

August 22, 2019

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on August 22, 2019, at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

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

Ron Hill, Village Engineer

Maeghan Mackie, Board Secretary

Brad Hammond, Building & Zoning Administrator

Kyle Collins, Village Planner

Anthony C. Pasca, Esq., Village Attorney

ABSENT: David Reilly, Chairman
Michael Schermeyer
Kyle Collins, Village Planner

DECISION:

1. Rock Hill Partners, 159 Mill Road (905-12-1-33.1) Westhampton Beach. Applicant requests a Site Plan review to construct a new two-story building for a professional office and apartment above and a detached garage with parking lot. The property is located in the HC Hamlet Commercial District.

No one appeared on behalf of the application. A determination was not ready.

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.

Bailey C. Larkin, Esq., appeared on behalf of the application, together with Richard Searles, Architect.

Mr. Searles said they were asked to install additional drainage on the Hazelwood Avenue side of the property and show the dumpster enclosure and locations, and they relocated the curbs, pushed them back and waiting on final comments on the landscaping plan.

Mr. Hill said they were things that needed to be worked out with the Village Attorney. All of the landscaping is in the Village right of way so it's how we deal with that.

Mr. Pasca said the Village will have to take over once the trees are established, the Village has to take over the obligation to maintain them, but if the applicant is outing them in there needs to be a period of time to establish them.

Mr. Hill said they aren't street trees.

Mr. Pasca said in the Village right of way, there is a maintenance period, and we can't ask you to take care of them forever; someone has to tell a professional how long the period of time and maintenance bond should be. As far as the type of landscaping that's up to the Village Planner.

Mr. Neubauer asked if there is a final landscaping plan?

Mr. Searles said yes.

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Mr. Neubauer asked if its irrigated?

Mr. Searles said yes.

Mr. Pasca asked if it can be removed.

Mr. Searles said we can eliminate the irrigation, and water it for the first year.

Mr. Hammond said if there are trees to establish that is preferable over bushes that need more maintenance.

Mr. Logozzo asked if they mean they will hand water the trees instead of irrigation?

Mr. Searles said yes, they can.

Mr. Logozzo said that usually doesn't work.

Mr. Hill said you can put in the drip irrigation and cut it off after two years.

Mr. Logozzo said it will save money at the end of the day not having to replace the bushes.

Mr. Pasca said procedurally this Board needs something from DPW to say the planting plan and maintenance plan is to their satisfaction.

Mr. Hammond said he was good with the plan, but the maintenance has not been worked out.

Mr. Pasca instructed them to sit down with the DPW.

Mr. Searles said okay. At the last meeting, they said they can close the public hearing and hold the decision process.

Mr. Pasca said they do not do that, and without Department of Health they never do that. As long as things are still coming in, we have to keep the record open.

Mr. Searles requested a referral to the ARB.

3. 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.

Jefferson Murphree appeared on behalf of the application. They received comments from the DPW regarding the entrance and they have submitted the revised plans to this Board, and that was the last set of revisions to the plan and they are requesting a set of conditions for the September 12, 2019 meeting.

Mr. Pasca said we can close the public hearing, if you are certain there's nothing else for the record we can close the hearing. We have standard conditions for Site Plans.

Mr. Murphree said okay.

Motion

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.

No one appeared on behalf of the application.

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Motion was made by Mr. Jones to holdover the application of **Anthony J. Cassano, Jr., and Louis Commisso, (905-5-1-21) 30 Lilac Road** to September 12, 2019; seconded by Mr. Logozzo and unanimously carried 3 ayes, 0 nays, 2 absent.

5. Marios Nikolaides, 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.
HELDOVER TO SEPTEMBER 26, 2019

6. 285 Oneck Lane, LLC., 285 Oneck Lane (905-9-2-35) Applicant requests a Subdivision of a parcel of property to create a four-lot subdivision. The property is located in the R-1 Zoning District.

Heather A. Wright, Esq., submitted a request to holdover the application of **285 Oneck Lane, LLC., 285 Oneck Lane (905-9-2-35)** to September 12, 2019.

Motion was made by to holdover the application of **285 Oneck Lane, LLC., 285 Oneck Lane (905-9-2-35)** to September 12, 2019; seconded by and unanimously carried 3 ayes, 0 nays, 2 absent.

7. 22 Old Riverhead Road, LLC., 22 Old Riverhead Road, Westhampton Beach (905-4-2-10) Applicant requests a Site Plan review to demolish an existing building and construct a new 3,500 square foot medical office / dry office building. The property is located in the B-2 Zoning District.

8. 112 WHB, LLC., 112 Old Riverhead Road, Westhampton Beach (905-2-2-4.4) Applicant requests a Site Plan to install a small cell public utility wireless communications facility on an existing two story commercial building. The property is located in the B-2 Zoning District.

Matthew Zagelbaum, Esq., appeared on behalf of the application.

Mr. Neubauer asked if they saw the Village Planner comments?

Mr. Zagelbaum said yes.

Daniel Falaseo said you cannot make it more narrow, the antenneas need the distance and we would not be able to put the antenneas in there and the ARB has already reviewed it, made modifications to put the coning on top and added some bulk to it and we can't make it more narrow.

Mr. Neubauer said we have seen the rendering. I don't have a problem with either plan, but the one that's physically possible to do I don't find worse to look at. I don't see any reason why we should hang this any further.

Mr. Pasca asked if Mr. Falaseo is a Professional Engineer?

Mr. Falaseo said yes.

Mr. Pasca said you have testimony it's not feasible.

9. 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.

No one appeared on behalf of the application. Nicholas A. Vero, Architect requested to hold the application over to September 12, 2019.

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Motion was made by 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 September 12, 2019; seconded by and unanimously carried 3 ayes, 0 nays, 2 absent.

10. SKL Realty Holdings LLC, 115 Main St, (905-011-02-022). Applicant requests site plan review to construct a two-story mixed-used commercial building (4,153 sf) with partially covered front patio for two retail suites and a restaurant on the first story and a single-family apartment and restaurant accessory office/storage room on the second story, with associated site improvements. The 6,840 sf property is located on the south side of Main Street in the B-1 zoning district.

Jason Ormond, Architect appeared on behalf of the application.

REQUEST FOR CHANGE OF ZONE REFERALL FROM THE BOARD OF TRUSTEES

11. Mark Tech Corp., 85-105 Montauk Highway (905-5-1-12, 53.1) The Corner Restaurant. Referral from the Board of Trustees for report and recommendation for the Change of Zone from residential to commercial.

FILL APPLICATIONS / DECISIONS

12. Donna A. McDonough, 24 Point Road, Westhampton Beach (905-17-3-25) Applicant requests a Site Plan to bring in fill in conjunction with a new dwelling and septic system. The property is located in the R-5 Zoning District and the Flood Zone Area. **HELDOVER TO SEPTEMBER 26, 2019**

13. 285 Oneck Lane, LLC., 285 Oneck Lane, Westhampton Beach (905-9-2-35) Applicant requests a site plan review to install fill in the Floodplain in conjunction with the development of a four-lot residential subdivision and in accordance with a required Storm Water Pollution Prevention Plan (SWPPP). The 45,309 acre property is located at the South West corner of Oneck Lane and Fiske Avenue in the R-1 Zoning District.

14. 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.

15. Westhampton Country Club, 35 Potunk Lane, (905-009-03-023.01). Applicant requests a site plan review to reconfigure a vehicular entrance in coordination with the Westhampton Beach Village Main Street improvement project and also to improve existing dirt road openings and parking area along the ballfield with asphalt, drainage and lighting. The 45-acre parcel is located on the west side of Potunk Lane in the R-1 zoning district.

Vinny Gaudiello, Raynor Group, appeared on behalf of the application. When they were last before the Board they received comments from Mr. Collins and they spoke on the subject of showing how they intend to restore the area of the old entranceway off of Potunk Lane and in addition they were considering the pillars at the entrance and at the suggestion of Mr. Collins he indicated that should be shown on the plan and that is shown on C-2 of the drawings. The next item relates to the Junior Sports Parking Area in which the subject of the curbing type was discussed. We modified the plan to show concrete curb off site and cobblestone on site to give more of an esthetic feel.

Mr. Neubauer asked if they are still proposing black top?

Mr. Gaudiello said yes. As far as the detail and lighting, it was requested they add the property line to the detail and that's on sheet C-4 as well as add the Code section as it relates to the standards of the site lighting and that's been added. Unless there are any other questions, he did not see any other comments from the Consultants.

Mr. Hill said he thinks they are missing the Handicapped Parking Space sign, not that it's a big item.

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Mr. Gaudiello said yes, they are they will add that in.

Mr. Pasca asked what the timing of this is, how will it coordinate with the Main Street project?

Mr. Gaudiello said he understands the Village is planning to start shortly with their work, but we were told we should be prepared to start in October. I was retained to help build and assist in the Administrative Role to help the Main Street construction, but I have not seen drawings.

Mr. Pasca said as far as the project goes, everything is on schedule to start on October 1, 2019.

Mr. Gaudiello said nothing precludes them from starting to get pricing.

Mr. Pasca said as long as you get approval in September that should not hold anything up.

Mr. Gaudiello said he thinks he can submit the plan with the sign and be prepared for a resolution.

Mr. Hill said he doesn't think it's a matter of adding it for a decision.

Mr. Neubauer asked if we can close the public hearing and hold it over for a determination on September 12, 2019.

WAIVER OF SITE PLAN

16. Joseph Abruzzo (Tech Repair), 204 Montauk Highway (905-6-2-30) Applicant requests a waiver of site plan to change the use from a chiropractor office to an electronic repair shop and retail store. The property is located in the B-2 Zoning District.

Tiffany Upton appeared on behalf of the application.

Mr. Neubauer said there is a determination for the application.

17. Martin Melzer, (Ben Krupinski Builder, LLC) 132 Main Street, #14, (905-12-4-54) Applicant requests a waiver of site plan to remove and replace second floor window, with no changes to the size of the window.

No one appeared on behalf of the application.

Motion was made by