mackie said okay, she will send him a copy of what Aji did and tell him to replicate that and submit the same to the Board for their review, and ask him to attend the April 23, 2020 meeting to discuss the same.

Mr. Logozzo asked if he can submit a site plan showing the position of the tables.

Ms. Mackie said she will tell him to.

Motion was made by Mr. Neubauer to holdover the application of **Brunetti Pizza, 61 Main Street**, to April 23, 2020; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

2. Aji Authentic Mexican Food, Inc., 77 Main Street, 905-11-2-9 Referral from the Board of Trustees

Applicants requests new outdoor dining consisting of two (2) tables, and (6) chairs in the front of the store; in addition applicant has renewed their outdoor dining in the rear consisting of four (4) picnic tables; Applicant is requesting new outdoor music in rear of the store at this luncheonette.

No one appeared on behalf of the application.

Mr. Reilly said the only comment he had is that there is a request for four chairs, but the drawing says six.

Ms. Mackie said he asked for three (3) seats per table, but he is fine with two (2) tables and two (2) chairs.

Mr. Reilly asked if they were in this location last year/

Ms. Mackie said yes, he only used the courtyard in the back last year. But this year, the sidewalk was redone and its up to his building so now he has the room and it was measured and he has the room and he placed the tables out there to show you.

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Mr. Reilly asked if he wants both the rear and front tables?

Ms. Mackie said yes. Now that he has the area on the sidewalk he wants to use it but most patrons dine out back in the rear.

Mr. Reilly said his preference is two (2) tables with two (2) chairs.

Mr. Hill said that's better because the chairs tend to wander around the sidewalk and can pose a tripping hazard.

Mr. Reilly said yes, he thinks it will be a safety issue.

Ms. Mackie said yes, he understood that.

Mr. Logozzo said in looking at the picture, there is a 4" riser on the step and that serves as a block for a set of chairs, but he understands what Mr. Reilly is saying.

Mr. Neubauer asked why he wants to use a round table, if it was square, he could do it the way Goldberg's does.

Ms. Mackie said yes, we can start this way but he can try something else next year or add more. He is also requesting outdoor music.

Mr. Reilly asked if we place a limit on time?

Mr. Pasca said the Code does it, and the Trustees handle it.

Mr. Reilly said okay.

Motion was made by Mr. Neubauer to refer the application of **Aji Authentic Mexican Food, Inc., 77 Main Street, 905-11-2-9** to the Board of Trustees with no objection to the placement of two (2) tables with two (2) chairs per table and no objection to the outdoor music; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

DECISIONS:

1. **Avidor Group LLC, 133 Montauk Highway (905-5-2-4 and lot 5 and lot 38)**
Applicant requests a site Plan Review to construct a new two story 11,000 sq. ft. mixed use building consisting of retail/office use on first floor and office and two apartments on 2nd floor. The property is located in the B-2 Zoning District.

Status: **HELDOVER until April 23, 2020**

ZBA: **Granted**

ARB: **Advisory Report Received**

SEQRA: **Complete**

SCDHS: **NEEDED**

SCPC: **Approved;**

SCDPW: **Approved;**

HOLDOVERS:

2. **160 Montauk Highway, 160 Montauk Highway, (905-6-1-19) Westhampton Beach**
Applicant requests a Site Plan review to construct an addition to an existing Permitted Retail Beverage Store. The property is located in the B-2 Zoning District.

Status: **HELDOVER until April 23, 2020**

ZBA: **Granted**

ARB: **Received**

SEQRA: *Conditional Neg. Dec. Issued*
SCDHS: **NEEDED**

SCPC: *Approved, Matter of Local Jurisdiction;*
SCDPW: *Approved with no comment;*

3. **Anthony J. Cassano, Jr., and Louis Commisso, (905-5-1-21) 30 Lilac Road** Applicant Requests a minor subdivision review to create two (2) lots on a parcel of land located in the R-2 Zoning District.

Status: **HELDOVER UNTIL May 14, 2020**
Applicant is awaiting a determination from the Suffolk County Dept. of Health Services Board of Review.

ZBA: *N/A*
ARB: *N/A*

SEQRA: **COORDINATED REVIEW; DETERMINATION ISSUED: 6/25/2015**
SCDHS: **NEEDED**

SCDPW: *N/A*
SCPC: **NEEDED**

4. **Marios Nikolaidis, 36 Hazelwood Avenue (905-6-1-11.1)** Applicant requests a minor Subdivision review to create a three-lot subdivision on a lot located in the R-4 Zoning district.

Status: **HELDOVER UNTIL June 25, 2020**

ZBA: **GRANTED, 12/20/2018**
ARB: *N/A*

SEQRA: **UNLISTED ACTION, GRANTED FEBRUARY 28, 2019**
SCDHS: **NEEDED**

SCDPW: *N/A*
SCPC: **NEEDED**

5. **85 & 105 Montauk LLC, 85, 105 Montauk Hwy & 105 Oak St, (905-005-01-012, -053.01 & -052.02).** Applicant requests Site Plan review to construct a two-story restaurant building with associated site improvements including improvements on lots to the West & South, consideration of a change of Zoning District for the Southerly lot with demolition of the dwelling and site build-out for parking with buffer, and site improvements on the Westerly lot including curbing, buffer & access reorientation.

Nicholas A. Vero Architect requested to hold the application over to June 11, 2020.

Motion was made by Mr. Neubauer to holdover the application of **85 & 105 Montauk LLC, 85, 105 Montauk Hwy & 105 Oak St, (905-005-01-012, -053.01 & -052.02).** to June 11, 2020; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

6. **Laurence Verbeke, 167 Oneck Lane, (905-009-01-019).** Applicant requests review to subdivide a 207,984 SF (4.77 ac) lot, improved with a single-family dwelling and accessory structures, into two flag lots of 151,621 SF (3.48 ac) and 56,363 SF (1.29 ac). The subject property is located on the west side of and with access to Oneck Lane, in the R-1 Zoning District.

Status: **HELDOVER UNTIL May 14, 2020**

ZBA: *N/A*
ARB: **NEEDED**

SEQRA: **Granted; October 10, 2019**

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: *N/A*

7. **Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07).** Applicant seeks site plan approval to construct 52 dwelling units in 13 Buildings (11 townhouse groupings, 2 two-family dwellings) with private community center, pool & tennis court for multifamily development with on-site sewage treatment plant in two development phases. ****THIS APPLICATION WILL NOT BE DISCUSSED UNTIL THE “NYS PAUSE ORDER” HAS BEEN LIFTED.**

Status: **HELDOVER UNTIL May 14, 2020 - **THIS APPLICATION WILL NOT BE DISCUSSED UNTIL THE “NYS PAUSE ORDER” HAS BEEN LIFTED.**

DRAFT Scoping Documents Received on March 3, 2020

The Planning Board will discuss the scoping process at its March 12, 2020 meeting. All are welcome to attend, but please note that the discussion will be about the scoping process only -- no substantive comments on the Draft Scope will be entertained at March 12th meeting. Subsequent to March 12th meeting, a schedule will be published that includes a time frame and opportunity for public participation and substantive comment on the Draft Scope prior to the adoption of a Final Scope.

ZBA: *Undetermined*

ARB: **NEEDED**

SEQRA: **POSITIVE DECLARATION ISSUED, 1/9/2020; PLANNING BOARD LEAD AGENT**

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: **NEEDED**

OTHER: **Special Exception Permit required from Board of Trustees**

8. **Westhampton Inn LLC., 43 Main Street (905-11-1-15)** Applicant requests a Site Plan approval to construct a two-story ten-room hotel building with a covered front entry, rear porte-cochere and associated site improvements upon a 0.93 acre parcel located at the South West corner of Main Street and Mitchell Road in the B-1 Zoning District.

James N. Hulme, Esq. appeared on behalf of the application.

Mr. Hulme said he’s been discussing different options with his client and some are connected to the sewer district that he’s discussed with the mayor and while we’re presenting internal changes, I don’t think we plan to change the layout or the exterior footprint or view, so we want to move forward on that basis and we are supposed to attend the Work Session on Wednesday over their Special Exception Permit and I may have more details for that with changes, and when we may look at them but we’re going forward on what we filed with this Board and we’re hoping to receive comments from this Board.

Mr. Reilly said okay, they have some today.

Mr. Collins said the East elevation on the corner lot facing Mitchell Road and looking at that, there’s minimal windows on that side and the tower on the West side and given that Mitchell Road and Main Street is a prominent corner it needs more detail on that side. If you are on sunset and main street there is a blank wall from that view, I will put this in to a more formal set of comments, but there’s another alternative and there’s the turret on the West elevation and I don’t know if your client is tied to that it may be appropriate to flip it and have that face Mitchell. I would recommend the full front porch and given that it provides a presence on the street and a quasi.

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Mr. Hulme said they provided a survey that they designated as the Site Plan and whatever comments you may have about the architect plan set that aside because that's not the plan.

Mr. Collins asked if they should take that out?

Mr. Hulme yes, the survey site plan should be the site plan to remove.

Mr. Collins said the handicapped space on the site plan is striped 5' wide and in NYS it requires 8' and it is 16' total, but the striped area has to be 8'. Those are the main comments on the top of his head that stood out. Some of the design concept gets in to the Special Exception Standards in the Code.

Mr. Hulme said okay they will look at the East side of the building.

Mr. Hill said the sidewalk on Mitchell Road is a commercial property and it should have a sidewalk on the street frontages, so you need a sidewalk on Mitchell Road; and you need to figure out the handicapped ramps on the driveways. I can't remember what I saw on the drainage, and I had concerns that it was all plus but in one area which would create cross flow to the inlets and I will review that. Where do you stand with Board of Health?

Mr. Hulme said they got SEQRA from this Board and they filed that with the Board of Health and that's what they were waiting for. I will have to check with them on how far down the road we were.

Mr. Hill said he wanted to see how long it would take given how things are operating now. I don't think I will have any major changes, but nothing substantial to the site plan.

Mr. Hulme said okay. Based on that we'll take a look and figure it out.

Mr. Hammond said the accessible aisle has to be 8' and we would be okay with the stall 8' but the Code says it must be 10' wide and there's no provision that gives the PB the ability to lessen that. It would still have to be 10' wide.

Mr. Hulme said okay, 18' wide.

Mr. Reilly said we are happy with the direction and we're just in the technical aspects. He asked if there were any other comments.

Mr. Neubauer said he agrees with Mr. Collins' he'd like to see some features to that.

Mr. Hulme said okay.

Mr. Jones said he supports it, and he think the building is more inviting if you can make a 3-sided porch and down the 2 sides and add a feature to the Mitchell Road side and a West facing section to it.

Motion was made by Mr. Neubauer to Holdover the application of **Westhampton Inn, 43 Main Street (905-11-1-15)** to May 14, 2020; seconded by Mr. Logozzo and carried 4 ayes, 0 nays, 1 absent.

9. Prime Storage, 98 Depot Road (905-002-01-019.10). Applicant requests a site plan review to construct a two-story mini-/self-storage building (10,428 SF) on slab with accessory office as an expansion of an existing storage facility operation. The 3.657-acre property is located on the east side of Depot Road, in the I-1 zoning district.

Status: **HELDOVER UNTIL April 23, 2020**

ZBA: **NEEDED**

ARB: **Referred to ARB at January 23, 2020 Meeting;**

SEQRA: **Coordinated Review Commenced 1/27/2020;**
Accept Lead Agency Status

SCDHS: **NEEDED**

SCDPW: **N/A**

SCPC: *Received SCPC No objection;*

10. James Traynor, 91 Old Riverhead Rd (905-002-01-007.02) Applicant requests site plan approval to construct a one-story General & Special Trade (G/ST) Contractors' Office building (9,744 sf) on slab, a two-story G/ST Contractors' Administrative Office building (1,776 sf) over unfinished basement, & convert dwelling to G/ST Contractors' Administrative Office (1,888 sf), with associated site improvements, upon a 63,770 square-foot parcel located in the HD zoning district.

Motion was made by Mr. Neubauer to holdover the application of **James Traynor, 91 Old Riverhead Road**; Seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

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11. HCMC, 51 Old Riverhead Rd (905-004-01-010). Applicant requests site plan approval to construct two-story additions to the converted dwelling for a G/ST Contractors' Office building (3,796 SF) over unfinished basement & crawlspace, with associated site improvements, upon a 22,886 square-foot parcel located in the HD zoning district.

Status: **HELDOVER UNTIL April 23, 2020**

ZBA: **PENDING**

ARB: *Referred to ARB at January 9, 2020 Meeting;*

SEQRA: *Type II Action*

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: **NEEDED**

12. Kevin Butler, 104 Main Street (905-012-04-032). Applicant requests subdivision review to subdivide a 10,606 SF lot into two parcels of 2,877 SF & 7,729 SF. The subject property is improved with three mixed-use commercial buildings and located on the northwest corner of Glovers Lane & Main Street, in the B-1 zoning district. This is a re-opening of a public hearing held-over from by request of the applicant dated June 9, 2016.

Status: **HELDOVER UNTIL May 14, 2020**

ZBA: **NEEDED**

ARB: *N/A*

SEQRA: *Type II Action*

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: *N/A*

13. 55 Old Riverhead Road LLC, 55 & 59 Old Riverhead Rd (905-004-01-007, -009.02 & -009.03) Applicant requests site plan approval to construct a multifamily development consisting of 16 (sixteen) senior dwelling units in four two-story townhouse buildings with attached garages, pickleball court, and associated site improvements, upon an assemblage of three parcels totaling 122,001 square feet on the west side of Old Riverhead Road in the HD zoning district. ****THIS APPLICATION WILL NOT BE DISCUSSED UNTIL THE "NYS PAUSE ORDER" HAS BEEN LIFTED.**

Status: **HELDOVER UNTIL May 14, 2020**

ZBA: **N/A**

ARB: **NEEDED**

SEQRA: *Unlisted Action; Coordinated Review Commenced on February 14, 2020*

SCDHS: **NEEDED**

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SCDPW: **NEEDED**
SCPC: **NEEDED**

REFERRAL FROM THE BOARD OF TRUSTEES

14. **Build Coastal, LLC., 26 Old Riverhead Road (905-4-2-9)** Special Exception Application for “Change of Use” from Administrative Contractors Office to Propane Contractor and Administrative Contractors Office.

Status: **HELDOVER UNTIL May 14, 2020**