

May 27, 2021

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on May 27, 2021, at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: David Reilly, Chairman
Ralph Neubauer
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

DECISION:

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.

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 June 10, 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 Comisso, (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 June 10, 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 June 10, 2021*
ZBA: *GRANTED, 12/20/2018*

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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 June 24, 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. **Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07).** Applicant seeks site plan approval to construct 52 dwelling units in 13 Buildings (11 townhouse groupings, 2 two-family dwellings) with private community center, pool & tennis court for multifamily development with on-site sewage treatment plant in two development phases

Status: HELDOVER UNTIL June 10, 2021

*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
Draft DEIS Adopted by the Board, January 28, 2021 – Adequate for Public Review and Comment*

ZBA: Undetermined
ARB: **NEEDED**

SEQRA: POSITIVE DECLARATION ISSUED, 1/9/2020; PLANNING BOARD LEAD
AGENT; Draft DEIS Adopted on July 23, 2020; Public Hearing Held on March 25, 2021

SCDHS: **NEEDED**

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

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

6. **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 June 10, 2021

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

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

SCDPW: N/A

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SCPC: *Received SCPC, 2/14/2020 – No objection*

7. 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 May 27, 2021*

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*

SCDHS: **NEEDED**

SCDPW: N/A

SCPC: *Received SCPC No objection;*

8. 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 May 27, 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**

9. 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 twenty-two (22) single-family lots with associated road, drainage and utility improvements in the R-2 zoning district.

Status: *HELDOVER UNTIL June 24, 2021*

ARB: **NEEDED**

ZBA: **N/A**

BOT: **N/A**

SEQRA: *May 13, 2021 Planning Board Lead Agency Accepted*

SCDHS: **NEEDED**

SCDPW: **N/A**

SCPC: **NEEDED**

10. 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., submitted a request to holdover the application to June 10, 2021.

Motion was made by Mr. Neubauer to holdover the application of **804F Realty, 112 Montauk Highway (905-004-02-014.01)** to June 10, 2021; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

11. 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.

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Status: **HELDOVER UNTIL June 24, 2021**

ARB: **NEEDED**

BOT: **N/A**

SEQRA: **N/A**

SCDHS: **N/A**

SCDPW: **N/A**

SCPC: **N/A**

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

Mr. Haefeli appeared on behalf of the application. He said they are awaiting on approval from the Board of Health, they submitted a revised plan with single access on Rogers Avenue and everything else complies. He'd like to be held over to August because he's waiting on Board of Health. He would like it held over to the second meeting in August.

Motion was made by Mr. Neubauer to holdover the application of **Firestar Holdings LLC, 14 Rogers Avenue (905-006-02-017)** to August 26, 2021; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

13. WHB Kitchen LLC for J & C Realty Corp, 161 Main Street (905-011-03-003.01)

Applicant seeks modification of site plan to install an outdoor patio & fences for restaurant seating, consisting of six (6) tables with four (4) chairs each for a total of 24 seats, upon a leased portion of a 29,111 SF parcel in the B-1 zoning district and as accessory to the 16-seat restaurant located on the adjacent parcel at 149 Main Street (905-011-03-001).

Status: **HELDOVER UNTIL June 10, 2021**

ARB: **N/A**

BOT: **N/A**

SEQRA: **Needed**

SCDHS: **Needed**

SCDPW: **N/A**

SCPC: **N/A**

14. North Fork Roasting Co, 65 Main Street Unit 6 (905-011.02-02-006) Applicant requests a waiver of site plan to install retractable awnings for a coffee shop upon a 0.59-acre parcel located at the southeast corner of Main Street & Mitchell Road in the B-1 zoning district

REFERRAL FROM BOARD OF TRUSTEES

15. Dapper & Darling Photography, LLC., 196-208 Montauk Highway (905-6-2-30)

Referral from the Board of Trustees for a Special Exception Application report and recommendation for Change of Use from office to photography studio.

Jennifer Jayne appeared on behalf of the application.

Mr. Reilly said the Board has looked at her proposal, and there doesn't seem to have any objection, and he knows they'd like to do interior work pending the approval from the Board of Trustees and they would be willing to authorize the Building Inspector to issue a permit to begin construction.

There were no comments or questions.

Ms. Mackie said the permit has been filed with our department, and we just need a referral back to the Trustees but we just need authorization to allow Mr. Hammond to issue a permit to construction a partition wall.

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Mr. Pasca said that's fine.

Motion was made by Mr. Neubauer to allow the building inspector to issue a building permit; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer to refer the application of **Dapper & Darling Photography, LLC., 196-208 Montauk Highway (905-6-2-30)** to the Trustees with no objection; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

FILL APPLICATION:

16. The Crampton Society LLC, 119 Dune Road (905-021-03-008) Applicant seeks site plan approval to install fill within the floodplain for a sanitary system and regrading in conjunction with rehabilitation of a single-family property on a 4.98-acre parcel located in the R-3 zoning district. Josh Rosensweig and Bill Barbara, APD Architects appeared on behalf of the application.

Mr. Hill said his comments were only on the SWPPP plan not the Fill application, I think we can approve this we're okay with the plan regarding the fill but the comments were on the paperwork of the SWPPP and that's done independently of the Board.

Mr. Rosensweig said we made sure there were copies filed in the building department and nothings been changed, and the SWPPP is in response to Mr. Hill's comments so we are compliant.

Mr. Hill said I haven't seen it, when did you submit it?

Ms. Mackie said we received it today, and I sent it to you.

Mr. Hill said he hasn't seen it, as far the fill that's fine and I can work out the SWPPP with Mr. Hammond.

Mr. Hammond said the condition of approval can be the SWPPP being approved with the Engineer.

Mr. Reilly said okay, we will issue a determination at the next meeting.

Motion was made by Mr. Neubauer to holdover the application of Crampton Society, 119 Dune Road, for determination; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

18. Joan Magleby, 404 Dune Road (905-017-03-051) Applicant seeks site plan approval to install fill within the floodplain for a sanitary system enclosure in conjunction with an addition to a single-family dwelling on a 10,695 SF parcel located in the R-5 zoning district.

Diane Herold, Architect appeared on behalf of the application.

Mr. Hill said he's not happy with the four perpendicular parking spaces backing out on to Dune Road, they can't move the sanitary wall. I don't have comments from a fill perspective, I just don't like the parking arrangement and wonder if we can reduce it to two (2) spaces and whether they need four (4).

Mr. Hammond said the properties are stacked in this area and this lot is decent but the configuration of the sanitary enclosure doesn't give them much of an option. We asked them to look at the redesign and I think that's what they came back with that they can't, and I don't know what else they can do.

Mr. Hill said as far as drainage, what we're supposed to look at this is more of an issue of parking which isn't a part of fill and I don't like it but we can't do much with it.

Mr. Neubauer asked if its impervious?

Mr. Hill said yes, but it's four perpendicular spaces and you back out on to Dune Road and there are properties further West that do that, but nothing to the East. Pond Point is just a very tight area.

Ms. Herold said she spoke with the owner about it, and they typically have two (2) cars and three parking spaces would be necessary because there are four (4) bedrooms and any guests can back in and

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there hasn't been a problem in the past when the cars are closer to the Bay and we did provide the Board of Health and DEC who will not allow them to put the sanitary closer to the Bay.

Mr. Hill said if you allow for three and leave sufficient room to get oriented, and if you put four cars in there it will be tight.

Ms. Herold said the client did say they could park by pulling in and turning perpendicular and back up and pull out forward. They did realize the parking is a concern.

Mr. Hill said we can go ahead and render a determination at the next meeting.

Motion was made by Mr. Neubauer to close the hearing of **Joan Magleby, 404 Dune Road (905-017-03-051)** for a determination; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer to adjourn the public hearing at **5:15 p.m.**; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.