

March 11, 2021

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on March 11, 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
Rocco Logozzo

Maeghan Mackie, Board Secretary

Brad Hammond, Building & Zoning Administrator

Ron Hill, Village Engineer
Kyle Collins, Village Planner

Anthony C. Pasca, Esq., Village Attorney

The meeting was called to order by Mr. Reilly; Mr. Reilly stated that if your application was on the agenda for tonight and there was nothing new to present, it would be held over to April 8, 2021 as the March 25, 2021 meeting was being held strictly for the application of Rogers Avenue. The Board went on to have a discussion about the Work Sessions and the requests that the Board has been receiving and that the Board would not like to have Work Sessions. Mr. Collins feels that requesting work sessions is beneficial to applicants and to the Village, and we could talk to the Trustees about adding a fee for the request, and it's to cover the costs for the Village Consultants and to know that applicants are serious about proceeding with applications. Mr. Reilly said in the past applicants came to Work Sessions and then had the Board and consultants design their projects, and it takes up several months and we want to see applications first. Mr. Collins said the Board can say that there are issues and give them one work session, and each one is a nominal fee and the Board doesn't have to continue reviewing applications through the Work Session process. Mr. Pasca said he's not in favor of having two member meetings, you get more criticism, it's a backroom meeting that's not public and there's an unfairness to that too where there are three out of five Members not participating and the public has no idea what's going on and someone could say a Member said at a private meeting it sets a bad tone for things to be done that way. You can direct people however you see fit, your idea of asking for advanced request and a reason which gives the Board discretion to say its not appropriate or it is or you can direct them to have a conceptual plan for review so they are not asking the Board to design it for them. You can limit it to one meeting unless you deem that it requires another, but after the work session they should be filing applications. Mr. Reilly said we have had applications where we work off of the site plan and people don't have to engineer the drawings initially. Mr. Collins said there are minimum requirements for formal applications to be reviewed. I agree, and they can't just submit a survey there has to be a conceptual plan. Mr. Reilly said they will continue discussing this topic going forward.

DECISION:

1. 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 Luis Rodriguez, Lidl and Kevin Reim, Bohler Engineering.

Mr. Reilly stated there was a motion on the application, and the reading was waived.

Motion was made by Mr. Neubauer to adopt the determination of **Lidl Westhampton, 70 Sunset Avenue (905-12-4-20.1)** as written; seconded by Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

HOLDOVERS:

2. 160 Montauk Highway, 160 Montauk Highway, (905-6-1-19) Westhampton Beach Applicant requests a Site Plan review to construct an addition to an existing Permitted Retail Beverage Store. The property is located in the B-2 Zoning District.

John J. Bennett, Esq., submitted a request to hold the application over to April 8, 2021.

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Motion was made by Mr. Neubauer to holdover the application of **160 Montauk Highway, 160 Montauk Highway, (905-6-1-19) Westhampton Beach** to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

3. 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.

Motion was made by Mr. Reilly to holdover the application of **Anthony J. Cassano, Jr., and Louis Commisso, (905-5-1-21) 30 Lilac Road** to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

4. 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.

Richard Haefeli, Esq., requested a holdover to May 13, 2021.

Motion was made by Mr. Neubauer to holdover the application of **Marios Nikolaidis, 36 Hazelwood Avenue (905-6-1-11.1)** to May 13, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

5. 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.

Motion was made by Mr. Neubauer to holdover the application of **85 & 105 Montauk LLC, 85, 105 Montauk Hwy & 105 Oak St, (905-005-01-012, -053.01 & -052.02).** to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

6. 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 Larkin, Esq., appeared on behalf of the application. She thought they were going to have a determination.

Mr. Neubauer thought they were going to agree to not subdivide it further.

Ms. Larkin said they were under the understanding it was the issue of the park fee.

Mr. Reilly said the issue was the subdivision Code issue, and he thought that was going to get ironed out.

Mr. Hammond said there was no further conversation since February 25, 2021 and the way they were subdivided and there is language in the previous decisions that prevent a further subdivision and I estimate this is creating the fourth lot but there's no covenants recorded. The question was raised, and the record did reflect it and I read it that this would make four lots out of the original land and nothing further.

Mr. Reilly asked if it's a Code issue?

Mr. Hammond said it was a prior subdivision from the 1960's or the 1970's.

Mr. Reilly said so we don't have an issue with the subdivision as its presented, the problem is we don't know what will happen if they try to further subdivide it.

Mr. Pasca said it's not relevant right now. Asking to someone to covenant that they will never subdivide it; if it's not subdividable and if they need variances they'd need to go through that and to ask someone to not subdivide and if you do promise not to, it gets you around the park fee and they are willing to pay the park fee and not make the promise and it keeps the door open for the applicant.

Mr. Reilly said it keeps it for future discussion.

Mr. Pasca said yes. And maybe in 50 years there's rezoning done and it can be subdividable, they are allowed to not covenant if they don't want to.

Mr. Collins asked what the yield of the property is as it stands now? How many more lots can it have? Even if you only want to do the two lots it can affect the layout of the subdivision application, and it was done a lot . You subdivide different layouts that prevent good planning. You only want to do two now, but a reasonable

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layout for a subdivision what would that be. It's a general concept and you are circumventing the ability to do a good subdivision layout if you don't look at the further potential.

Mr. Pasca said that's possible, and I'm not sure that's been questioned in this and I can see that in major subdivisions with roads, but no one has brought up any specific concern about that so to impose that if they aren't willing to do it themselves, I don't know what would justify that unless it's in the SEQRA determination. But I don't remember that coming up.

Mr. Collins said it's similar to other applications, but this is a one-acre zone and potentially this is three additional lots; what will the road access look like, those are good questions.

Mr. Hill said he'd like to see no more accesses if it's further subdivided.

Mr. Collins asked if there was an issue over the right of way?

Mr. Hill said yes.

Ms. Larkin said the front lot would take access off of the roadway, but the rear lot would retain the U-shape driveway and their only point of access would be the separate driveway so the road itself will have no further traffic.

Mr. Hill asked if the rear lot was the larger, so in the future all access would have to come off of that access point. And the discussion was the park fee or covenant no further subdivision and it was a decision for the applicant to make. If its further subdivided I don't want to see more access than what they're getting now.

Mr. Collins said that should be a condition to make future owners aware that it is the way in and out. I was not suggesting no further subdivision and if you're not going to take further review you don't know the impacts but that's a reasonable condition.

Mr. Pasca asked Mr. Hill if he could write that up and it would be appreciated and it can build the record why its necessary and if you think it's a mitigation condition its fair but it has to come to you.

Mr. Hill asked Mr. Pasca if he wants a letter or an email?

Mr. Pasca said an email will suffice.

Mr. Reilly asked about the park fee?

Mr. Pasca said it's a flat fee.

Motion was made by Mr. Neubauer to close the hearing of **Laurence Verbeke, 167 Oneck Lane, (905-009-01-019)**. for a determination; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

7. 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**
NOTICE OF PUBLIC HEARING SCHEDULED: MARCH 25, 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

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**

8. 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., requested to hold the application over to April 8, 2021.

Motion was made by Mr. Neubauer to holdover the application of Westhampton Inn, LLC., 43 Main Street (905-11-1-15) to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

9. 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.

Elise Farrugia, Galante Architecture submitted a request to hold over the application to April 8, 2021, they are waiting for approval from Suffolk County Department of Health Services.

Motion was made by Mr. Neubauer to holdover the application of **Prime Storage, 98 Depot Road (905-002-01-019.10)**. to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

10. 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 April 8, 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*

SCDHS: **NEEDED** *Applicant is before the Suffolk County Department of Health Services Board of Review.*

SCDPW: **NEEDED**
SCPC: *Received SCPC No objection;*

11. 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.

Heather Wright, Esq., submitted a request to holdover the application to April 8, 2021.

Motion was made by Mr. Neubauer to holdover the application of **55 Old Riverhead Road LLC, 55 & 59 Old Riverhead Rd (905-004-01-007, -009.02 & -009.03)** to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

REFERRAL FROM 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.

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.

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Ms. Rasmussen said they'd like to get a referral to the ARB and they sent the plans to them via email and they did receive the emails today asking for tweaks on parking and the lighting and landscape questions, and we're happy to start to discuss those but I'm hoping it doesn't prevent the Board from referring to the ARB.

Mr. Neubauer said you need to address in a concise and complete way Mr. Hill's comments, and we need to see a significant effort on the landscaping, we need to see the air vents moved. I think Mr. Hill's notes were concise and I agree with them.

Ms. Rasmussen said they would not prevent a review by the ARB. They are only responsible for the canopy and design.

Mr. Neubauer said they only provide a recommendation.

Mr. Reilly said we hold final approval of all esthetics. I will be perfectly honest, the coloring on the canopy and the pumps and signs doesn't match the design of the building its supposed to be on the same site with. I can't send it to the ARB because I don't know that we'd look at it.

Ms. Rasmussen asked what he means about the coloring not matching.

Mr. Reilly said the coloring on the canopy is bold, the building that houses the convenience doesn't match. The renderings aren't complete; they don't show the vacuum station, the air stations; the handicapped signs that are mounted on the building and there are aspects that are on the existing site plan not that which is proposed. It just seems we have bits and chunks; there is also a consensus that the vents have to be moved.

Ms. Rasmussen said the vents cannot be moved.

Mr. Reilly said you're going to tear up the site.

Ms. Rasmussen said they can't be moved.

Mr. Reilly said painting them green is not acceptable.

Ms. Rasmussen asked why the vents are an issue for the first time?

Mr. Logozzo said the vents can be moved.

Ms. Rasmussen said the Board needs to make a recommendation to the ARB. If we move them, it has nothing to do with the ARB.

Mr. Reilly said I am not comfortable sending you to the ARB.

Mr. Logozzo said I'm in favor of moving the vents, and I know you're entitled to certain signs of certain sizes and I'm not thrilled by the sign on the corner nor am I thrilled with the cartoon character colors. Those vents can be moved, and to say they can is ridiculously. You need to find a new place for them.

Ms. Rasmussen said I will let the Engineer speak to the vents.

Mr. Logozzo said they can be moved.

Ms. Rasmussen said the Valero colors are blue and yellow.

Mr. Logozzo said I know that, but that is not the proper color. I am not in favor of the colors.

Mr. Reilly said you can tone them down, and minimize them and they don't have to be 24" stripes going around them.

Mr. Collins said because they are franchise colors it doesn't mean the Board has to approve them. If you're going to say they are franchise color then you'd say they are part of the sign, then they'd exceed the sign area. The definition of the sign talks about graphic representation, and if you're going to say those are the franchise colors, then that would be included in a sign application.

Ms. Rasmussen asked if they're talking about the color on the canopy?

Mr. Collins said yes; and the design. There's no dimensional standards and the Board has to discuss the architectural style and before you send it to the ARB the Board has to be comfortable with the canopy and it sounds like they are not comfortable with the design of the canopy so it's premature.

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Ms. Rasmussen said in 2007 we wanted a raised roof and we were told it had to be flat, the massiveness of the canopy was always a concern and it fronting Montauk Highway and Old Riverhead Road and creating a pitch is much larger on the corner.

Mr. Collins said it would fit in with the character. You knew my position on the location, and my recommendation should be and it has to meet the height requirements and I forwarded other canopies that have been built on the East End that are more consistent and compatible with the style of the building itself. You've done a great job with the building, but on the gabled ends I would use the same details you are providing on the canopy. The band around it looks ridiculous and we don't have a dimensional plan it has to be at least 2' wide.

Ms. Rasmussen said a much more massive structure, financially it is not feasible. We're not going to create such a massive structure.

Mr. Reilly said if it's something we want, why is it not affordable.

Mr. Collins said if they can't afford it, maybe they shouldn't do it.

Ms. Rasmussen said it's massive compared to what we're proposing.

Mr. Reilly said I would prefer you not having faux gables on the plan; the bigger part of the problem is that the colors we've seen them you just have to go to your station on County Road 51 that jumps out at you and the franchise colors that they use for the Village of Westhampton Beach they are bold they jump out and they need to be more muted and minimized and the Valero things on top of the pumps are not necessary you need to tone it down. The other question is, the color the beige color seems to be the color of choice among every building on CR 31 and its monotonous and I don't like to dictate colors, I think we have to mix things up.

Ms. Rasmussen said the biggest hurdle is the canopy, if you're not considering the canopy that's not as large and large pitch, it's a nonstarter.

Mr. Reilly asked them to flatten the pitch.

Ms. Rasmussen said they don't care about color, and its not Cedar he will do whatever color you want; the Valero colors need to be there and I'm sure he'd be willing to tone down the canopy but the name has to have those colors. But they can't do that large pitched roof. If you look in the file you will see I presented those photos 13 years ago but its no longer an issue and they are not willing to do that now. If that's all you're willing to approve, we have a non-start issue.

Mr. Pasca said the applicant told the Trustees that they would do whatever aesthetic design the PB wanted in regard to the canopy, they just were not willing to do the angled location and that's on the record, and now I don't know why there's a line int eh sand when it comes to a pitch in the roof. Why is that an issue?

Ms. Rasmussen said doing small gables, or pitching certain areas they are wiling to do. But they were never willing to do this massive "A" Frame.

Mr. Pasca said it was brought up to the Trustees and the ZBA when they granted the variance, esthetically they were willing to do what the Village deemed appropriate regarding the canopy and now it's being changed; and they were not willing to angle the location.

Mr. Chase said I did say that; there seems to be a lot of hostility. I'm willing to take the colors off of the canopy and it seems like they are trying to block the application.

Mr. Reilly said do not go there, this Village has bent over backwards for you specifically, almost. So to say we're trying to block this is bull.

Mr. Pasca said we should summarize the recommendations that are being made to the applicant and let them make a decision as to what they are or are not willing to do and you can review it and their changes. I won't do the summary, but I think maybe Mr. Collins can point out the various items being suggested and I think that's fair to tell the applicant what your suggestions are.

Mr. Collins said at a minimum there should be an alternative, and the applicant and their representative have our photographs and I think High Point has probably designed some of the gas stations and they should provide an alternative. They keep saying its massive, but at least give the Board an opportunity to look at that and maybe they will agree with you but to get to Mr. Pasca's point, the ribbon around the canopy has no relationship to the building. The building and canopy should have compatibility and design and there's none, maybe the shingle colors that's it.

Ms. Rasmussen said that's why she was confused that the colors don't match.

Mr. Collins said it's the shingle colors.

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Ms. Rasmussen asked Mr. Tartaglia to speak to the venting.

Mr. Tartaglia said regard to the vents; the issue we have here is when the tanks go in the ground and someone commented that the site will be ripped up and we aren't ripping the concrete mat up. When the vents are installed and there is a pitch that's needed and the suggestion by Mr. Hill is to move them further away and that pitch might cause the pipes that have to come out the ground but we will look at it and we might have a physical impossibility but we will look at it and if we can move them we will; but if its impossible we can't. They have been there for many years, but I don't remember anyone complaining about them

Mr. Reilly said this was brought up at the last meeting, and I said to look at it and if there's a reason why tell us, but it has to be on the record.

Mr. Tartaglia said there is a middle ground, and I think we can increase it and we'll look at it and get a revised plan I just don't want the stalls scraping tires they are tight.

Mr. Hill said I was only looking at the one by the driveway not at the South end. I wasn't sure whether the tankers coming in and you should look at that. I didn't know if it would fit and I would like to see if it could try.

Mr. Reilly said the proposed site plan differs from what you're proposing.

Ms. Rasmussen asked if they want the air pumps moved?

Mr. Reilly said they need to be moved because where they are shown they can't be.

Ms. Rasmussen said we can consider other options.

Mr. Reilly said you can't have parking with the new layout.

Mr. Tartaglia said the current site plan has them on the East and the circulation would be difficult?

Mr. Reilly said if they are going to be moved, we need to see where they will be on the streetscape.

Mr. Tartaglia said you don't want them on the road, do you?

Mr. Hill said no, it's a Code problem because it's a buffer area.

Mr. Tartaglia said the air hose is a state mandate.

Mr. Hill said if you brought them to the building there's a dead corner. Can a car at the pump get by?

Mr. Tartaglia said if we put the air pump to the left of the trash enclosure, and the vacuum to the right that's a great idea. Also, esthetically its hidden.

Mr. Hill said as long as traffic can go by it.

Mr. Tartaglia said we will look at it.

Ms. Rasmussen asked if they'd consider a mocked pitch?

Mr. Reilly said I appreciate that, and if you pitch it its much higher than the building and Mr. Collins mentioned it and we don't know how it would look, but you have to give us that alternative so we can look at it.

Mr. Tartaglia said if the owner is okay, we will put together a different plan and send it to you.

Mr. Reilly said okay.

Ms. Rasmussen said changing the color of the façade, the shingling what colors are you thinking?

Mr. Reilly said I don't know, but it's every building on the road. I don't dislike the brown, if it was brown as a standalone.

Ms. Rasmussen said they mentioned the sign on the corner was too large.

Mr. Logozzo said the coloring on the site is bright, they are cartoon characters.

Ms. Rasmussen said the Valero wording would need it.

Mr. Logozzo said the appearance is bright, can't you tone it down.

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Mr. Reilly said minimize it, reduce the amount of it.

Ms. Rasmussen said her client would have to comment on that.

Mr. Logozzo said I don't want to feel like I'm on Jericho Turnpike.

Ms. Rasmussen said it's a franchise color you can't tell them what they can't use.

Mr. Collins said yes, you can.

Mr. Reilly said the size is a problem, and the bold colors stand out more against the muted background of the building and you can design it in a way where if you have to use the colors or maybe a muted version and minimize the number of colors it won't be so eye catching.

Mr. Chase said the building had the Valero colors on it, and it looks obnoxious and I don't disagree. We're willing to remove the colors from the canopy stripe, and I don't want to look like I'm drawing a line in the sand but every time something comes up.

Mr. Reilly said you have been getting bounced back and forth and now we're back to the esthetics and we have been discussing them for 6 months, and we're honing down hopefully the broad issues.

Mr. Chase asked if he takes the colors off of the canopy, where else is he muting the colors? There is not much I can do about the sign, but I will talk to Valero.

Mr. Reilly said if you take the extra colors off the sign won't seem so prominent.

Mr. Chase said I will speak to Valero to see what they will allow me to do. I can invert colors, and I will find out from them and I am willing to look at all of that.

Mr. Reilly said I appreciate what everyone is saying about the pitch of the roof and it may be too much but you have to show us an alternative.

Mr. Collins asked if there's a digital copy of the plans for the canopy.

Ms. Rasmussen said yes, I sent pdf.

Mr. Collins said the plans an elevations.

Ms. Rasmussen said yes. Everyone has digital and there's an original set for the Village office. Unless you want the full sets again, let me know.

Mr. Collins said no.

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

Ms. Rasmussen said she wants to make sure they are addressing all of the concerns that the Board has; we're going to consider the vents, we're going to move the vacuum and air, add the end cap; tone down the colors.

Mr. Neubauer said we need to see the landscaping beefed up.

Ms. Rasmussen said okay. There were also comments about lighting, are you okay with it?

Mr. Hill said I am okay with it, and I was going to ask Mr. Collins, it spills out on to the sidewalk and road.

Mr. Collins said they have to comply with the color and levels of illumination. There's a sidewalk that will help be illuminated and I don't have an issue with that.

Mr. Hill said he did not remember whether the canopy lights were included.

Mr. Tartaglia said the old lighting plan had the old layout and it has to be updated and one area light pole is being eliminated on the new plan and we can put that behind us.

Mr. Hill said the canopy lights need to be shown.

Mr. Tartaglia said yes.

Mr. Collins confirmed the kelvins are less than 3,000?

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Mr. Tartaglia said yes.

Ms. Rasmussen said they will make the sign smaller?

Mr. Reilly said you either make it smaller, and or take the extra color from the canopy and pumps it may not seem as much in context with everything else. Is the sign 7' off grade? There are sign codes that deal with that and I understand that, but to the extent we can minimize them so be it.

Ms. Rasmussen said I like the esthetic of the stone.

Mr. Reilly said it doesn't bother me in the least. I believe TD did something similar.

Ms. Rasmussen said there was a canopy rendering brick, are we okay with the materials proposed. The canopy is composed as composite cedar.

Mr. Collins asked what she's referring to, the hardie plank above the stone?

Ms. Rasmussen said yes.

Mr. Collins said that's fine.

Mr. Reilly said the colors by the tank and canopy are not tied in to that building they don't look like they being together and the only thing that matched up was the shingles.

Mr. Collins said he wants to see the design elements brought into the building. The band around the canopy and start your pitch there, and you did submit one time a canopy that had a Mobil sign on it with a pitch that's why I was asking if you had the dimensions and elevations that are actually proposed to see how they can be incorporated.

Ms. Rasmussen said Mr. Tartaglia has that and will provide it.

Mr. Tartaglia said we will redo it and give you that because we understand you don't like this.

Mr. Reilly said okay. We will hold this over to April 8, 2021. For me personally, I will be out of town the first week in April so if you can get it to us before that it will be appreciated.

Ms. Rasmussen said we will get everything the week before.

Mr. Reilly said the sooner the better so everyone can review it prior to April 8 and the goal is to get a referral to the ARB on April 8.

Ms. Rasmussen said that's my goal as well.

Motion was made by Mr. Neubauer to holdover the application of **804F Realty, 112 Montauk Highway (905-004-02-014.01)** to April 8, 2021; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

14. 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.

15. 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.

Vincent Pizzulli, Esq., appeared on behalf of the application. Mr. Reilly said that they are not discussing the substantive part of the application, just the procedure and written request. Mr. Pizzulli said he requested a meeting with the PB professional staff, and based upon written comments we received and I felt that in the interest of issue and clarification and reduction, my issue to make your life easier and I wanted to meet with your professional staff to review items of procedure to help us to not waste our time and the Boards time as well. I have nothing specific to add and my letter indicates the topics worth discussing.

Mr. Reilly said the discussions will not get in to the substantive aspects of it, there are legal and technical issues which have to be addressed which may alter the present proposal and we need to iron out these procedural and technical issues so the applicant knows what they can propose versus what they want to propose so it will benefit the applicant, the Village staff and the public because it will make the process go more expeditiously. Unless anyone has anything to add or anyone on the Board.

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Mr. Pasca said he's not against having the procedural meeting to help figure the process out and there is a little complication that we have to work through which is the LI Workforce Housing Act and it's not a crystal clear law and we have to build our way into the Villages process on how we review compliance with that, and that's an issue I raised and we have to discuss the procedure to make it work.

Mr. Pizzulli said I want to add one more thing, because I listened to the Work Session discussion and this probably deserved a pre application meeting and in essence we are backing up to have that and get that guidance and return to the Board on April 8.

Mr. Reilly said your issues are more technical and legal and we are not capable of having and they are technical dry issues and our Village Attorney has to be on board with to move forward and they need to be addressed and what you submitted may change based on that conversation so it's best for everyone.

Motion was made by Mr. Neubauer to holdover the application of **Beechwood Westhampton, LLC., 44 and 60 Depot Road (905-4-1-14.6 and 13.1)** to April 8, 2021; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 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 foot lot, improved with a single-family dwelling, into two lots of 18,090 & 17,157 square feet in the R-4 zoning district.

Motion was made by Mr. Neubauer to holdover the application of **Firestar Holdings, LLC., 14 Rogers Avenue (905-6-2-17)** to April 8, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

WAIVER OF SITE PLAN:

17. Marcus Stinchi, 161 Montauk Highway (905-5-2-12.1) Applicant requests a waiver of site plan to install a temporary split rail fence at the above property.

No one appeared on behalf of the application. Mr. Reilly said he put the fence up for security and its up and it makes it look nicer in my opinion and the applicant acknowledged its temporary pending the development of the property and I don't see any reason why we shouldn't grant the waiver.

Mr. Neubauer asked if we can vote on that tonight?

Mr. Pasca said we had a form.

Mr. Reilly said we can do a resolution on March 25.

Motion was made by Mr. Neubauer to close the hearing of **Marcus Stinchi, 161 Montauk Highway (905-5-2-12.1)** for a determination; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

EXTENSION REQUEST:

18. Build Coastal, LLC., 26 Old Riverhead Road, Westhampton Beach (905-4-2-9) Applicant requests an extension of their Site Plan approval dated July 9, 2020 up to and including July 9, 2021.

Motion was made by Mr. Neubauer to grant the extension of **Build Coastal, LLC., 26 Old Riverhead Road, Westhampton Beach (905-4-2-9)** to July 9, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

19. Avidor Group, LLC., 92 Oak Street, Westhampton Beach (905-5-2-38) Applicant requests a retro active 18 month extension of their October 22, 2020 site plan determination which expired on April 22, 2020; up to and including October 22, 2021.

Motion was made by Mr. Neubauer to grant the extension of **Avidor Group, LLC., 92 Oak Street, Westhampton Beach (905-5-2-38)** to October 22, 2021; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

DISCUSSION:

20. WHBH Real Estate LLC, 7 Beach Lane (905-011-03-010) Applicant requests site plan approval for redevelopment of a preexisting nonconforming hotel/inn including additions and renovations to the principal building, construction of a swimming pool with patio and cabana, establishment of outdoor assembly

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space and demolition of an accessory two-story building with associated site improvements including an expanded parking area, on a one-acre lot within the Hamlet Commercial/Residential (HC) zoning district.

James N. Hulme, Esq., appeared on behalf of the application, together with Alex Badalamenti Architect and Matthew Aylward, R&M Engineering, and Corey Gluckstal, Managing Partner.

Mr. Hulme said this is a unique project and we're here to discuss this tonight. This has been in its location since 1884 and they recently purchased the property and they are seeking to renovate and modernize the Inn into the 21st Century and it's a site that has Village History but certainly a property that needs updating.

Mr. Reilly asked how many rooms does it have presently?

Mr. Hulme said 26?

Mr. Reilly said you are proposing 17?

Mr. Gluckstal said 16.

Mr. Reilly said it's a decent reduction.

Mr. Hill thought it was 20 rooms.

Mr. Gluckstal said if you look at the prior owner's literature and website it was a moving target, and other buildings with various rooms and there is information on that and he serviced it as 26 rooms and for me and what we want to make it is 16.

Mr. Hulme said we are eliminating the cottage in the rear and we're building out the third floor and it is as big as the two floors under it and that's how we're increasing the capacity of the main building to absorb the cottage.

Mr. Reilly asked if it's comparable in size to the other Inn proposed at the West end of main street?

Mr. Hulme said I don't.