

February 11, 2021

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on February 11, 2021 at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: Ralph Neubauer, Acting Chairman  
Jack Lawrence Jones  
Michael Schermeyer  
Rocco LogoZZo

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

**DECISION:**

**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., asked if they can at least file a building permit to start the review?

Mr. Neubauer said yes, we would appreciate if you did that to address any issues that need to be addressed, and we will render a determination on February 25, 2021.

Mr. Bishop asked if they can file for a demolition permit?

Mr. Neubauer said they have no objection whatsoever for that.

Mr. Bishop thanked the Board.

**HOLDOVERS:**

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**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 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 March 11, 2021*

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

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

**SCDPW:** *N/A*  
**SCPC:** **NEEDED**

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**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 February 11, 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.

Bailey Larken, Esq., said they received an approval from the Board of Health and submitted that to our offices.

Mr. Hammond said there was conversation about prohibiting further subdivision, and I don't know if we received a definitive stance on that.

Mr. Neubauer asked if there as an objection to that condition?

Ms. Larken said she will have to confer with her client; and lot 2 is oversized so she will have to discuss that ] with her client. Lot 1 is larger than conforming, and Lot 2 is 150,000 square feet so its significantly oversized and she has to talk to her client.

Mr. Neubauer said okay. We will hold this over to February 25, 2021.

Motion was made by Mr. Logozzo to holdover the application of **Laurence Verbeke, 167 Oneck Lane (905-9-1-19)** to February 25, 2021; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

**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.

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Mr. Pasca asked Ms. Mackie if she filed everything today?

Ms. Mackie said yes, and everything will be posted to the website tomorrow.

Mr. Pasca said we have to set a public hearing, no less than 15 days from today and no more than 60 days from today. March 25, 2021 would make the most sense and it could be pushed to April 8, 2021. But the next step is to set the public hearing date.

Mr. Collins said it has to be in the paper prior to 14 days to be in the paper.

Frank Isler, Esq., attorney for the applicant said they request the March 25, 2021 meeting.

Mr. Pasca said you are setting a public hearing and it is a joint public hearing on the DEIS and on the application.

Motion was made by Mr. Neubauer to set the public hearing date of March 25, 2021, and the DEIS; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

**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.

Ms. Mackie said the applicant has submitted a holdover request to February 25, 2021 as they are still working with the Board of Health.

Motion was made by Mr. Logozzo to holdover the application of Prime Storage, 98 Depot Road (905-2-119.10) to February 25, 2021; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

**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, &

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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.

Ms. Mackie said they submitted the drainage and grading plan, and asked if Mr. Hill had any questions.

Mr. Hammond said they are still before the Board of Health.

Mr. Hill asked if the plans were sent with a SWPPP plan?

Ms. Mackie said February 9, 2021 she gave a grading and drainage plan.

Mr. Hill said they are part of their SWPPP plan not the Planning Board, we're waiting on the Board of Health now.

**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.

Ms. Mackie said they are still working on their site plan.

Motion was made by Mr. Logozzo to holdover the application of **55 Old Riverhead Road LLC, 55 & 59 Old Riverhead Rd (905-004-01-007, -009.02 & -009.03)** to February 25, 2021; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

**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***

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*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 February 25, 2021**

**ZBA:** **NEEDED**

**ARB:** **NEEDED**

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

**NEEDED**

**N/A**

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

**SCDHS:** **NEEDED**

**SCDPW:**

**SCPC:**

**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.

Motion was made by Mr. Logozzo to holdover the application of **Lidl Westhampton, 70 Sunset Avenue (905-012-04-020.01)** to February 25, 2021; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

**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 16seat restaurant located upon a 3,610 SF parcel in the B-1 zoning district.

David Hersh, Flora Restaurant appeared on behalf of the application. He submitted an application for the vestibule in front of the restaurant.

Mr. Neubauer asked if that's the one that's constructed?

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Mr. Hersh said yes, it will be coming down at the end of March and stored away for the Summer. It's to keep the cold air from coming in the restaurant.

Mr. Neubauer said normally we get approvals for things before we construct them.

Mr. Hersh said he apologizes and won't let it happen again.

Mr. Jones asked if he has to apply yearly to construct this?

Mr. Hammond said no, for this, its two-fold and its comfort and energy savings for a restaurant it doesn't add to the sanitary density or capacity its really comfort and energy; it was constructed without a permit but you can structure the approval in such a way that its erected yearly if you wish to have it that way.

Mr. Neubauer asked if there were any objections?

Mr. Jones said it doesn't look bad, the color doesn't match the building but its translucent with the clear panels on the side and the door.

Mr. Logozzo said he had no comments, just the same that it was constructed with no permits.

Mr. Schermeyer had no issues.

**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.

Motion was made by Mr. Logos to holdover the application of **PGJG Holding Corp, 214 & 238 Montauk Highway (905-006-02-031 & -032.01)** to February 25, 2021; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

#### **NEW APPLICATIONS:**

**16. 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.

**17. Beechwood Westhampton LLC, 44 & 60 Depot Rd (905-004-01-014.06 & -013.01)** Applicant requests preliminary subdivision approval to subdivide 13.06-acre assemblage of parcels, into twentytwo (22) single-family lots with associated road, drainage and utility improvements in the R-2 zoning district.

Vincent Pazulli, Esq., appeared on behalf of the application together with Eric Jeter, Hayduk Engineering, Chic Voorhis of Nelson Pope and Vorhees. The premise is known as the Holistic Tennis Academy on Depot Road on two (2) lots. The applicant is an entity of the Beechwood Organization in Jericho and the contract vendee, The property is 13.06 acres and predominantly zoned R2 with a small strip of B2 Zoning at the frontage on Old Riverhead Road. It has all street frontage on Old Riverhead Road and Depot Road and

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surrounded by residential and commercial on the Easterly side. The adjacent property to the North is MF and vacant land zoned HD. The adjacent to the South is MF known as Patio Villas; the property along the Westerly side is in the Town of Southampton and single-family homes. The applicant is proposing to subdivide this property into 22 fully conforming lots, based on the yield map of 23 lots. Each will meet or exceed the 20,000 square foot minimum lot area and no variances are requested. All on site drainage will be self-contained.

Michael Dubb, Beechwood Organization. He lives on Stacy Drive and he has developed 70 communities around Long Island and this application is close to home to him and there is a genesis to how this came about. I am a pretty active tennis player and I play at the tennis clubs on Depot Road. The property owner indicated a few years ago that his ability to operate the club was nearing the end and he viewed the tennis club and land as his retirement policy. We are active in the area in Southampton, we did Bishops Pond where we converted a blight on the community, and we are redeveloping the Village Latch Hotel in to 20 units; and a little further West I have done work in Manorville and Exit 63 on the Long Island Expressway. The property owner wanted the land developed and he saw the rezoning to the North and South over the years and thought condominiums would be nice, and we did prepare an application to ask for a rezone for this property to develop condominiums and I was then lead to believe that the Village was not in favor of that so I consulted with the land owner and said I thought it would be best to put an as of right application to the Board. It's not to develop it for the sake of that and we all live here and we watch real estate particularly post COVID and what we envision in this area building homes that are not as massive and big as some of the homes South of Montauk and are in a price point acceptable to todays standards would serve the Village well and I think we can accomplish that and make a nice contribution to the Village and the community. One of the things that we do, and again I realize the existing is there and we ask for community input. I will meet with everyone, and explain this and obviously we value everyone's input and unless anyone has anything to ask now or wait until we are further on I will give it back to my attorney.

Chic Voorhis, Nelson Pope Voorhis appeared and said he is a certified environmental professional and planner and practicing for 43 years on Long Island. I am familiar with the location, and observations and the site is suited and completely consistent with the R2 Zoning and it fits with the character and land use of the area as envisioned by the Village pursuant to Zoning it does not require variances and the number of lots is 22 which is less than the yield of 23 lots. The site is surrounding by a mix of uses and that includes MF and singlefamily homes, and commercial uses on the East side of Old Riverhead Road. This is compatible with the surrounding communities. From an environmental perspective there are no constraints and it's little in terms of natural resources. It's a flat site and no issues regarding topography and land forms and erosion can be managed readily. The soils one site and sandy and the depth to ground water is over 25'. Sanitary and drainage will function properly; there's no wetlands on or near it and there's no flood prone areas near it. It's within Ground Water Management Zone 3 designated by the Health Department and will conform with HD density requirements through a sanitary credit. They will use IAE Wastewater systems and reduce nitrogen 65 milligrams per liter down to less than 19 milligrams per liter. Our engineer will discuss site access, transportation and traffic issues. From SEQRA they submitted an EAF and based on the Village Code Chapter 81, it's designated as an unlisted action and the Village may want to coordinate the review with involved agencies but it is optional. Our project team will look to address an environmental issue in the review process and if there's no significant impacts than a Negative Declaration would be appropriate. I have worked with Beechwood Homes for many years and they will complete a project that's beneficial to this Village. The project to serve housing needs in this community and we look forward to the review.

Stephen Hayduck, and Eric Jeter, Hayduck Engineering. Mr. Hayduck said he is an Engineer and practicing in Suffolk County for 45 years. This application is straight forward in my view, and the existing use of this property as a tennis club has a gravel driveway from Old Riverhead Road to Depot Road and this project, 22



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lots are all conforming with the Code and standards of the Village and the County and would only have access off of Old Riverhead Road; we are not proposing access off of Depot Road. I mention the word traffic, in our preliminary analysis of that scenario it seems that the traffic and trip generation from the tennis club is significantly more than what would be generated by 22 single family homes. Storm water wise, the project is 25 feet above ground water and flat, all of the roads are designed within 50' right of way with catch basins and leaching pools and all storm water will be retained on site, and also to balance the earth work such that all existing native soils would be kept on site. Mr. Voorhis mentioned they are using the IA Systems, and they are voluntarily planning to use the IA Systems, and I presume you're familiar with that. And as of right, it is higher quality and used on single family lots.

Mr. Collins said we need a revised plan on the preferred plan, the table seems to outline the lot numbers and associated lot sizes and its missing Lot 13 and Lot 14.

Mr. Hayduck said that was a glitch and it was widely circulated within the Village so it was thought not to change it after it was submitted, but we can do so right away.

Mr. Hammond said that was brought to their attention last week and he didn't want to confuse the Board by submitting it so close to the meeting and they can now.

Eric Jeter, Hayduck Engineering said Lot 13 was 20,836 square feet; and Lot 14 is 21,723 square feet.

Mr. Collins said they are oversized. As it relates to planning, having the one-way access on to Old Riverhead Road which is the major arterial into the Village and experiences at peak times substantial traffic and by having one road loading all traffic associated, it is not substantial or significant given the existing level of service, how wise is it to have one access; we try to get as much off of Old Riverhead Road as quick as possible. In terms of subdivision design, we try to create connectivity not cul de sacs. There are two destinations for traffic on the end of Depot Road, the self storage and the train station and everyone traveling from the homes on this site can go to those locations would have to go back on to Old riverhead Road and go through an intersection and back up to Depot Road; where if designed with a complete network of streets that would be eliminated and we would not clog up Old Riverhead Road. The length of those cul de sacs are excessive so my primary concern is the lack of road network connection associated with the current proposed design.

Mr. Hill said traffic is somewhat of an issue, and its not a big subdivision but I would like to have a comparison of the existing trips generated by the current use with what you're adding and I think right now the access is primarily from Depot and you are proposing it on CR 31. I agree with Mr. Collins that there is a need for networking between the two roads and under the Access Management Principles you take the access from the lower volume road and minimize the access to a primary road which reduces accidents and signalized access on Depot Road, and that has to be looked at by the applicant. We may not need a capacity study but I think there should be a look at the access and why it should be there.

Mr. Collins said we should have an alternative design, and I would like to follow up on Mr. Voorhis reference to SEQRA and coordination is voluntary; I recommend that it is a coordinated review given that Old Riverhead Road is a County Road and given that we are discussing traffic and curb cuts we should get input from the County. I recommend to the Board to commence coordination pursuant to SEQRA tonight.

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Mr. Pizzuli said he agrees with Mr. Collins. They will prepare a traffic report to do the comparative assessments, and we would be willing to scope that out with the Village and we did not want to be presumptive, we wanted to hear everyone's comments, and we will do the alternative designs as necessary.

Mr. Hill and Mr. Collins were in agreement with Mr. Pizzuli.

Mr. Hammond said there are two cul de sacs proposed and I don't think they meet the diameter per State Code and I think it's important for the yield map that they are conforming cul de sacs. The diameter is 96' and I think back to the referral if there's access to Depot Road it is sent to the Town of Southampton to review as well because the town jurisdiction is in the middle of Depot Road; and the County for Old Riverhead Road.

Mr. Pizzuli said he did not understand Mr. Hammond. Is Depot Road a town road or Village road?

Mr. Hammond said they meet down the middle of Depot, down the middle of Depot Road it is split the West side of Depot Road is Southampton Town and the East side is the Village of Westhampton Beach. The Town has been maintaining that road, I don't know about enforcement.

Mr. Pizzuli said okay. He asked if the Board had any other questions.

Mira Nabi, 6 Brittany Lane. She has lived here 24 years and has watched the community grow. I have two concerns the first is the traffic on Depot Road and from my point of view I object and I don't think it's a good idea. The Summer there is a lot of traffic and more than in the Winter and I have watched the traffic increase from the rail road station and it's more crowded. If you take 22 homes and multiply it by two there will be a minimum of 44 cars and they'll go in and out of Depot Road versus Old Riverhead Road. There will be more traffic and more confusion. I would appreciate it just from Old Riverhead Road. The second thing I wondered, was will there be a community pool or will they have their own swimming pools at their home.

Mr. Pizzuli said she is correct, and homeowners could prefer to have private pools in the rear yard and we would not be responsible for swimming pools and they would encourage them to comply with the setbacks and there is a variance process but we don't own that at this point, it's an unknown. I did speak with Ms. Nabi and I was honest with her, I can't predict whether or not someone will have a pool in their backyard.

Ms. Nabi asked about the situation on Depot Road, how will that work out?

Mr. Pizzuli said we are going to regroup after hearing from everyone and reassess and analyze. I think Old Riverhead Road is best, and you create a through route and you create an invitation to cut through and that will do two things, it will adversely impact the Village residents and the Depot Road residents but that's a circumstance we are going to discuss and consider and it will be part of our traffic proposal.

Ms. Nabi said now that you mentioned it and brought up the cut through people will want to avoid Montauk Highway and you will have people cutting through.

Beverly Daniel, 35 Brittany Lane, said she'd like to bring up three items; the corner of Depot Road and Montauk Highway is a school crossing and there is a police man crossing children and one reason alone it is bad to put any more traffic on Depot Road. The traffic where there is a complaint on Old Riverhead Road it has been excessive because of COVID and all of the residents of NYC will be going back, as far as the cut through I have been a member of the tennis club and I happen to say, because I'm a member I feel entitled to take that through Old Riverhead Road and many other people have done the same, so there guests will be cut

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through people who come to Patio Villas and there are 4 cars a day that turn around in the Patio Villas. And people cut through our complex for 25 years and not adhering our sign that says no through traffic. And the light on the corner of Depot Road allows three cars to go through the light and it backs up to the train station so this should be considered whether the traffic study identifies with them or not. There was a complex built on the other side of Patio Villa with affordable housing or something and the way that was built, I don't think there's a foot of difference between the people on that side and those units, you can look from the back yard and into the back window of the units. Will that happen here? How much square footage will there be from the back of the house to the patio villas and which will they face, are they on two sides, one side, the left side or the right side. I would like to know all of those items because the residents on the tennis court can hear every sound made at the tennis club and because I was a member it didn't bother me.

Mr. Hammond said if anyone is living local there and has questions about the layouts this is a single-family application, so the lots will be conforming to zoning required under the law and they don't intend to go for variances. If you have questions about the house locations, accessory structures, etc. and you can discuss the same with me.

Ms. Daniel said what happened to the other community?

Mr. Hammond said it's a different application and different zoning district. It's a different application, it's MF and this is single family homes. Those setbacks are a different application and different zoning requirements and I don't want to talk about it during this because it doesn't pertain to this.

Anne Smalley, 27 Brittany Lane. I am concerned and have been for a number of years about many things with the traffic on Depot Road especially during the Summer by train; and the line of cars waiting to get through the traffic light on Montauk Highway the light goes on and on and the light is very long for Depot Road. I walk up and down Depot Road every day and I am concerned about the police enforcement of speed and I think part of the problem is that its split between the Town of Southampton and the East is in the Village and neither department enforce speed. The speed at which vehicles go up and down Depot Road is beyond the speed limit and this large bus that goes up and down numerous times a day that serves the train stations needs. Also when Amazon comes in at the airport, when you talk about cut through I imagine Amazon drivers will be smart about cut throughs and then see an opportunity to bypass the light and cut through this development and get on to Depot Road and go from there. And there's another development North of Patio Villas and I wonder about their access.

Mr. Dubb said he appreciates the neighbors input and I have lived some of things they are discussing and I want to emphasize we are about cooperation; I will give the Village what they want in the way of access; having said that I think the point made is well taken. The reality from when I play tennis on Sunday morning at the bubble, there's 18 tennis courts and on Sunday and Saturday every court is full; that's 72 or 76 people that come and go at a set time and there's two shifts, so if you leave in that shift and the train happens to come in on Depot Road you also have traffic and you can sit at that light. So this is in the interest of true confession, what have I done when I see the traffic, I cut through the tennis club, we all do it and we know its there and it's the only cut through. Having said that I will have the pleasure of paying my consultants to tel us what we know, and now you put the tennis club into the mix and I believe there are 14 courts and the same situation; the highest traffic periods are in the mornings and this will be subtracting from that situation. But I am going to let my professionals lay all that out. Comments about what will be in my backyard, you have to understand that there are setbacks and a landscape plan and substantial landscaping and a buffer and fencing and swimming pools can't be put up against someone's backyard and based on the lot size the pools can't be too large. I understand these concerns and I want to work with everyone to address them, I'm happy to answer any more questions.

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Rose Lowe, 51 Brittany Lane. I don't back up to the tennis club and she's active in the Patio Villas HOA and we appreciate the information given to us. I certainly support Ms. Smalley and Ms. Daniels statement regarding the use of Depot Road. One concern of Patio Villas and I am sure it will concern your landscape architects and traffic is the site lines going in and out with an entrance and exit on Depot Road; we have enough problems making our community safe, we have stop signs and when you exit on to Depot Road you can't see; this has been a subject we have addressed with the Village at different times and I would have much wider site lines on either side. That has to do with the driveway size. I do believe for clarity purposes, we are monitored by the WHB Village Police and whether or not they give out tickets on Depot Road I don't know, the traffic light on the corner of Depot Road and Montauk Highway is maintained by the County and there have been continual complaints about the duration of that light and it was originally put on a long timer to accommodate the school. It's not a Summer problem regarding Depot Road and people exiting from Depot Road and the school busses, we have crossing guards in the morning and afternoon and we have many many other issues and I think Mr. Collins can speak to us, and speak to our HOA Manager we would like to coordinate with it, all of the issues that seem to be in regard to traffic. I do think that its very important that we ask the Developer be in contact with our managing agent, and we're managed by Morley Property Management and any Board Member and the input of our community is very important and we keep the lines open.

Raina Schlachter, 35 Depot Road. She is the first person to speak from a single-family home not a MF home. I would echo all of the comments regarding the traffic. I have three young children and we use our front yard as well as our backyard, and we are fearful of the traffic. The idea of one entry and lessening the amount of traffic on Depot Road is a huge concern of mine. Another question along with that is how they will look in the back and I heard there will be fencing, and that is quite good in my opinion. My only question is that its half an acre and I do know that the words affordable housing came up, and the size of the houses and the pricing you'd hope to sell them for and when you plan to break ground because everyone does construction and it's good to know in advance and recognize that.

Mr. Pizzuli said under the Law the Long Island Workforce Housing Act 10% of the project yield is required to be affordable if you're proposing at maximum density and Mr. Dubb is not proposing maximum density, he's only proposing 22 lots which means they are not subject to that and we're not planning on having any affordable housing.

Ms. Schlachter said she appreciates that. Do you have any sort of figures that you have been throwing around as to sizes and prices?

Mr. Pizzuli said I don't and the applicant may be able to share that.

Mr. Dubb said he envision houses ranging from low 2,000 square feet up to 4,000 square feet for the largest, and don't hold me to it I would think the prices will start in the high \$800,000.00 and a maybe a million and a half possibly a little more, and that's based on today's market where we are today. Because of COVID everything is changing, and it's driving the demand and that's driving the prices and that's kind of my vision. I'm not looking to do massive homes, that's not what we're looking to do.

Richard Germinder and Leann Germinder, 64 Depot Road. I chimed in the last time we had this presentation and I thank you for revisiting this, and I want to thank the applicant for revisiting this and being within the building code, we are on 1 of 1. As far as the cut through we are against that, and one access off Old Riverhead Road works for us and are they going to be spec homes or build outs and how will you do that, one

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at a time or all of the development in one shot. How many trees will you leave, we live in the woods and we won't after this so that's big to us. Will you clear cut or leave it open? The planes that fly over us, you don't know about that but you will if you want to jump in and help us stop the over head planes we'd love to have you involved in that. Those are the things that we are up against right now.

Mr. Dubb said he knows about the planes and in terms of the trees I was in the landscaping business and I don't want to make any representations without having the plans in front of me with elevations and clearing limits, but you have my word to the best of my ability I will save as many trees as I can. As I stated, our preference was always to enter off of Old Riverhead Road and one thing about Old Riverhead Road you look at the different ways into the Village, you can get in from the East and West of Montauk Highway or Dune Road; and as you enter through those points its okay and as you drive down Old Riverhead Road it's not great, there's retail on the East and you have various uses on the West side and in my opinion the nicest thing on Old Riverhead Road is the landscaping in front of the North project, Timber Ridge but this would give us the opportunity to make a statement and do something nice there. I want everyone to know that's how we feel about it.

Sarah Williams, 2 Brittany Lane. I have lived at Patio Villas for 3-4 years and I purchased this unit because there was a woodsy lot between my unit and the tennis club and I have a sense of privacy, being away from it all and there's trees seen from all floors. I have been bothered by tennis noise which is seasonal and only certain times of the day. I would raise concern about the size of the houses, can they see over a fence, will I see the houses because now I see none which I like and I'm concerned about the setback and would like to know how to comment, it just won't be quiet it seems to me my quality of life will be negatively impacted by this. And I have the traffic concerns that were discussed. I am concerned about noise, privacy and the buffer.

Mr. Hammond said he's the Building Inspector for the Village; I administer and review the permits and plans. The setbacks again, what's proposed is a single-family subdivision so there's 22 single family lots that would be conforming to the R2 Zoning District and I said earlier you may contact me to discuss the lot coverages and the setbacks, and in regards to what's built. The R2 Zoning is in effect and what they are proposing is as of right, and even if he built the house himself it will be single family.

Mr. Pizzulli said under R2 Zoning there is a 50' minimum rear yard setback to the house and they are sensitive to buffers and landscape areas and they are proposing landscaping to screen the property line and he believes there's a fence there already. But there is a 50' rear yard setback that we have to observe in terms of getting a subdivision approval, a future homeowner would have to observe that and they'd have to seek a variance and you'd be noticed at that time. And the only other thing I would mention, there is nothing preventing patio villas from filling in their landscaping. It is as of right we aren't requesting anything we are not entitled to by Code, but having said that the applicant is very sensitive to these criticisms and he tries to address them to the best possible extent.

Mr. Dubb agreed with Mr. Pizzuli. There are setbacks and they are meant to be modest nice single family homes, not some of the homes you see on Dune Road or further South.

Ms. Williams said they will be looking at rooflines.

Mr. Dubb said they aren't that far yet, he hasn't decided whether they are one story or two story that will be up to the buyer. Another resident mentioned Morley Management and we reached out to them to speak with the HOA at Patio Villas for their input.

Ms. Williams asked what the best way to register their concerns?

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Mr. Dubb said he can't tell you and this is a public format and the town takes in to consideration the concerns.

Mr. Pizzuli said this is not critical to the review of the subdivision application.

Mr. Hammond said he's the building inspector and you can contact his office about the zoning requirements. This is an as of right development and a property owner can clear their yard once it sold and they are subject to the Code and Zoning, but if you'd like to discuss the setbacks I will be happy to discuss that.

Ms. Smalley said she wants to mention cars; 22 cars to 22 homes and that's unrealistic. I imagine maybe 2.5 to 3 cars per home. It would be more than 1 car per home, and taking short cuts and cut throughs and train station pick up and drop off will also add to the traffic coming in and out of the applicant's development.

Mr. Pizzuli said this is a very pleasant public hearing and he appreciates the input and everything will come together. I don't want to rehash anything and everyone's been very patient, but I want the Board to know going forward that we will take this all seriously. We will do a traffic assessment report and work on that with the Village so we have an agreed upon statement and analyze the traffic and come to a conclusion. We will meet with the Patio Villas HOA and collectively gather their input and comments, and Mr. Dubb will address their concerns to the best of his ability and endeavor to make as many people happy as we can.

Mr. Dubb said this is unusual because all the communities I develop I never have where I live and I have lived here 25 years and I'm excited over the direction of the Town and seeing great things, and I think it's on the upswing and I respect the PB job and ZBA in quality control and I only want to make a positive contribution to the town.

Mr. Pizzulli asked the next step?

Mr. Collins asked if we should pass a resolution to commence coordination?

Mr. Pasca said yes, we should. The only coordinated agencies are Health Department and Suffolk County DPW and Suffolk County Planning Commission.

Mr. Collins said yes.

Ms. Mackie asked if the Town has to be notified under SEQRA?

Mr. Collins said not under SEQRA, only the referral.

Ms. Mackie said okay.

Mr. Hammond asked if they want the applicant to explore alternatives?

Mr. Pizzulli said I would like to drill down on the traffic issues and questions before we look at alternatives. But I would like to get a firmer handle on the traffic and not get into a cycle of alternative designs that aren't necessary. Is that fair?

Mr. Collins said I would recommend an alternative design at this point, that's the intent of the process of a preliminary review.

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Mr. Pizzuli said I don't mean to be argumentative, there will not be many fans of access on Depot Road and I would like to do the homework first before we actually spend the time, resources and commitment to redesign the plan.

Mr. Hammond said you should look at access from Old Riverhead and Depot Road.

Mr. Hill said he suggests they speak to the County first about the Old Riverhead Road access.

Mr. Collins said its up to the Board whether they want to see alternative layouts.

Mr. Pizzuli said okay. SEQRA coordination will commence, when will your convenience for the purposes of discussing this?

Mr. Pasca said some of that is up to you, we meet two times per month; it's up to you how long you'd like to adjourn for. Our preference when the public is involved, we like to tell them in advance whether it will be on for that meeting and I think we would prefer if you're not going to be ready to talk more at the next meeting to tell us now so we can tell the public.

Mr. Pizzulli said he thinks the next time they should get together; they will need a few weeks at least to prepare the traffic statement and reach out to the County DPW, I don't want to guess. Can we leave it open?

Mr. Pasca said you should plan to return the first meeting in March to give us an update; the way the coordinated review works lets assume they adopt the resolution to start the process we have to send out the notices and the Board would then invite itself to be the Lead Agency and find out if there's objection and that takes time, but we can have a status update maybe in the first meeting in March?

Mr. Pizzuli said he agrees with that.

Mr. Pasca said the second meeting in March, if you heard earlier, we set a public hearing on an EIS on a separate development.

Mr. Pizzuli said okay.

Mr. Hammond said they will have to go out tomorrow.

Mr. Hill said Mr. Voorhis should speak with me about the traffic.

Mr. Voorhis said Steve Hayduck and his group will work on that.

We do need a resolution to commence SEQRA.

Motion was made by Mr. Logos to commence the SEQRA lead agency; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

Motion was made by Mr. Logozzo to holdover the application of **Beechwood Westhampton LLC, 44 & 60 Depot Rd (905-004-01-014.06 & -013.01)** to March 11, 2021; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

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**FILL APPLICATIONS:**

**18. 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.

**19 516 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.

Motion was made by Mr. Schermeyer to adjourn the public hearing at **6:45 p.m.**; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 0 absent.