

December 10, 2020

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on December 10, 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

ABSENT: David Reilly, Chairman

**HOLDOVERS:**

1. **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 December 10, 2020*

**ZBA:** *Granted*  
**ARB:** *Received*

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

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

2. **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 December 10, 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*

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**SCPC:** **NEEDED**

3. **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.

**Status:** **HELDOVER UNTIL December 10, 2020**

**ZBA:** **GRANTED, 12/20/2018**

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

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

**SCDHS:** **NEEDED**

**SCDPW:** **N/A**

**SCPC:** **NEEDED**

4. **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 December 10, 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**

5. **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 December 10, 2020**

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

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

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

**SCDHS:** **NEEDED**

**SCDPW:** **N/A**

**SCPC:** **N/A**

6. **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**  
*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**

7. **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, together with Ettore Mancini. To recap they received approval from the ARB in January 2020; and SEQRA was granted in March; they received Special Exception in April or May, 2020 and the Site Plan they are working off is February 26, 2020 with no changes to that site plan, and the floor plan and it was dated October 1, 2020 and updated on October 18, 2020 Architectural drawings, and they submitted building renderings. The footprint has not changed since site plan dated February 26, 2020 and the interior of the space has been reconfigured and right now the first floor will be three standard rooms and one suite and a sitting area with a lobby; the second floor will have four standard rooms and two suites and the third floor will have apartment sized units with no cooking. They have a separate bedroom from the rest of the space and there is a compute facility room. The basement they are proposing two suites and two common areas possibly exercise rooms and / or breakfast rooms with storage and mechanicals as well. There is a proposed elevator to serve all of the floors and based on the current design the building and elevator shaft do not exceed the height requirements of 35 feet. He believes everything is up to and not taller than 35 feet. Between the renderings, the site plan and floor plans we have accommodated all of the comments made along the way.

Mr. Neubauer said one comment that was not addressed is the appearance on the Mitchell Road and Main Street corner. He thought that Mr. Collins suggested the possibility of architectural enhancement and the renderings have the turret on the Western side of the building and we were wondering if that could be adjusted to the Eastern side to accommodate that request we made to have it along the Mitchell Road side.

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Mr. Hulme asked Mr. Mancini to discuss the turret and would he move it to the Eastern side of the building along Mitchell Road and Main Street.

Mr. Neubauer said they were looking for that at the last meeting.

Ettore Manicini said he sat with Bill Heine and they installed Bay windows on the first two levels, and on the third there is a semi-circular bank of windows and it doesn't look that clear on the renderings but that is what we had hoped to embellish the Eastern view with.

Mr. Collins asked them to describe the changes on the Eastern side; he recalls no windows being on that side and that you did add some and Mr. Neubauer is correct there was conversations to enhance that Eastern façade, and I can understand why it may be appropriate to the turret and this is a gateway structure but there was discussion to also look at other intersections like Sunset Avenue and Main Street; were there other enhancements that you can describe?

Mr. Hulme said what you and my client just described are the proposed enhancements for that side.

Mr. Collins said it looks like there is more going on and it may be helpful to have the architect here and the one dormer appears to be substantially larger than the first submission. It would be helpful if the architect could go through the plans given that the design concept is one of the major issues effecting the streetscape that the Board is reviewing.

Mr. Hulme said okay. They can identify the issues and since they are not constructing this until the sewer is installed they have time to discuss it and they can bring the architect at the next meeting.

Mr. Collins said some of the additions look great, but I do have concern with the size of the dormer. The front elevation, and the center dormer and the Tourette and the dormer on the East looks out of balance. That is why I think it would be nice to have the architect so we can discuss it with him.

Mr. Hulme said sure, they will ask him to come.

Mr. Neubauer said it will be a good opportunity to review their submission and provide comments thereon.

Mr. Hulme said okay.

Motion was made by Mr. Neubauer to holdover the application of **Westhampton Inn, LLC., 43 Main Street; (905-11-1-15)** to January 14, 2021; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**8. 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 December 10, 2020*

**ZBA:** *N/A*

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

**SEQRA:** *Coordinated Review Commenced January 27, 2020;  
Accept Lead Agency Status  
SEQRA Determination Adopted, August 27, 2020*

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**SCDHS:** **NEEDED**

**SCDPW:** *N/A*

**SCPC:** *Received SCPC No objection;*

9. **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;*

10. **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.

**Status:** *HELDOVER UNTIL December 10, 2020*

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

**ARB:** **NEEDED**

**BOT:** **SPECIAL EXCEPTION PERMIT**

**SEQRA:** *August 13, 2020 – Planning Board Accepted Lead Agency Status*

**SCDHS:** **NEEDED**

**SCDPW:** **NEEDED**

**SCPC:** **NEEDED**

## **REFERRAL FROM THE BOARD OF TRUSTEES**

11. **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:** Referral report received, November 19, 2020. Special Exception Granted by

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Board of Trustees

**12. 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**

*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**

**13. 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.

Barbara Rasmussen, Esq., appeared on behalf of the application; together with Chris Tartaglia, High Point Engineering, and David Bitner High Point Engineering, together with Robert Chase. Ms. Rasmussen said in response to Mr. Logozzo's comment the curbcut is dictated by the County and she doesn't know they have much say in making it wider, and her client may not be against it.

Mr. Neubauer said the County didn't do the design, they just approved yours is that correct? They didn't do the design work, they approved your design work.

Mr. Tartaglia said they had a lot of dialogue with the County, they were talking to them for two or three months and they wanted one curb cut toward the Easterly end of the site and we showed them the downside of that with the ability to get the truck in and out and the traffic flow and they were easy to work with.

Mr. Neubauer said yes, they took your plan and ran with it?

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Mr. Tartaglia said no, they reviewed it and we went back and forth like we always do, and they ultimately we came to an consensus and we agreed on the layout.

Ms. Rasmussen asked if the County would be opposed to widening the curb cut?

Mr. Tartaglia said he doesn't understand the logic.

Ms. Rasmussen said she thinks it is for traffic flow.

Mr. Logozzo said there is little to no shoulder on that road and in the Summer when there are cars queued in the turning lane going East and usually you go into a shoulder to make a turn and there is usually enough for queuing and there is not enough shoulder width there and when you leave the parking lot you will pull out on a diagonal and block the entrance and the cars entering will not be able to get in until the car heading North leaves and it's close to a corner and when that happens all of the traffic stops.

Mr. Tartaglia asked if you are concerned about the South bound que looking to go East? And the ones looking to head South and to make a right to go North?

Mr. Logozzo said yes. When you leave you won't pull out perpendicular to Old Riverhead Road you will come out on an angle and block the traffic from the corner and if you were further up the road its not an issue but there is enough que space so everyone Northbound on Old Riverhead Road will not have an issue.

Mr. Tartaglia asked if you want a left and right turn lane on Old Riverhead Road?

Mr. Logozzo said when you say a lane, you don't mean an island. If you are coming North and you want to turn in and its blocked by a car exiting.

Mr. Tartaglia said he will ask the County, and it's 28' wide now and we can ask for 30' without an issue.

Mr. Logozzo said he was asking for 35'.

Mr. Logozzo said he is thinking, and Mr. Hammond may want to comment, may be we can occupy the Northern property and push the curb further North, I don't know if there's a side yard issue that will be created.

Mr. Tartaglia said Suffolk County DPW has very strict radius restrictions on entrance and exits are designed where the handicapped ramps are designed to the County DPW standards, so if we want to cheat it wider we have to do it to the South and we can pull the stalls Southerly to make the curb cut wider. It is worth the ask and I agree with you.

Mr. Logozzo said you will end up blocking the entrance.

Ms. Rasmussen said we can address it.

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Mr. Hill said the County will push it back, they like the driveways tight they will not exceed 30 feet he doesn't think.

Mr. Tartaglia said they will ask.

Mr. Logozzo said I was hoping for 35 feet but anything more I will be happy with. Whatever extra we can get will be a tremendous help.

Mr. Hill said the State and County like the driveways tight and its more often than what I would prefer.

Ms. Rasmussen said Mr. Schermeyer had comments about the store size and one thing we discussed and we would like to reiterate to the Board, and that's not all of the square footage will be retail space, it will be refrigeration, counter space, coffee area as well as bathrooms for the customers of the store. So it's not all one big open retail space, I don't have the square footage dimensions and I know Mr. Schermeyer expressed concerns about the size of the store and the expansion.

Mr. Tartaglia said the numbers are as follows; the sales area itself where you see displays, and purchase things is under 1,100 square feet; the rest is the attendant area which is the cash register and the attendant is 150 square feet; the restroom is 60 square feet; the utility room 125-130 square feet and a storage area and over 400 square feet and back room for cups and inventory and things like that. The sales area where patrons go in to it is under 1,100 square feet and relatively small to today's standards and we're working within the existing building footprint and would rather not to reduce a good building to make it smaller if its avoidable.

Mr. Neubauer said Mr. Schermeyer's comments were less about the interior size of the size and more to allowing it to fit better and give traffic a better opportunity.

Mr. Schermeyer said he was looking more for the pumps and canopy to be put on the angle and a bit of the store taken away on an angle. I wasn't getting in to the square footage of the interior space. I was more looking at the layout.

Mr. Neubauer said the reduction in the building would make the lot flow better?

Mr. Schermeyer said yes, it'll give more room for the pumps.

Mr. Tartaglia said we keep circling around the layout and in my opinion we have a highly functional layout that the Villages Planner had a layout and that did not make sense, and we've gone over this and there's a confident functional layout that accommodates stacking, pumping and passing and angling the pumps creates a problem.

Mr. Schermeyer said it's a combination of angling the pumps and removing some of the store and Mr. Collins plan did not remove some of the store.

Mr. Collins said the Board of Trustees has limited the Planning Boards ability to do site planning on this site. My question is are you moving around vacuum cleaners and air pumps, but my question is are we moving forward with the canopy or not?

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Ms. Rasmussen said yes, we are as the stie plan currently exists. We would like to ask the Board to allow us to go to the ZBA to obtain those variances.

Mr. Collins said you don't need the Planning Boards authority to do that.

Ms. Rasmussen said they want to make sure there are no major concerns.

Mr. Neubauer asked if the vents will be removed?

Mr. Tartaglia said no, they are existing to remain and they are on the site now and shown on the site plan.

Mr. Collins asked Ms. Rasmussen to review the variances necessary on this site over and above what is for the canopy.

Ms. Rasmussen said yes, she can.

Mr. Tartaglia said they need a front yard setback for the canopy on Old Riverhead Road; the proposal is 25.5' where 50' is required so they need 24.5' relief; a front yard setback on Montauk Highway, 20.1' proposed where 50' is required; a side yard setback which is an existing condition of 20' required and 12.6' is existing which will remain but we still need relief for it.

Mr. Collins asked why they need relief for pre-existing?

Mr. Hammond said they probably do not; but there's a section that says significant alterations of non-conforming building need relief under 197-5.A. (1) and when its this close to the property I can cite that relief so the ZBA knows there is a significant change with a non-conforming setbacks, but we don't have to go through the lot area, side yard and the canopy setback, lot coverage and parking on Old Riverhead Road is in a violation of the transitional buffer area. They are not becoming worse or new and not required to obtain relief from.

Mr. Tartaglia said that outlines the variances that they need relief from, and there are other matters for the Planning Board and the landscaping buffer and those are not for the ZBA, but for the Planning Board. Is that correct?

Mr. Collins said procedurally will the Board refer this back to the Planning Board?

Mr. Hammond said its Type II so probably not.

Mr. Collins said will the ZBA make a referral, if it affects the Planning Board typically the ZBA will ask for comments.

Mr. Pasca said if the Planning Board wants to send comments to the ZBA you should and they can include it in their packet. The referral back to the Trustees was not unified referral anyway, and things have changed a little and we leave it to the Planning Board whether they comment on the variances you can or you do not have to.

Mr. Collins asked if they have applied to the ZBA yet?

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Ms. Rasmussen said no.

Mr. Neubauer said the Trustees accept the ability for this Board to make any changes, and I don't see why they can't go to the ZBA.

Mr. Collins said you guys can make a comment as it relates to the variances being requested, and I would hope they take that into the consideration. My comments are the canopy design and its relation to the community character and the streetscape as it relates to the canopy and its design to the streetscape. We have not had that much discussion and it's really been about the configuration and the pump layout. If you look at a canopy there is one on West Main Street in Riverhead its East of the car dealership, and it's in the same position as what is proposed and look at its impact on the street scape. They just redid that facility; it was much smaller and just a gas station and there's a large convenience store with a canopy on the road I think you should look at that and its impact on the street and if the Board wants to support those variances that would create that situation.

Ms. Rasmussen said that area is very different than Westhampton Beach and Montauk Highway.

Mr. Collins said you can take that in isolation; I'm talking about the relationship of the canopy to the roadway. I would agree that they are two different concepts, we are not talking about the flow I'm talking about the impact of the canopy to the streetscape and you can see how that canopy will relate to the road and you can visualize how that canopy will relate to the corner and one of the most prominent corners in the Village of Westhampton Beach.

Mr. Neubauer asked if a canopy style was decided on, or did the Trustees?

Ms. Rasmussen said it has to go to the ARB still, and the esthetics will be discussed as well.

Mr. Neubauer said the ARB doesn't have the final say, the Planning Board does.

Mr. Collins said the massing and scale of the structure, whether it has a peaked roof or not, I invite the Board to look at it and I will send pictures as well. And the Board should look at that impact, and at the next meeting you should discuss it and we can then make a referral to the ZBA at our January meeting.

Ms. Rasmussen said that canopy he is referring to is neon and white and not esthetically the same to what they are proposing.

Mr. Collins said I'm talking about the design, I'm talking about the mass and scale of the structure as to its relation to the streetscape.

Ms. Rasmussen said I don't know if it's the same size, Mr. Tartaglia can look at the site and tell us.

Mr. Pasca said we are getting side tracked what happens before the ZBA will; it is hard when there are three (3) agencies in the Village with overlapping but different jurisdictions and there are wrinkled feathers but everyone has their jurisdiction and I don't want a conversation about the ZBA application when it hasn't been filed with the ZBA. The Planning Board has a right to comment and they do not over step one another's bounds and each agency has their own purview and it should be exercised and

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you have a right to comment but we're not going to argue the five factors of the variance test in front of the Planning Board, it's not proper.

Mr. Collins said that's not being suggested.

Ms. Rasmussen said she appreciates Mr. Pasca's comments. We will file the application tomorrow if not, Monday and they will receive your comments.

Ms. Mackie said there's an early advertising deadline because of Christmas.

Ms. Rasmussen said I know.

Mr. Hammond said there is a delay because he did not want them to appear before the ZBA before this was reviewed by the Planning Board.

Mr. Neubauer asked if we're going to the ZBA with a canopy design that we should be reviewing on a planning level?

Mr. Pasca said this Board has the right to review the esthetic side, and it's all on this Board and I watched the hearing and I know the applicant has made that clear to the Board of Trustees and whatever esthetic designs this Board prefers is what the applicants are open to and the Trustees did not limit your esthetic review. What they did was opt for a configuration where the two uses work in a certain way so that part is off the table, but the esthetics is not off of the table and you have your jurisdiction and the ARB is an advisory board to you because it's a site plan, so ultimately its your decision to make.

Ms. Rasmussen said that's 100% correct, her client is willing to consider many options as far as the canopy esthetics we're not opposed to that at all.

Mr. Pasca said it's tricky with the ZBA and they have to review the impacts generally, and they don't review esthetics and its the same way I don't want them to overstep the boundaries with your Board.

Mr. Collins said how can you look at the variances setback and an issue with setbacks is how it affects the character of the neighborhood so you have to get in to esthetics.

Mr. Pasca said its up to the ZBA.

Mr. Collins said the Planning Board has the jurisdiction over esthetics and how it impacts the streetscape here so I would think it's appropriate whether they support it or not so their referral would get in to those jurisdictional issues. It's not black and white.

Mr. Pasca said that's not what he's saying, I just said tred carefully on not telling the ZBA what to do you have your jurisdiction and they have theirs, and you can send them your comments.

Mr. Collins said he would not tell them what to do, it's only a recommendation. Anything from the Planning Board to the ZBA is a recommendation, just like the comments to the Trustees is just a recommendation.

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Mr. Pasca said not once has this Board recommended an approval or disapproval of a variance, it's comments relating to planning impacts. We don't tell the ZBA what to do.

Mr. Collins said they are impacts, it's a recommendation.

Mr. Neubauer asked how we progress. What is the path forward.

Ms. Rasmussen said we will file an application with the ZBA, and you will create comments if you wish to send to the ZBA for their consideration.

Mr. Neubauer asked if we have enough data to review on the canopy?

Ms. Rasmussen said I think so.

Mr. Schermeyer said there are a few options.

Mr. Tartaglia said there are streetscapes and he's not sure they were sent to the Planning Board and he'd like them to see it there are six views and a sketch up model.

Ms. Rasmussen said we can have that back to the Board.

Mr. Tartaglia said I look at both and I hear Mr. Collins on the massing issue and I don't see a difference between the two and I think ours is shorter and muted than the original proposal. We have done our homework and we have nice sketches and give a great feeling and we say that with the same comment, whatever changes you want to make we are open to review and discuss.

Mr. Pasca said you don't have to wait to go to the ZBA to talk about esthetics, you can do so at the next meeting.

Ms. Mackie said the early advertising is tomorrow at 12:00 because of the holiday.

Ms. Rasmussen said I knew it was soon, but I didn't know it was tomorrow I thought it was the end of business.

Mr. Pasca said on the procedural question, the way you posed it was go to the ZBA wait and return to talk about esthetics, you can discuss that before you receive a determination from the ZBA. You may want to be more prepared next month to deal with that.

Ms. Rasmussen said thank you, that's helpful.

Mr. Pasca said this Board will not act without a determination from the ZBA but there's no reason you can't have a discussion about the rest of the stuff.

Mr. Tartaglia asked if the Board can consider what Mr. Logozzo has?

Mr. Neubauer said there's been so many submissions, it's overwhelming can you submit what you're talking about and submit the latest in one email?

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Ms. Rasmussen asked if they submit it digitally, does it have to be submitted hard copies too.

Ms. Mackie asked what she's talking about?

Ms. Rasmussen said the renderings.

Ms. Mackie said if it's in the file and you are just submitting it digitally, that's fine; if somethings being replaced it has to be replaced digitally and hard copies as well.

Ms. Rasmussen asked if I should drop off more than one set?

Ms. Mackie said one hard copy is fine.

Motion was made by Mr. Logozzo to holdover the application of **804F Realty Corp 112 Montauk Highway (905-004-02-014.01)**; to January 14, 2021; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

**14. Lidl Westhampton, 70 Sunset Avenue (905-012-04-020.01)** Applicant requests modification of site plan for façade alterations to the existing grocery store located on a 2.7-acre parcel in the B-1 zoning district.

**Status:** **HELDOVER UNTIL December 10, 2020**

**ZBA:** **PENDING – DETERMINATION SCHEDULED FOR 11/19/2020**

**ARB:** **NEEDED**

**BOT:** **N/A**

**SEQRA:** **N/A**

**SCDHS:** **N/A**

**SCDPW:** **N/A**

**SCPC:** **N/A**

**15. WHB Kitchen LLC, 149 Main Street (905-011-03-001)** Applicant requests modification of site plan to erect a seasonal membrane enclosure under the retractable awning for outdoor dining at the existing 16-seat restaurant located upon a 3,610 SF parcel in the B-1 zoning district.

Gerald Hilbin, Rooted Hospitality Group, appeared on behalf of the application. He is sitting in for David Hersh so he can answer limited questions.

Mr. Neubauer asked why they constructed the structure with no permit.

Mr. Hilbin said he is not sure, he would have to ask David Hersh.

Mr. Logozzo said he wants to go see the structure.

Mr. Jones said he will look again tomorrow, it strikes him as temporary.

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Mr. Hilbin said there were a lot of complaints in the dining room over wind and cold air.

Motion was made by Mr. Logozzo to holdover the application of **WHB Kitchen LLC, 149 Main Street (905-011-03-001)** seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

**16. PGJG Holding Corp, 214 & 238 Montauk Highway (905-006-02-031 & -032.01)**

Applicant requests modification of site plan to convert a portion of site parking and access way for a seasonal dining area (40 seats) with façade changes to install accordion doors at the existing standard restaurant “Baby Moon,” upon property totaling 44,650 square feet in the B-2 zoning district.

**Status:** **HELDOVER UNTIL December 10 2020**

**ARB:** **NEEDED**

**BOT:** **N/A**

**SEQRA:** **N/A**

**SCDHS:** **N/A**

**SCDPW:** **N/A**

**SCPC:** **N/A**

**17. Westhampton Synagogue, 142 Mill Road (905-012-01-044)** Applicant requests site plan approval to construct a second-story addition over existing first floor, remove mezzanine and convert building for a children’s center with an exhibition hall, community rooms and a youth chapel upon a 16,033 square feet property located at the northwest corner of Mill road and Sunset Avenue in the B-1 zoning district.

Frank Lombardo, Architect appeared on behalf of the application, and Mr. Bishop is not able to attend, together with Rabbi Schneier. At the last meeting they held over the parking analysis and comments were made regarding drop off and a statement was asked how the building was going to be utilize and Mr. Bishop submitted documentation regarding them and today we received Mr. Hills memo and I will address all of this tonight. Mr. Hammond’s comments were that all of the plans and construction must conform to NYS Building Code and they have been updated to reflect that conformance. HE mentioned it is unlisted under SEQRA subject to Mr. Collins and we are requesting a determination from the Village Planner so we can proceed on this comment.

Mr. Collins said he conquers` that it is Type II.

Mr. Lombardo said the parking analysis was a big item and held over, and the cross access existed since 1920

Mr. Lombardo said the accessible parking was widened to 8 feet; it was originally 5 feet, and another item was the storm water management system and there are two drywells on the site and Condon Engineering is performing an analysis and we need 1900 cubic feet of drainage and we’re going to supplement it for additional drywells and they will be placed in the front South end of the site and its an unpaved area and we don’t want to chop up the site. You will get a set of drawings to be presented in January. The landscaping shows a stone walkway and that was raised as an ADA concern and it’s not 100% level so it was changed and there’s a detail for that. We do have lighting protecting the stair at the exterior of the building. There are two fixtures on the North end and step lighting and minimal

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output that can be turned on at night when its in use and shown on A-107. We have corrected the building code analysis and there was no impact on that. The commercial kitchen that we're converting to a warming pantry, we are not going to need the hood and duct and in the event that we do we will take in to consideration the esthetics and at this time we do not need it. We are asking, if you can refer us to the ARB I am certain we are ready for that. Most of our work involves restoration and the addition and I would like to present to them.

Mr. Collins asked if they took in to consideration the Eastern elevation comments about the matching of the windows and do you have any further comments; there are two windows being combined and instead of doing them up and down, please put one larger window to match the other three.

Mr. Lombardo asked if he means to keep the four (4) but make them wider?

Mr. Collins said he only sees three (3) windows, you will be combining them and there are three large windows, instead of the two skinny windows why don't you do one large one that will match.

Mr. Lombardo said the coat closet will be removed, and we didn't like the consistency and you're asking me to create that and we can look at it. We can present that to the ARB and see what their thoughts are, I value their judgment as well as Mr. Collins. I would really like to go to the ARB.

Mr. Neubauer asked if there's a reason not to refer them to the ARB?

Mr. Pasca said no, we can do so.

Mr. Neubauer asked if there were any questions or comments about going to the ARB.

Mr. Collins said he likes the front of the building and there is symmetry and it works, but I think on the East side you should look at the other alternative.

Mr. Lombardo said okay, he can do so. He will do that tomorrow.

Mr. Neubauer asked if they can forward digital copies to our office of the future rendering?

Mr. Lombardo said yes.

Mr. Logozzo said he agrees with Mr. Collins on the windows.

Mr. Neubauer said he thinks there is a consensus.

Mr. Lombardo said okay. The only other items he has are the Department of Health Services, Condon Engineering did an analysis and submitted calculations to Mr. Hammond, and the existing sanitary system because it was a restaurant has a capacity over 4,000 gallons per day and it's more than adequate so we do not need Department of Health. Mr. Hammond said other comments about prior to the issuance of the building permit which will all be considered. Two other topics, children's drop off was something that came up at the last meeting in discussing traffic and we submitted a drawing A101A that shows a proposed curbcut on Sunset Avenue and on the South side of the angled parking area and the reason we looked at it is that you will enter on the existing curb cut, make a left turn come

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down to the end of the parking area and the site plan has a paved area where you can be dropped off at the main entrance,

**NEW APPLICATION:**

**18. 11 Reynolds LLC, 9 Reynolds Drive (905-010-02-005)** Applicant requests site plan approval to place fill within the flood plain to bolster an existing sand beach with compatible sand and revegetation upon a 42,880 square feet vacant property in the R-1 zoning district.

Dated: November 23, 2020