

January 28, 2021

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on January 28, 2021 at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: David Reilly, Chairman
Ralph Neubauer
Jack Lawrence Jones
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: Rocco Logozzo

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 February 11, 2021**

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 January March 25, 2021**
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**

3. **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 March 11, 2021**

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

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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 January 28, 2021***

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 January 14, 2021***

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

SEQRA: *Granted; October 10, 2019*
SCDHS: *Received, January 19, 2021*

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.

Frank A. Isler, Esq., appeared on behalf of the application.

David Reilly said the draft DEIS is ready to move forward, and the resolution provides a schedule and set a hearing for public comment. The resolution provides that the Draft DEIS will published on the Village website.

Mr. Isler said this resolution was on the calendar, and they will take the next steps according to the same.

Mr. Reilly asked if there was anyone from the public who wished to be heard.

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Jay Borrow, Bridle Path said he lives on Bridle Path and he understands there is one entrance on Rogers Avenue.

Mr. Reilly said he believes so, but he doesn't remember off of the top of his head. Tonight they are not discussing the merits application, they are just setting the schedule forward for the public comment.

MR. Borrow said okay.

Mr. Reilly asked if there were any other questions or comments.

Mr. Isler asked for a copy of the resolution.

Ms. Mackie said yes, she will forward it to him tomorrow.

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.

Status: **HELDOVER UNTIL March 25, 2021**

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**

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.

Ted Galante, Galante Architecture Group appeared on behalf of the application. He said if this Board recalls they are working on the building design and they have everything together except for the Department of Health sign off, and they are waiting for that. They will ask to extend to the February 11, 2021 hearing but he wanted to confirm with the Board; they know they do not have formal approval but the building design is fine to the Boards point of view, and they can start with the construction documents

Mr. Neubayer said yes.

Mr. Galante said okay, they will start the construction documents.

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 February 11, 2021**
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**

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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 January 28, 2021**

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 BOARD OF TRUSTEES

11. **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**

12. **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.

Status: **HELDOVER UNTIL January 28, 2021**

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

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BOT: *Received November 19, 2020 – Special Exception Granted*

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

SCDHS: **NEEDED**

SCDPW: **NEEDED**

SCPC: **N/A**

13. 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.

David Gilmartin, Esq., appeared on behalf of the application together with Kevin Reim, Bohler Engineering and Luis Rodriguez, Lidl Supermarket, and Ed Pepin, Architect.

Mr. Reim said they went with the single door with frosted glass so you will not see the machines inside and the floor plan they added trash receptacles too. With regard to the cart coral they were removed on accident and an oversight so Mr. Rodriguez spoke with the construction manager who also was the manager for Best Market so it will all be replaced in kind to what was there.

Mr. Jones said they were nice cart corals and they'd like to see them back.

Mr. Reilly said as far as the receptacle area it is a vast improvement from what was originally proposed and the maintenance day to day will be key to avoid the area looking messy and trash blowing out of there. And avoid trash accumulation. He asked if Mr. Collins had any comments.

Mr. Collins said he agrees with Mr. Reilly and he thinks it is there, and the specs were provided for the cart coral against the building, it says brushed metal and he would like clarification. He recommends to the Board, the trim around the windows is dark and I think the color of the corals should match the window trim. It is a dark metal and will match the dark metal in the corals in the parking lot.

Mr. Jones said yes, it seemed like the previous ones were dark metal too.

Mr. Collins said he'd like to see it match so there isn't a different element being introduced.

Ed Pepin, Architect said there's no reason to not have them match.

Mr. Collins said with reference to the sign, as it relates to the sign in relation to the architecture. If this Board recalls when we did Best Market we looked at the placement of the sign and this will also be reviewed by the ARB and invite the Board to look at the building now and you can see where the letters were removed, and I wish I had control of the building elevations, but the sign went under the gabled end and that comes down to and has these little reverse gables on either end as the pitch goes down and the end of the pitch. The existing sign and goose neck fixtures line up with the returns and it was, at the time, and I think the applicant realizing they fit the sign and lettering even though they needed a variance, they fit it into the architecture as it relates to the reverse gables that return at the end of the pitch of the roof. Now the proposal doesn't take that in to consideration at all. There are other features incorporated into that building, I think they should look at that as it relates to what exists on site. There's elements related to the stucco, there are vertical and horizontal lines; does the Board want to go back to the original concept and keep it in that area below the reverse gables, it looks like a sign board without a sign board and it took into consideration the design of the returns. The second question is, vertical and horizontal lines that have been placed that line and the sign board does not take those into consideration either. How will the sign fit in to the architecture of the building.

Mr. Neubauer said the latest plan is date stamped January 21, 2021. I don't have a problem with that sign. And they have the ARB to approve it. He'd like to discuss the temporary signs at other stores, trailers and banners; that's not something we're used to in this Village. I go to the Center Moriches and Sayville store and they have trailers with banners, and banners hanging off of the buildings.

Mr. Collins said those types of signs are prohibited under the Sign Code.

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Mr. Reim said he figured that; they will make sure there's no banners and no trailers with the Lidl sign.

Mr. Gilmartin said we will comply with the sign code and this is a vocal property in the Village so we won't be able to get away with anything; but we will comply.

14. 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.

Status: **HELDOVER UNTIL January 28, 2021**

ARB: **NEEDED**

BOT: **N/A**

SEQRA: **N/A**

SCDHS: **N/A**

SCDPW: **N/A**

SCPC: **N/A**

15. 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 January 28, 2021**

ARB: **NEEDED**

BOT: **N/A**

SEQRA: **N/A**

SCDHS: **N/A**

SCDPW: **N/A**

SCPC: **N/A**

16. 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.

Hermon J. Bishop, Esq., appeared on behalf of the application, together with Frank Lombardo, Architect. Mr. Bishop believes it is all complete, and would request to close the hearing for a determination at the next meeting.

Mr. Hill said he is okay with the plan.

Mr. Collins said he is okay with the plan.

Mr. Hammond said he is okay with the plan.

Mr. Reilly said okay.

NEW APPLICATIONS:

17. Firestar Holdings LLC, 14 Rogers Avenue (905-006-02-017) Applicant requests minor subdivision approval to subdivide a 35,250 square feet lot, improved with a single-family dwelling, into two lots of 18,090 & 17,157 square feet in the R-4 zoning district.

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FILL APPLICATIONS:

18. John Keogh, 29 Fisk Ave (905-009-02-032) Applicant requests site plan approval to place fill within the flood plain for a sanitary system enclosure and site regrading in association with redevelopment of a single-family dwelling property upon a 2.05-acre parcel in the R-1 zoning district.

John Hamilton appeared on behalf of the application.a

19. 30 Jessup LLC, 30 Jessup Lane (905-010-07-003.02) Applicant requests site plan review to install fill within the floodplain in conjunction with elevation of the existing single-family dwelling and engineering drainage upon a 1.1-acre parcel in the R-1 zoning district.

20. 516 Dune Road LLC, 516 Dune Road (905-016-01-009.01) Applicant requests site plan review to install fill within the floodplain in conjunction with a sanitary system installation for single-family dwelling development located upon a 19,839 square feet parcel in the R-3 zoning district.