

June 11, 2020

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on June 11, 2020, at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

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

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 June 11, 2020**

2. **WHB Kitchen LLC, 149 Main Street (905-011-03-001)** Applicant requests modification of site plan to allow for alterations to kitchen and seating and erect a rear walk-in refrigeration unit for an existing 16-seat standard restaurant upon a 3,610 SF lot in the B-1 zoning district.

HOLDOVERS:

3. **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.

No one appeared on behalf of the application. John J. Bennett, Esq., requested to hold the application over to July 23, 2020.

Motion was made by Mr. Neubauer to hold over the application of 160 Montauk Highway (905-6-1-19) to July 23, 2020; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays 1 absent.

4. **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.

Britton Bistran requested to hold the application over to July 23, 2020.

Motion was made by Mr. Neubauer to hold over the application of **Anthony J. Cassano, Jr., and Louis Commisso, (905-5-1-21) 30 Lilac Road**; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 1 absent.

5. **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.

Applicant has requested a holdover to SEPTEMBER 24, 2020

6. **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.

Status: **HELDOVER UNTIL June 11, 2020**

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7. **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 June 11, 2020**

8. **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

Status: **THERE WILL BE A JOINT WORK SESSION HELD ON JUNE 25, 2020 WITH THE BOARD OF TRUSTEES; PUBLIC COMMENT WILL NOT BE ALLOWED, BUT THE PUBLIC IS PERMITTED TO WATCH THE MEETING. Details for logging on will be posted after June 22, 2020.**

9. **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.

Status: **HELDOVER UNTIL June 11, 2020**

10. **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 June 11, 2020**

11. **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.

Vincent Gaudiello, Raynor Group appeared on behalf of the application. He said that he has reviewed the comments from Ron Hill and Kyle Collins and discussed them and provided a sketch of the same. And he believes they have a layout that provides more buffering around the rear perimeter and in addition they are proposing some additional planting islands at certain locations around the building trade portion of the building to buffer the view of that building as you may enter the site off of Old Riverhead Road. When you enter you are between the two (2) proposed office buildings and to soften the scale on the corner they are creating a 5' planting island around the corner and East elevation. I have discussed that with Mr. Collins and he finds it to be acceptable. One thing they did not do was talk about the Engineers comments, and he apologizes and he has no objection to his comments and they will be readdressed with a resubmission. At this point, they are at a submission to revise the drawings fully, all of the sheets and resubmit for consideration and approval by this Board.

Mr. Neubauer asked if he has a problem being held over to July 9, 2020.

Mr. Gaudiello said no, they have engineering to do along County Road 31 and they will submit that to this Board as well.

Motion was made by Mr. Schermeyer to holdover the application of **James Traynor, 91 Old Riverhead Road (905-2-1-7.2)**; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

12. **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.

Heather A. Wright, Esq., appeared on behalf of the application, together with Frank Lombardo. She said that they have updated their drawings, and had David Fox amend the survey to match the latest plans and they've addressed all of the Boards comments from the last meeting.

Mr. Neubauer asked if they object to being held over to July 9, 2020?

Ms. Wright said no, and between now and then she will touch base with the Village Engineer and they are going to the ARB Tuesday and they still need approval from the Department of Health.

Mr. Hill said he had a few minor things; he will send them a memorandum. The lights look like they do not have enough cutoff behind them they are shedding on to the adjacent property behind each light and that may just be a factor of cutoff.

Mr. Lombardo said that's a factor of the cutoff.

Mr. Hill said they need to adjust that. The other thing he asks them to do is check the parking lot on the North, it looks too flat and he does not see how the water will get to the drainage; you may need to throw a few spot grades in.

Mr. Lombardo said David Fox made a few modifications because of the two catch basins at the driveway entrance and he will look at it.

Motion was made by Mr. Neubauer to holdover the application of **HCMC, 51 Old Riverhead Rd (905-004-01-010)**, to July 9, 2020; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

13. 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 June 11, 2020**

ZBA: **NEEDED**

ARB: **N/A**

SEQRA: **Type II Action**

SCDHS: **NEEDED**

SCDPW: **N/A**

SCPC: **N/A**

14. 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 June 11, 2020**

ZBA: **N/A**

ARB: **NEEDED**

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

SCDHS: **NEEDED**

SCDPW: **NEEDED**

SCPC: **NEEDED**

REFERRAL FROM THE BOARD OF TRUSTEES

15. 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.

Thomas Downing appeared on behalf of the application.

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Mr. Neubauer said they receive the information today and need time to review it. He said they should hold it over to June 25, 2020 so the Board can review his submissions.

Mr. Downing said okay. The only thing he would like to know is whether he addressed everything.

Mr. Neubauer suggested he talk to Mr. Hill and Mr. Collins.

Mr. Collins said Mr. Logozzo said he thought there was a need for landscaping along the North property line.

Mr. Neubauer said he didn't look at the submission, he's had no time to.

Mr. Collins said there is no landscaping on there, but wants to know if Mr. Logozzo wants to discuss what he sent over to the Board Members.

Mr. Logozzo said he wants to refer it to the next meeting so everyone can look at the photograph. I don't think it's fair to have a conversation about a photograph that no one has seen.

Mr. Neubauer said there's no question that significant landscaping will be taken in to consideration. The site is very open, and he hasn't had a chance to review the survey.

Mr. Downing said he's not opposed to landscaping, but on the last plan he did landscape the entire South side with 5' to 6' Leyland Cypress and he did the 8' to 10' along the area where the propane will be stored to satisfy the neighbors request.

Mr. Hill said the lighting plan deals with two wall packs, and it looks like it spills over on to the North property and it's not even across the site and you have hotspots and the Southerly parking is almost dark so he would like that looked at.

Mr. Collins said he would look at it.

Mr. Downing asked if he's looking for even light spread but under a certain lumen that it cant pass the property line.

Mr. Hill said it's not supposed to pass the property line which is in the Village Code?

Mr. Downing asked if a .1 past the property line is acceptable?

Mr. Collins said anything higher than a .1 is not acceptable. There was foto candle data that was as high as 3 and 4 that's not acceptable.

Mr. Downing said okay, he will work on it.

Mr. Hill said it looks like they need more light on the South. You will never get it even, but you're looking for an average of maybe two or three foot candles in the back of the parking lot, some will be lower and some will be higher.

Mr. Downing said okay. He will work on it.

Mr. Neubauer encouraged him to touch base with Mr. Hill and Mr. Collins before the meeting.

Motion was made by Mr. Schermeyer to holdover the application of **Build Coastal, LLC., 26 Old Riverhead Road, (905-4-2-9)** to June 25, 2020; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

16. Krzysztof Zebrowski, Flanders Renovations, Inc., 121 Main Street (905-11-2-24)
Special Exception Application for Change of Use from retail to Administrative Contractors office.

No one appeared on behalf of the application.

The Board Members are familiar with the site, and they don't have an objection with it.

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Mr. Schermeyer said the biggest thing is not parking the trucks on the site.

Mr. Collins agreed.

Mr. Neubauer said he thinks its okay to offer a no objection letter to the Board of Trustees.

Motion was made by Mr. Schermeyer to refer the application of **Krzysztof Zebrowski, Flanders Renovations, Inc., 121 Main Street (905-11-2-24)** to the Board of Trustees with no objection; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

17. 804F Realty Corp., Robert Chase 112 Montauk Highway (905-4-2-14.1) Special Exception Application to allow a Convenience Store as Accessory Use to an existing gas station at 112 Montauk Highway, Westhampton Beach

Status: **HELDOVER UNTIL June 11, 2020**

18. HCMC Holding, LLC., 51 Old Riverhead Road (905-4-1-10) Special Exception Application for change of use from residential dwelling to General Special Trade Contractors office.

Status: **HELDOVER UNTIL June 11, 2020**

19. Westhampton Inn, LLC., 43 Main Street (905-11-1-5) Special Exception Application to allow construction of an Inn / Hotel in the B-1 Zoning District.

Status: **HELDOVER UNTIL June 11, 2020**

20. Baby Moon Restaurant, 238 Montauk Highway (905-6-2-32.1) Referral to the Planning Board for report and recommendation for outdoor dining. Applicant is proposing (12) tables with umbrellas, and (40) chairs.

21. Traynor, 91 Old Riverhead Road (905-2-1-7.2) Special Exception Application for change of use from a residential dwelling to a General Special Trade Contractors office.

Motion was made by Mr. Neubauer to adjourn the public hearing at **5:20 p.m.**; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.