

August 13, 2020

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on August 13, 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

EXTENSION RESOLUTION

1. **285 Oneck, LLC., 285 Oneck Lane (905-9-2-35)** Applicant requests an extension of their Planning Board determination October 24, 2019.

Heather A Wright, Esq., appeared on behalf of the application. Mr. Neubauer said there was a determination and the reading was waived.

VILLAGE OF WESTHAMPTON BEACH
PLANNING BOARD

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In the Matter of the Application of

285 Oneck, LLC.

DETERMINATION

Address: 285 Oneck Lane

Tax Map No. 905-9-2-35

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WHEREAS, 285 Oneck Lane, LLC. (hereinafter referred to as “applicants,”) are the owners of real property (hereinafter referred to as “the premises”) located at 285 Oneck Lane, SCTM # 905-9-2-35; and

WHEREAS, applicants obtained Planning Board conditional approval on October 24, 2019, for subdivision approval to create four (4) residential lots in the R-1 Zoning District; and

WHEREAS, said approval required the applicant to satisfy all conditions and submit the subdivision map for signature within 90 days thereof, i.e., by January 22, 2020; and

WHEREAS, applicants seek an additional time to satisfy all of the conditions set forth in the October 24, 2019 Planning Board resolution; and

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WHEREAS, under N.Y. Village Law § 7-728(7)(c), the Planning Board may extend for periods of ninety days each the time in which a conditionally approved plat must be submitted for signature if, in the Planning Board's opinion, such extension is warranted by the particular circumstances;

BE IT RESOLVED, that the Planning Board extends (retroactive to January 22, 2020) applicants' time period to satisfy all of the conditions set forth in the Planning Board resolution for three ninety-day periods, for a total of 270 days, said period to expire on October 18, 2020, and said extension being subject to applicants' full compliance with all other provisions of the Planning Board Approval of October 24, 2019.

Dated: August 13, 2020

Motion was made by Mr. Neubauer to adopt the determination of **285 Oneck, LLC., 285 Oneck Lane (905-9-2-35)**; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 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 August 27, 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 September 10, 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 August 27, 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 September 24, 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.

Status: **HELDOVER UNTIL August 27, 2020**

ZBA: **NEEDED**
ARB: **NEEDED**

SEQRA: **1/23/2020 – Deemed Complete; Unlisted Action Coordinated review commenced on 1/27/2020**

SCDHS: **NEEDED**

SCDPW: **Received SCDPW – No objection;**
SCPC: **Received SCPC – No objection;**

OTHER: **Zone Change Approved by Board of Trustees**

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 September 10, 2020**

ZBA: N/A
ARB: N/A

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

Status: **HELDOVER UNTIL October 22, 2020**

*DRAFT Scoping Documents Received on March 3, 2020
Draft Scope referred to Suffolk County Planning Commission, Suffolk County
Department of Health Services;
Joint Work Session Held, June 25, 2020 with Board of Trustees*

ZBA: *Undetermined*
ARB: **NEEDED**

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

Draft DEIS Adopted on July 23, 2020

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.

Status: **HELDOVER UNTIL August 27, 2020**

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

SEQRA: *Planning Board Deemed Lead Agent;*
SCDHS: **NEEDED**

SCDPW: *N/A*
SCPC: *Received SCPC, 2/14/2020 – No objection;*

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.

Ted Galante, Galante Architecture appeared on behalf of the application. When they last spoke they were going to modify the design to accommodate the Boards concerns.

Mr. Reilly said they require that they submit these items 10 days before the meeting, and he will allow them to generally present the ideas but they have to wait on substantive comments until the next meeting.

Mr. Galante said okay. He showed a screen of the existing facility and the Metro Storage facility to the East of their property and Depot Road to the West and they border the LIRR train station. This Board had concerns about the glass, signage, materials and overhead doors. They were trying to accommodate modifications to that and what they did was look at the context in the neighborhood and what is on Station Road and Depot Road and the train station. They have a typical Cape Cod style houses with Cedar siding and contrasting trim set in a green field, and that's the residential context of the area. Some have two stories, and some are single story but a lot of green fields driving past. What architectural details are there for these roads and the Cedar siding seems to be a prominent piece to that and the mass is a residential scale sized building and a smaller scale that pops out. They do not need a lot of windows, and scaling it down will not work either. When they look at the train station, they talk about shadow lines and massing and scale and this has a number of those elements and if we put them all together that's the abstraction, we get from the train station building. The proposed building that was not well received was modified to accommodate the Planning Board's concerns and one approach is to take the original design and reduce the windows to allow for natural light and put Cedar siding on it to make it feel more in keeping with the community. The siding will age, and what if we create a long shadow line and remove the glass and only have one story of glass and we pick up on the smaller elements and create a symmetrical line and we've reduced the doors to three and put the other two around the corner. The scale has been reduced and they have incorporated cedar siding. If they mimic the train station with a contemporary interpretation of it and this building fits the context of Westhampton beach. We've reduced the glass by 50% and the contrast and picked up the windows and symmetry and design a facility that the Board will accept.

Mr. Logozzo asked if he can send a pdf of this?

Mr. Reilly said he has to make a formal submission for the record. Before the Board comments does Mr. Collins have any comments?

Mr. Collins said he likes that they did a deep dive in to the neighborhood and this is moving in the right direction, and he prefers the third building over the second option and based on a quick review this is moving in the right direction. I would like more time to review the formal submission to digest it.

Mr. Jones said the approach is great, and the way it has been setback and created the shadow lines on the third option is great. The way they created shadow lines makes it much more softer and he assumes the dormers on top are glazed windows.

Mr. Galante said they are losing two storage units by putting the dormers in, and if he did one it would not work in fitting with the neighborhood.

Mr. Jones said he appreciates the doors on front being reduced to two (2) as well, and it's still modern and he was afraid it would look like fake facades across the front but this is a nice approach.

Mr. Schermeyer said he likes the third building himself, but it's the signage. Will that be up high like that? The building will blend in as it ages.

Mr. Galante said they had signage on the original one, and that's why they put it back to make it even. They do not have to put the sign there and it can be moved but they were trying to give a balanced view. They can come up with other approaches.

Mr. Reilly said how about a freestanding sign on the road.

Mr. Schermeyer agreed with Mr. Reilly, he said it will make it look less commercial.

Mr. Reilly said he agrees with Mr. Collins he would like more time to review it. I was expecting more of the residential feel but in this area it may not be appropriate but this is a good step forward.

Mr. Galante thanked the Board.

Mr. Collins asked if the plan needs to be revised to incorporate the footprint, it sounds like the Board prefers the third option.

Mr. Galante said they will resubmit that plan.

Mr. Collins said okay.

Mr. Galante asked how the SERQA process goes.

Mr. Reilly said they need a final sense of a design that they are comfortable with that won't change that much and this is our first time seeing it and that will not happen until August 27, 2020.

Mr. Galante said they will submit this tomorrow.

Motion was made by Mr. Neubauer to holdover the application of Prime Storage, **98 Depot Road (905-3-1-19.10)** to August 27, 2020; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

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.

Status: **HELDOVER UNTIL December 10, 2020**
Applicant is before the Suffolk County Department of Health Services Board of Review.

ZBA: *Granted; Received, May 21, 2020*
ARB: *Referred to ARB at January 9, 2020 Meeting;*

SEQRA: *Negative Declaration Issued, February 27, 2020*

SCDHS: **NEEDED** *Applicant is before the Suffolk County Department of Health Services Board of Review.*

SCDPW: **NEEDED**
SCPC: *Received SCPC No objection;*

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.

Heather A. Wright, Esq., appeared on behalf of the application. They are waiting on the Board of Health so they have to hold it over.

Motion was made by Mr. Neubauer to holdover the application of **HCMC, 51 Old Riverhead Road, (905-4-1-10)** to August 27, 2020; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

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 August 27, 2020**

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

SEQRA: *Type II Action*
SCDHS: *Received*

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.

Heather A. Wright, Esq., appeared on behalf of the application, together with Michael Marinis, Don Kolecki.

Mr. Reilly said they re-noticed the public hearing for this evening, and they commenced the SERQA action on February 14, 2020, and they are in a position to accept Lead Agency Status for purposes of SEQRA. Do we need a formal motion?

Mr. Pasca said an oral motion is fine.

Motion was made by Mr. Neubauer to accept Lead Agency Status of **55 Old Riverhead Road LLC, 55 & 59 Old Riverhead Rd (905-004-01-007, -009.02 & -009.03)** seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

Mr. Reilly explained what the Motion to accept Lead Agency status was for.

Mr. Collins said the Special Exception Petition was not submitted and there are a lot of site plan requirements and elements in that application, so the application for purposes of SEQRA is incomplete.

Mr. Reilly said other than accepting Lead Agency status we are in place until you submit the Special Exception Petition.

Ms. Wright said it is my understanding that it has to be referred to the Board of Trustees, and what I've done is made it at the time the PB refers it to the Board of Trustees.

Mr. Collins said the SEQRA covers all agencies involved and we need that information. That Special Exception is under the jurisdiction of the Trustees and the SEQRA will cover the PB review and the Special Exception review.

Ms. Wright said a lot of that is in the plans they submitted and she's happy to prepare the petition, but I think tonight we wanted to present it to the public because we did not have an opportunity to do so and the public has not had an opportunity to hear the project at this point.

Mr. Reilly asked if it's appropriate to proceed.

Mr. Pasca said he does not see why not, the more information the better.

Ms. Wright said it's a 2.8 acre parcel on Old Riverhead Road and to the North is the Timber Ridge and to the South is R-2 and this is a HD Zoned property with a two story dwelling and shed that they propose demolish and construct 16 Senior Condo Units and the MF is permitted in this District by Special Exception and we believe the project is consistent with the 2006 Comprehensive Plan update which highlights the need for Senior Housing and it should be encouraged in the Village of Westhampton Beach. They are proposing four buildings add the one to the North East is 8 two bedroom units, to the North West and South West are building two and three which are two (2) bedroom units, and Building 4 is four (2) bedroom units. Each unit is approximately 1,500 square feet with the first and second floors, the A Unit building 1 are the largest units and they meet the dimensional regulation requirements, and we can answer any questions that the Board may have about the site plan at this point.

Mr. Collins said she mentioned there may be variances necessary.

Ms. Wright said there are no variances required because they file the dimensional setbacks for MF.

Mr. Neubauer said he would like to review them in greater detail again.

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Mr. Reilly said when we did Timber Ridge, we provided for Cross Access is that still being considered?

Ms. Wright said yes, it's to the North West.

Mr. Reilly said he remembers it; he would like to just make sure it's in this plan. And we have to take a hard look at it as it is MF and take certain care in the SEQRA process with multifamily and multi buildings. Does anyone have any other comments or questions?

Mr. Logozzo said he has to review the plan because it has been quite some time that he's had to look at it.

Mr. Reilly agreed.

Mr. Collins said the information in the petition will also assist the Board in reviewing the application as well.

Mr. Reilly said unless the client or experts wish to make a presentation, we do not have any questions right now.

Ms. Wright said they will work on the petition and submit the same.

Mr. Reilly said he will open this up for public comment, with the caveat that the Board has not reviewed the application in its entirety as of yet.

Mr. Logozzo asked if the cross access is something they are looking for?

Mr. Reilly said yes, they insisted on Cross Access as they have with all application on that road.

Mr. Logozzo asked if that's on the drawings?

Mr. Schermeyer said yes, it's on the drawings.

Ms. Wright asked Mr. Marinis to share the page on the screen.

Mr. Marinis said yes, it lines up on the Timber Ridge plan.

Mr. Jones said his drawing says proposed cross access.

Mr. Reilly said it has to line up at the end of the day.

Mr. Collins said it was a SEQRA determination, but if not to mitigate the traffic with Timber Ridge that cross access was a mitigation measure to not have sole access off of Old Riverhead Road and he is sure it was a traffic consideration during the Timber Ridge review.

Mr. Reilly said okay. He asked if Ms. Wright had any other comments or questions.

Mr. Marinis said the fire truck turn around would be a three-point turn along the "T" Shape and they conform to the fire standards for a three-point turn.

Mr. Reilly said we should send it to the Fire District to review and comment.

Mr. Logozzo said the cross access should be labeled.

Mr. Reilly said the cross access is on the plan.

Mr. Schermeyer asked if there is a swimming pool?

Mr. Reilly said there's a pickleball court, but no swimming pool. If there are no other questions or comments they can open this up to the public for comment.

Richard Doyle, Southampton said there is a need for this type of housing.

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Charles Bonomo, 401 Gettysburg Drive President of the Timber Ridge HOA said he thinks the question he had was answered, and the cross access has to be used?

Mr. Reilly said yes, it is a standard planning tool that they have used and it should not be a surprise to anyone.

Mr. Bonomo said some residents were aware, some were not. Is there value to it, and if it does we ask the Planning Board to consider in the front of the community there is access to it with a fence that lifts out and that's not open to through traffic and emergency traffic only and we ask the Planning Board to look at that. There are a lot of children in this neighborhood and we are responsible for maintaining our own roads and we will diminish the value of the units and they were sold at a premium and there is a parking issue within the community and the thought of people being able to park and walk through is a nightmare.

Mr. Reilly said it may benefit them to reduce it to a written form to submit via email for the record in the file.

Mr. Neubauer said putting up the fence is not a starter on this topic.

Mr. Bonomo asked the purpose of the cross access.

Mr. Reilly said to reduce the traffic in and off of County Road 31.

Mr. Bonomo said it would be the same traffic regardless.

Mr. Collins said that's the point, you have multiple choices to get in to the site by way of Timber Ridge or by the subject site it's to create a network so the one site is not isolated by one curb cut.

Mr. Bonomo asked them to consider it. It will lead to a lot of traffic on the corner.

Mr. Reilly said they will take everything in to consideration and asked him to submit it in writing.

Michael Lerch, 403 Gettysburg Drive said he is confused by the access on their property and it's not a road that's traveled on it's for emergency only and there's only one access in and out of Gettysburg Drive and if you need the same why does it have to be a full road if we do not have the same.

Mr. Reilly said on the other side of the road, we have designed it to allow for a free flow of traffic that does not necessarily have to go on to County Road 31 and all of the sites will have the same cross access. We want to create a network that there are no cul-de-sacs and they are providing more options in terms of traffic to go on County Road 31.

Mr. Bunomo said the difference is that's commercial property and there are children in this community all day and to create more traffic does not seem smart.

Mr. Neubauer said we will continue to look at this.

Motion was made by Mr. Neubauer to holdover the application of **55 Old Riverhead Road, LLC., 55 & 59 Old Riverhead Road (905-4-1-7, 905-4-1-9.2, 905-4-1-9.3)** to August 27, 2020; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

REFERRAL FROM THE BOARD OF TRUSTEES

14. 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 August 27, 2020**

15. Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07) A joint Work Session of the Board of Trustees and the Planning Board will be held to discuss the application of Rogers Avenue Associates, LLC., starting immediately after the Planning Board's regularly scheduled meeting at 5:00 p.m.

Status: **HELDOVER UNTIL October 22, 2020**

DRAFT Scoping Documents Received on March 3, 2020
Draft Scope referred to Suffolk County Planning Commission, Suffolk County
Department of Health Services;
Joint Work Session Held, June 25, 2020 with Board of Trustees

ZBA: Undetermined

ARB: **NEEDED**

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

Draft DEIS Adopted on July 23, 2020

SCDHS: **NEEDED**

SCDPW: N/A

SCPC: **NEEDED**

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

NEW APPLICATION:

16. 804F Realty, 112 Montauk Highway (905-004-02-014.01) Renovate One-Story Building for
Accessory Convenience Store & Construct Canopy for Relocated Gas Service Pumps w/ Associated
Site Improvements for Valero Service Station, upon a 0.44-acre Parcel in the B-2 Zoning District.

Motion was made by Mr. Neubauer to adjourn the meeting at **5:50 p.m.**; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.