

January 13, 2022

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on January 13, 2022, at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: Ralph Neubauer
Rocco LogoZZo
Michael Schermeyer

Brad Hammond, Building & Zoning Administrator

Ron Hill, Village Engineer
Kyle Collins, Village Planner

Anthony C. Pasca, Esq., Village Attorney

Maeghan Mackie, Board Secretary

ABSENT: David Reilly, Chairman

HOLDOVERS:

1. **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 27, 2022** 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**

2. **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 January 27, 2022**

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

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

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

3. **85 & 105 Montauk LLC, 85, 105 Montauk Hwy & 105 Oak St, (905-005-01-012, -053.01 & -052.02).** Applicant requests Site Plan review to construct a two-story restaurant building with associated site improvements including improvements on lots to the West & South, consideration of a change of Zoning District for the Southerly lot with demolition of the dwelling and site build-out for parking with buffer, and site improvements on the Westerly lot including curbing, buffer & access reorientation.

Status: **HELDOVER UNTIL January 27, 2022**

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*

4. Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07).

Applicant seeks site plan approval to construct 52 dwelling units in 13 Buildings (11 townhouse groupings, 2 two-family dwellings) with private community center, pool & tennis court for multifamily development with on-site sewage treatment plant in two development phases.

Frank A. Isler, Esq., appeared on behalf of the application, together with Bryan Grogan, Engineer, together with Jim Behringer.

Mr. Grogan said since their last appearance, they did submit revised site plans pursuant to Mr. Collins comments and the Board; they know that Mr. Hill has offered some review of the revisions too and he indicated that some were discussion points, and some are minor site plan changes that we can incorporate but there are a few that Mr. Hill wanted to talk to the Board about, and at this point the majority of the issues were addressed aside from density of the development which is outside of this Board's purview and if there were no significant objections we were hoping to be referred to the Board of Trustees to start that portion of the project.

Mr. Hill said there were a few discussions, and we have resolved some of the comments. One was the trash collection, and one that I wanted to discuss with the Board is regarding the parking. They have spread it out and improved the site plan and provides surplus parking adjacent to every building.

Mr. Neubauer asked if this is Mr. Collins revisions?

Mr. Hill said yes, this is what Mr. Collins suggested and they've accepted it and I think it really spreads the parking out rather than clustering it on the sides where it's inaccessible and it's spread out and there's surplus parking to all of the buildings and that's good. The only one I saw that is problematic is building six which fronts on Rogers Avenue Ext., there is no surplus parking or extra in front of it and I wonder whether it's a good idea or not to create a parking pullout on Rogers Avenue so they are not Rogers Avenue Ext. The Board may have other feelings and that's fine, but it seemed that there is now extra parking in front of all buildings and if there is a chance that a guest to one of the units in building six that will be the most convenient place and perhaps a car or two pull out may make it all smoother. Right now there is parking allowed on Rogers Avenue and people park in the street and it could happen there but if we created a little extra space it wouldn't interfere with the traffic. It's not important one way or the other?

Mr. Neubauer asked if anything would change?

Mr. Hill said no, there would just be an extra shoulder.

Mr. Grogan said if that's something that the Board would like us to explore we would look at it, and I imagine it'll go North of the existing edge of pavement where we're proposing a sidewalk. We could add an alley way and we're over parked as per the Code but I think there will be more than sufficient on site parking.

Mr. Hill said there is, it's just this one building.

Mr. Grogan said there's nothing to stop non community guests or residents from using it.

Mr. Collins said he supports that comment, but also you can on the Exit there is room to the West of that building six for additional on street parking between the alley behind building 6 and 7 and the entrance, you can fit two or three parking spaces.

Mr. Hill said that would work.

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Mr. Collins said with reference to parking, you incorporated all of my changes and I don't know if it's an oversight but there are two spaces associated with building five and the affordable units 1C; I moved those spaces that were on the road to accommodate that apartment 1C in building 5 similar to the other affordable with two parking spaces coming off of the aisle. There's plenty of room.

Mr. Grogan said that may have been an oversight.

Mr. Collins said there's no conflict, it appears to be an oversight.

Mr. Grogan said they will do that and make the changes.

Mr. Collins asked if they revised the turning radius analysis?

Mr. Grogan said they did revise it and update it and it reflects everything correctly and has been revised.

Mr. Collins said that's subsequent to your submission?

Mr. Grogan said yes, they are per your recommendations.

Mr. Collins said it all worked on the plan.

Mr. Grogan said he will send that sheet for you to look at.

Mr. Hill asked him to send it electronically.

Mr. Isler said he just joined the call, and he said it may be redundant but when they were last before this Board there was a consensus expressed with the incorporation of Mr. Collins comments and that site plan would be acceptable to this Board and its my understanding they have been and if that's acceptable to this Board and since we have to return to this Board after we go to the Board of Trustees for the special permit application, it was our hope that you'd permit us to file the Special Permit Application with the Board of Trustees so we can move the process along and depending on their comments and their findings we'd return to this Board to finalize the Site Plan based on the discussions today and with the Board of Trustees.

Mr. Neubauer said that's stated correctly and I'd refer questions to the Board.

Mr. Jones said it's a great idea to use the land West of building six for parking that may work and it's a great place to put the parking.

Mr. Neubauer said all of these will be addressed after they go to the Board of Trustees. I think we need a consensus among the Board of Members about whether they are ready to go to the Board of Trustees.

Mr. Pasca said the issue, and it's the way the Code is written; the Board should render a determination on the Site Plan before sending it to the Trustees, unlike other Special Permits where they go first, the way the Code is written this Boards supposed to render a decision first, and I'm not too sure that you can bypass it because I question whether the trustees have jurisdiction if the Board hasn't made a determination on the site plan.

Mr. Neubauer said the fact of the matter is, there are a number of us and the community who feel this site plan represents too high of density and I know that's not in our pruvew, but how do we accept a site plan with this density and move it forward without addressing the density.

Mr. Pasca said we discussed that we may do two things at once, one is deciding the site plan before you apply the normal standard considerations, drainage, landscaping, buffers, etc., but simultaneously send back a recommendation on the special permit. There is different criteria for the two, the site plan is on the site conditions and the special permit requires the Trustees to consider a broader set of crieteria which include different impacts that this Board isn't considering; I'd suggest you come up with two decisions one will be on the site plan before you and two is a possible recommendation back to the Trustees regarding the special permit. The density is legitimate in consideration because they have to decide the proper density, and the Code sets forth a maximum not a guarantee, they're going to decide what's consistent with the special permit.

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Mr. Neubauer said I don't think anyone has objections with the exception of the minor nuances, and if the Trustees approve this we can finalize our site plan. I think the site plan itself is of good quality, and with the exception of the density they have made good effort towards that. I don't see why that one of two aspects can't be settled. I would prefer Mr. Reilly to be here for that, but the fact of the matter is there doesn't seem to be objection to the site plan.

Mr. Jones said he did not.

Mr. Logozzo said I do not, I think it's been massaged quite a bit and its as good as it is going to get for now.

Mr. Schermeyer said it's a density issue for him, and I owned a home on Rogers Avenue and it's a really busy road especially in the Summer. Right now there are about 30 signs that say "Slow Down" there are issue son the road and the stop sign on Montauk Highway is a hard place to pull out, and I feel like it's the cart before the horse, the Trustees have to make up their mind, if they're going to allow this much density. Every single thing we see, everyone shoots for the top and we peel it back and we've been told that we can't and it needs to go to the Trustees and they have to work on it and see what they think.

Mr. Neubauer in as much as the presentation of the existing site plan that's the one aspect discussed; and the second is the recommendation or a statement of consensus from the Planning Board regarding the density or other topics. The density is the primary issue, the traffic impact and the impact on Rogers Avenue and that neighborhood.

Mr. Schermeyer said it's not just Rogers Avenue, it's also Hazelwood Avenue. There's the True Value at the other intersection.

Mr. Neubauer said its safe to say that the residents should be diligent to compel the Trustees to examine this carefully and discuss the traffic mitigation in this area, even if the reduction of units is something they recognize this area needs attention to reduce the speed people are driving and I don't see a way to limit the access to it, there has been several discussions but access to it isn't being limited and perhaps the burden of adding this many houses needs to be addressed.

Mr. Schermeyer said he agrees, and its concerning.

Mr. Neubauer said the site plan, this has been really well worked out, do we all agree on that?

Mr. Logozzo said he made that comment, and its as good as its going to get but as I understand it, I assume we make a recommendation to the Trustees about the density. I had spoken with a Trustee with respect to traffic control devices to slow down cars and I wasn't given an answer that was good, I was told there's almost nothing that can be done on these roads to slow the cars down; stop signs, speed bumps those devices they were not options. So I think the process needs to address traffic control because it's only going to get worse regardless of whether this project goes forward.

Mr. Isler said he's been listening to the discussion and he thinks as the next step, perhaps you accept the site plan as presented based on this Boards comments and certainly when we're before the Board of Trustees these issues that you're discussing in terms of density will be discussed and it will be up to the Trustees for a special permit and they must consider their factors and the sense of this Board is that the site plan itself is well engineered and meets this Boards concerns, so I ask tonight that you resolve to approve the site plan to take care of the special permit Code quirk because we're in a catch twenty two and can't proceed to the Trustees without a site plan approval. From what I hear from this Board it sounds like to me, the site plan itself as a site plan is acceptable to this Board and I urge you to approve it knowing that it's subject to special permit review by the Board of Trustees.

Mr. Neubauer said okay, let's open the discussion to the public.

Ms. Mackie said the only person that has their hand raised at this time is Chris Clapp.

Mr. Clapp said he wants to thank the Board, and we know feel we have been heard and it didn't always feel that way and he'd like to thank this Board for listening and feeling our concerns. Whatever you can do to pass your concerns on to the Board of Trustees regarding density, because it is a challenge would be appreciated.

Mr. Neubauer thanked Mr. Clapp. He asked if there were any other members of the audience who wished to be heard?

Ms. Mackie said no.

Mr. Neubauer said as far as the recommendation to the Trustees tonight, I'm redescent to push the Board forward without the Chairman, and we don't want to make the same mistake with the SEQRA process where we were vigilant on the density topic but I don't want to lose the opportunity to make it clear to the Trustees that while the plan is well done and thought out and reviewed by this Board we don't want to miss the opportunity to tell them we have concerns.

Mr. Pasca said you're not ready for a resolution tonight, and because this is so critical we're don't going to do an oral resolution. I recommend that we do a simpler resolution condition on coming back to the Planning Board if an when the applicants get past the Board of Trustees so it's a general conditional approval of the site plan, subject to the applicants returning to the Planning Board to finalize the details. What this Board should do is work on your thoughts regarding the special permit recommendation, and I will send to you, the criteria you should be working off of that because it's not your normal site plan criteria and it's a separate set of criteria the Trustees deal with. You can discuss that as a separate track almost to the site plan determination.

Mr. Neubauer said that's a great idea.

Mr. Isler said we certainly would accept that procedure about a general approval to go to the Board of Trustees, I just ask that its not held up while the Planning Board is putting together their recommendation, they don't have to be done together, because the application has to be filed, there has to be a public hearing an if they want to submit comments on issues each member can even appear at the meetings to express concerns, but I ask that the approvals of the site plan be acted on at the next meeting so we can file and there will still be time to structure that.

Mr. Pasca said that works, we could have a written determination in a general sense for the January 27, 2022 meeting and the soonest the Trustees could hear a special permit public hearing is in March and you have meetings in February to work out your report and recommendation to return to them in time for their consideration,

Mr. Neubauer thanked Mr. Pasca.

Motion was made by Mr. Logozzo to holdover the application of **Rogers Associates, LLC., North Side of Rogers Avenue (905-3-1-7.1 through 7.1)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

5. Westhampton Inn LLC., 43 Main Street (905-11-1-15) Applicant requests a Site Plan approval to construct a two-story ten-room hotel building with a covered front entry, rear porte-cochere and associated site improvements upon a 0.93 acre parcel located at the South West corner of Main Street and Mitchell Road in the B-1 Zoning District.

James N. Hulme, Esq., appeared on behalf of the application. Mr. Hulme stated that the Board his client wishes to construct a three story Inn and thy have been discussing the application and they took the comments and acted on them and he's showing the Board the front façade as proposed for the premises and this was the last open issue relative to the Board's review, subject to the BOH approval. What has changed, on the front façade the front porch is twice as large and the turret was proposed in stone and that's been eliminated and it is now clapboard siding. There's a porch on the third floor space on the back of the building.

Mr. Neubauer said the position of the turret has been discussed by this Board and they wanted to see it on the corner of Mitchell and Main Street, was that been discussed?

Mr. Hulme said that the view toward the Country Club and Church was the better view, and there was concern of the layout of that floor and whether the turret would have worked on the other corner.

Mr. Neubauer said the Village Planner and this Board take exception to that, and you have known that. I'm wondering if there's opportunity to negotiate the placement of the turret.

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Mr. Hulme said he will discuss that with his client. Is that the main issue?

Mr. Neubauer said he'd like to hear Mr. Collins comments.

Mr. Collins said there have been changes, particularly with reference to the increase in the size of the porch and there were two options and one is moving the turret to the other side, and another alternative was a wrap around porch on the East side and there's a large front yard and it anchors this end of Main Street especially when looking West.

Mr. Jones said he supports the larger front porch, and the wrap around porch is a very nice idea and I would support that if not stronger, moving the turret to the other side of the NE corner and there have been a lot of improvements made. This will be clapboard siding?

Mr. Hulme said he'll confirm.

Mr. Jones said there is a slight hip kick out on the first and second level and he'd like to know how that will work with wood siding.

Mr. Hulme said he will find out, and report back to this Board on all of the issues.

Mr. Logozzo said it looks good and he likes the changes. Could they put the turret on both sides? I also think, and someone mentioned the porch and a wrap around porch would be a nice accent and have it wrap around three sides.

Mr. Schermeyer said he understands why they want the turret on that side, and the wrap around porch would be great and help it around a lot and they've done great changes and it looks a lot better than the first proposal. Are they thinking of doing a restaurant in the basement?

Mr. Hulme said there are common areas and rooms and support rooms.

Mr. Neubauer asked if Mr. Hammond's reviewed the plans?

Mr. Hammond said yes, and I have not investigated the hotel rooms in the basement and that's a new concept for this Village but I will and with respect to the front porch, accessibility 60% of the entrances need to be accessible and you have to ramp up that porch even if the Main entrance is in the back and that may give you a reason to extend the roofed over portion but I believe the Main Street entrances should be accessible and you should be able to on this site.

Mr. Collins said the wrap around porch could accommodate that accessibility.

Mr. Hulme said okay, he will look into it.

Mr. Neubauer said the basement rooms will need accessibility too.

Mr. Hulme said there are suites in the basement and if we wrap around there will be egress issues.

Mr. Collins said it will only affect one of them, it will go around halfway the Eastern elevation, and Suite 7 has the well and you could switch that out and put it on the West side where there is a common room and that eliminates that issue and put the common area where the suite is.

Mr. Hulme said okay, they will look at it. They'd like to holdover to January 27, 2022.

Motion was made by Mr. Logozzo to holdover the application of **Westhampton Inn, LLC., 43 Main Street (905-11-1-15)** to January 27, 2022; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent.

6. 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.

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No one appeared on behalf of the application. Ted Galante, Architect submitted a request to holdover the application.

Motion was made by Mr. Neubauer to holdover the application of **Prime Storage, 98 Depot Road (905-002-01-019.10)**. to January 27, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

7. 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 A. Wright, Esq., appeared on behalf of the application, together with Michael Marinis, Bill Novak . She said that they have made progress on the design and plans and received comments from Mr. Hill in November and from Mr. Hammond and they've addressed them in their most recent submission and to give an overview of their changes the architect is able to do so.

Bill Novak said that Michael Marinis could go through the bullet points that they responded to.

Michael Marinis said they revised the site plan to be 16 units instead of 17 units; shown on Sheet 1 the two multi-unit buildings are now three units. They are showing the affordable calculations and proposing five of them as affordable units as per the calculations. The dumpster coral in the NW corner was addressed and it is now 15' off of the Western property line as it was previously 5' off of it, and that's shown on sheet 1.

Mr. Neubauer asked if they need variances?

Ms. Wright said no.

Mr. Marinis said the lighting plan asks for building mounted lighting, Sheet 5 shows the revised lighting plan to show each unit with light in the front and in the back. And it is just a small 37 watt bulb, and all of that conforms to the Village Code. The landscaping has been addressed on Page 4E.

Greg – Bayview Landscape Architecture said the screening on the N, S, and East sides are mixed Evergreen plant material, Arborvitae, White Pine and Norway spruce, there are 181 Evergreens. On the North and East side there is also a 4' berm indicated to give additional height to these trees and acoustic buffer as well with raised berms. The street border on the East has five trees, October Glory Maple on the streetside and to add height to the planting bed. There are 16 proposed street trees and mixed in variety, and each unit has a different planting schedule indicated on the plan. They all have an Evergreen element for a year-round coverage around the foundation and flowering shrubs as flowering plants.

Mr. Neubauer asked what's on the Western portion?

Greg said the existing will remain there was no need for additional screening on the Western border.

Mr. Hill said he just got the plan a few days ago and he hasn't had the opportunity to really review it. We were having cross access for emergency vehicles only at the circle and that means you have to build it through so in order for that to happen we have to have the connection to the other parking lot, and I would suggest it's a raised vegetative type material and coordinate the fences and its more than just a dotted line. It has to be usable. Another thing I was a little concerned with was the pool, its stuck in the back and there is sidewalk to it but I can imagine that people in the Units further East will cut through between building 10 and 11 and I'm not sure if there shouldn't be sidewalk and what's going on, is there a deck or something around it?

Mr. Neubauer said there isn't a lot of detail there.

Ms. Wright said they are not sure whether it will be a pool or pickleball court.

Mr. Hill said that's something we need to move to and I think in my comments I had questions about the signage at the circle, and how people go around it in the right direction.

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Mr. Marinis said we will address that. The added signage in the center of the round about if you look at Sheet 106 in the Civil Set. It shows that it's one way and to keep right.

Mr. Hill said he will review it. The handicap ramp that is on Old Riverhead Road on the North side is something that is more traditional of crossing both streets instead of the handicap ramp at the South end which is for North to South walking and there's nothing there that should encourage handicap people to cross at that point, and I don't know if I want that there.

Mr. Marinis said he will revise that, it's not a problem.

Mr. Hill said he doesn't have anything else but he will review it in detail.

Mr. Collins said look at the detail of the ramp, and there is a sidewalk to the South of it and you should revise the plans to how that will tie together. I had the same comment between Buildings and I don't necessarily know about people from the West getting from the fire pit to the recreation area, but also the back unit, and there's a walkway against the building and there are bedrooms there so you should move the walkway away from it. The firepit is on the original plan and its right behind Unit 11 and it was between 11 and 12 and if you bring a sidewalk between them with a terminus at the fire pit and off the building to the recreation area I recommend that. The only other comment I had is about needing more street trees in the landscape area between the sidewalk and the curb where there is on street parking; there should be 1 tree for every 2 parking spaces so every 42'. The ones that are only 2 you don't need them, which are the Units 10, 11 and 12 and the others should have additional street trees.

Mr. Hill said Mr. Collins is correct, and we may want to put them behind the sidewalk because as they are placed, they are on cap ends and there is more room for the roots and things and that wouldn't be possible between the cap ends.

Mr. Collins said you could move the sidewalk a little bit and I know you want 24' on the travel aisle.

Mr. Hill said I don't have a problem with 11' lanes, but there is so little traffic that won't really be that important as long as the widths are maintained.

Mr. Collins said the landscape area between the sidewalk and the curb is 4' and 3' is preferred.

Mr. Marinis said that's not an issue.

Mr. Jones said the 4' space between the curb and sidewalk is a great idea and to add more trees too.

Mr. Logozzo said he agrees with these comments and I am good with the plan.

Mr. Schermeyer said he wished he had an aerial to see what it backs up to.

Mr. Neubauer said he has a concern about the Western boundary.

Mr. Hammond said it's the Beechwood subdivision.

Mr. Schermeyer is concerned that it is going to be clear cut and the aerial is shown today.

Mr. Neubauer said we're concerned about the Western boundary, but we're moving along and we appreciate the quality of the application and we'll have Mr. Hill review it and we will have more comments on January 27, 2022.

Motion was made by Mr. Logozzo to holdover the application of **55 Old Riverhead Road, LLC., 55 and 59 Old Riverhead Road (905-4-1-7, 9.2 and 9.3)** to January 27, 2022; seconded by Mr. Schermeyer and unanimously carried 4 ayes, 0 nays, 1 absent,

8. 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.

Status: **HELDOVER UNTIL January 27, 2022**

ARB: N/A
BOT: N/A

SEQRA: *Needed*
SCDHS: *Needed*

SCDPW: N/A
SCPC: N/A

9. WHBH Real Estate LLC, 7 Beach Lane (905-011-03-010) Applicant seeks site plan approval to renovate & construct additions to the three-story hotel/inn (16 units) with associated site improvements, including a swimming pool with patio, pergola & outdoor seating area, upon a one-acre parcel located in the HC zoning district

James N. Hulme, Esq., appeared on behalf of the application, he said they are waiting on approval from the ZBA and they'd like to hold this over to January 27, 2022.

Motion was made by Mr. Logozzo to holdover the application of **WHBH Real Estate, LLC., 7 Beach Lane (905-11-3-10)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

10. WHB Development Partners LLC, 107 Old Riverhead Road (905-002-01-019.05) Applicant seeks site plan approval to construct an automotive service station (eight pumps & canopy) with accessory one-story convenience store (4,872 SF) and associated site improvements, upon a 1.6-acre parcel located in the B-3 zoning district.

James N. Hulme, Esq., appeared on behalf of the application, together with Irwin Krasnow. Mr. Hulme said the Board asked to see alternatives.

Mr. Neubauer said you are insistent on one plan, and then there is an alternative.

Mr. Hulme said the more modern building is what they're insistent and there's enhanced landscaping. One thing that was asked for is to show both with landscaping which is what they have done and looking at that and thinking about it, the version we prefer I think introduces color into what is a somewhat currently drab area.

Mr. Neubauer said we have two alternatives, and when you put 7-11 buildings into Google and look at the variety of them in Countries all over, for us to only see two alternatives it is frustrating. I prefer the alternate plan versus the preferred version, but when I look at the buildings that 7-11 occupies it astounds me we're not able to be more creative at the gateway to the Village and the Planner has made it clear they are looking for more from this application, and we understand that everyone wants what they want, while we appreciate the second rendition and from my standpoint, I prefer that to the cube.

Mr. Hulme said you prefer the alternative. There is certainly pluses and minuses and the one thing I wanted to say that the view is dominated by the landscaping and the canopy. We prefer the version we want and there are benefits to it, the stores larger with more offerings than the standard 7-11 store.

Mr. Neubauer asked if there is an other opportunity than something more creative than this and the smaller store, maybe there is something between the smaller store versus the larger and there are opportunities through 7-11.

Mr. Hulme thinks there's latitude with the canopy, and if there are design elements in the canopy this Board encourages, we may be able to find that middle ground. In my view that dominates what you look at on this site.

Mr. Collins said the elevations submitted do not meet the intent of the B3 Design Guidelines, it has a substantial impact on community character, it doesn't meet the design guidelines and not consistent with the master plan and there are many, many alternatives. If you look at the 7-11 on West Main Street in Riverhead it is vastly improved compared tot his. It talks about the uniqueness of Westhampton Beach and its character, and by the applicants own presentation this is the 2.0 and they want it all over Long Island, which is not unique.

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Mr. Hill said I try not to get into the esthetics.

Mr. Neubauer said we've sailed past the location of the canopy and pumps and they'll be in the middle and that's the end of that.

Mr. Hill said that's true there are, from a planning perspective there are much more esthetically pleasing alternatives.

Mr. Hulme said we're still talking about the design, but the pumps will be in the front and as the Village Attorney pointed out the principal use is the gas pumps, it's not the store the store is accessory to that.

Mr. Neubauer said the arguments center around the fact that this is what you want, and you're going to insist on it despite the fact there are alternatives that meet the Village Design Code and possibly give us a gateway building to be proud of.

Mr. Hulme said I don't agree with you.

Mr. Hill said I think the alternative is better, the original plan.

Mr. Collins down on the corner of Montauk Highway we made them put reverse gables to break up the mass of the canopy, and we looked at designs of canopies along Eastern Long Island with pitched roofs; there is one in the Village of Quogue and there are all sorts of alternatives. The previous canopy with the pitched roof it should be more in that direction if that's the direction the Board wants if that's the primary streetscape feature it has to be dressed up.

Mr. Hulme said that area he has latitude and we will work on it.

Mr. Collins said if you're going to do that, look at the canopy associated with the gas station in Wainscott.

Mr. Neubauer said they should look at other 7-11's but in a substantial quantity of them you'll see municipalities had input to their character of their neighborhoods and they were capable of listening to them.

Mr. Collins said the applicant early on, stated he'd submit the Oyster Bay 7-11 design and to date I don't think that's been done.

Mr. Krasnow said he built the 7-11 in Riverhead and it was in a Historic District and we wanted to keep in flavor that and the landmark buildings in the area, so that's why we did that. The building which I did in Oyster Bay, we took the example that we shared from the beginning and we did it with that style, and you asked for those renderings and now I'm getting feedback that you don't like that style. I thought you wanted us to work with, and to me its boring but I thought you wanted to see that. Yes, 7-11 is rolling out this new prototype, it has extra features and amenities and I thought it would be great for this area with the base, the Amazon, the office park and to have those extra amenities.

Mr. Neubauer said we understand and we heard those arguments.

Mr. Krasnow said if you want a different style, we have to have a smaller footprint and I'm not making this decision it's a corporate decision and I'm trying to bridge the gap between making the Village happy and this corporation happy. I'm not opposed to making changes, and I think one of Mr. Hulme's suggestion is a compromise and if that doesn't work, tell me what works because I'd like to move forward.

Mr. Collins asked them to share the address of the Oyster Bay store.

Mr. Krasnow said it's 26-30 Pine Hollow Road. I did stone on the bottom, and hardy board and glazed windows.

Mr. Neubauer wanted to ask each Member who had comments.

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Mr. Jones said I like the polychrome façade, I'm not sure about the White portions and I don't mind the canopy having a thinner profile and being polychrome and the landscaping is important and that will soften things a lot.

Mr. Schermeyer said I like the second one, and the canopy blocks the building in the back. Mr. Collins brings up great points, you drive up and down the road other than the storage building there is not a lot of contemporary stuff and the second plan fits in the neighborhood a little better. The canopy, we've done this before with the Valero and it tends to block the storage building in the back and the angle is weird but I'm leaning towards this. If you need to make it 6,000 square feet, you make that one that size with this design.

Mr. Logoza said now that I see the second presentation, this appearance fits into the community a lot better. Is there a hybrid between the two where you can put more glass. I do like the coloring of this second presentation and I am thinking with the 2.0 Concept it's a mistake to not try to bring it in even if it means changing the appearance.

Mr. Neubauer said you are hearing a general consensus and I'm wondering if there's a compromise so we can get this started. The box doesn't have a great deal of appeal to our Planner and Engineer and to anybody on this Board, except Mr. Jones. But, with that being said there can be a middle ground and perhaps trying to construct a 6,000 square foot building with this character and the canopy we will work out, but let's try to get to a mutually desirable appearance and the landscaping looks good, we are close.

Mr. Jones said I don't have a problem with the gable and hip roof on the canopy, I don't like the sheer white, and the vastness of the white it looks very thick, the gable being white I don't like. I applaud having the largest store possible, but perhaps if you add polychrome or color there will be a middle ground.

Mr. Krasnow if he's ask about polychrome on the canopy?

Mr. Jones aid the building and canopy.

Mr. Hulme said we heard the comments, we'll take it back and discuss it and we can return in January 27, 2022.

Mr. Pasca said he wants to ask Mr. Hulme, you have an application before the ZBA and it's been a few months; I'd like to move that forward while you're dealing with the Planning Board. If you're client is looking to get construction going we only meet once per month with the ZBA they may not approve the 5,000 square foot building and the 2.0 concept is gone anyway. I want to figure out a way to move this forward with the ZBA.

Mr. Hulme said we will look at what we filed with the ZBA and if we get a variance for the building being bigger we can get one smaller.

Mr. Krasnow said can we amend the variance if we tweak it less than 5,000 square feet?

Mr. Pasca said I don't know, I want to figure out a way to get moving. There's a SEQRA component and the ZBA may not approve it, you run the application and you can ask the ZBA to go forward or this Board but what happens if you don't get the variance.

Mr. Hulme said he'd like to talk to his client and if necessary, he'll talk to Mr. Pasca and come up with a plan.

Ms. Mackie said there is someone who'd like to discuss this with the Board.

Michael Sudano said he is an Architect and has no say but looking at the traditional looking 7-11 design, what if you just put a doggie dormer on both sides of the peak, wouldn't that add character.

Mr. Neubauer said we're not at that point, but we acknowledge your suggestion.

Motion was made by Mr. Schermeyer to holdover the application of **WHB Development Partners, LLC., 107 Old Riverhead Road (905-2-1-19.5)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

11. Hampton Synagogue Parrish House, 13/15 Brook Rd & 161 Sunset Ave (905-012-01-039, -040, & -043.01) Applicant seeks site plan approval to construct a two-story parish house with attached pool cabana & mikveh, swimming pool, basketball court, gazebo, storage shed & associated site improvements for Westhampton Synagogue (demolish existing residential structures) on an assemblage of parcels totaling 39,474 square feet in the HC zoning district.

Hermon J. Bishop, Esq., appeared on behalf of the application, together with Frank Lombardo, Architect. Mr. Lombardo said they discussed Mr. Hill's comments at the December meeting and Mr. Hill has since looked over the drawings and provided more comments on January 10, 2022 and most of the comments were addressed and there are five outstanding and I would like to update Mr. Hill on the inconsistencies are being addressed by John Condon and he'll address the stormwater drainage piping. The concern you had regarding the internal walkway, what we'll do is lower the landscape and I will submit that, there is existing hedges that shield the children and pedestrians from inside the site and we will trim it down to 3' to 4' high.

Mr. Hill said if you're going to do that, maybe put a planter between the Village's sidewalk and this walkway, put in a planter of flowers and then behind the walkway you are installing for the children put in a row of Evergreens and we can tie that back in on the North side of the driveway. Something low and then the sidewalk and then something higher behind that. We do want to shield the cars in the parking lot.

Mr. Lombardo said okay, and he thinks it's a great suggestion. You mentioned in your comments that there is something wrong with the photometric on the basketball court and that's correct, the way the photometric was drafted is basically considering only four fixtures, the middle fixture wasn't computed so I'm going to revisit that and its impact on the site and it will be a tremendous difference.

Mr. Hill said there were two on each end of the court and I don't know if they're needed.

Mr. Lombardo said yes, that's correct. They are really increasing the foot candle level and I may not need them and you mention the height, can I not go to 12' for the basketball court.

Mr. Hill said I think that's correct; you had 10' on your site plan.

Mr. Lombardo said the 10' run was within 10' of the lot line and maybe that's generic but if I can go to 12' on the basketball court then you won't have problem with darkness on the backboard.

Mr. Bishop said they closed their ZBA hearing, and the last comment dealt with the corner dedication and the issue is what we want to dedicate and they have no problem with the corner dedication and it's been in existence since living memory, so it is an implied dedication. I would suggest an isosceles triangle to include all of the improvements on that corner and then a Quit Claim Deed to the Village for that property.

Mr. Pasca said I can't picture it at all, but if you email it to me we can discuss it.

Mr. Bishop said I wanted to do that because of how easy it would make the legal description. The main issue is whether it can be done by a Quit Claim Deed or not.

Mr. Pasca said he has to think about it, and that's a good question. It does get into the Board of Trustees and their involvement and they have to accept it. I'm not saying it's a bad thing but it's an added step.

Mr. Hill said that doesn't have to be part of the site plan, and can be done before obtaining a CO and they are usually done before the obtaining of a CO.

Mr. Pasca said the Trustees could say no, and you have to account for that possibility.

Mr. Hill said if they say no, whatever exists now exists.

Mr. Collins said it's an offer of dedication.

Mr. Bishop said they only ask that it is for public use.

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Mr. Pasca asked if it will raise a health department issue.

Mr. Bishop said that's a good question, and he will look into it.

Mr. Pasca said we can talk that through.

Mr. Hill said he's done a deed transfer and it's done after CO and they treat it like it was a taking so it doesn't hurt the properties attributes.

Mr. Pasca said he'd be worried about the Board of Health; it could be 10 years from now and the board of health asks about the piece and now they want them to subdivide it and wants the Village to join in on it. I don't want to create a problem, could it be done with an easement instead?

Mr. Bishop said maybe, we can discuss it. Can we proceed with SEQRA without the ZBA approval?

Mr. Collins said the ZBA can't act without SEQRA,

Mr. Pasca asked if it was coordinated? I thought it wasn't.

Mr. Collins said SEQRA has to be done before a decision, but if it was not coordinated the SEQRA can be done with the ZBA.

Mr. Hammond said the ZBA was going to do their own SEQRA.

Mr. Pasca said he has no problem with Mr. Collins rendering a SEQRA determination for the Planning Board and I can use the EAF for the ZBA.

Mr. Hammond said the discussion was we were not trying to hold them up, but if need be the ZBA could do their own SEQRA.

Mr. Collins asked when the ZBA meets next?

Mr. Pasca said on January 20, 2022.

Mr. Collins said he can do it.

Motion was made by Mr. Logozzo to holdover the application of **Hampton Synagogue Parrish House, 13/15 Brook Road, and 161 Sunset Avenue (905-12-1-39 – 40 and 43.1)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

12. Country Pointe at WHB, 44 and 60 Depot Road (905-4-1-14.6 and 13.1) Applicant seeks final subdivision approval of 13.06 acres for twenty-two (22) single-family lots with public road and associated site improvements.

Vincent Pizzuli, Esq., appeared on behalf of the application, together with Michael Dubb, Paulina Giampietro, Eric Jeter, Hayduck Engineering and William Morrow. Mr. Pizzuli said to pick up where the left off in December; all of the subdivision and SWPPP changes that were requested have been completed. Mr. Hill and Mr. Smith have reviewed the changes and requested a modification of the emergency access driveway and the location of an additional light fixture, and a minor reformat of the SWPPP plan and detail on lighting plan. I believe Mr. Hammond may want survey monument locations on the final map, and we will coordinate and accept all of the requested changes we received and resubmit the plans next week. Unless the Board has any questions, I have nothing more to add regarding the final subdivision and SWPPP and they should be ready for final approval within two weeks, based upon my discussion with Mr. Pasca, it is my understanding you require final BOH. And the BOH and Board of Review have conditionally approved it and they have to redeem Pine Barren Credits and filing of covenants and both are in process and being submitted as we speak. In view of these steps, I would like to request to continue the hearing on January 27th if BOH is completed and I'd like to discuss the final elements of the plans, the park fee appraisal, performance bond and the conditions of a final approval. My client, Michael Dubb is present and he would like to discuss a few things regarding site security and preparation.

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Mr. Dubb said as you know, and are familiar with the site the previous owner has vacated the property and the property is baron and the tennis courts are there and the old small accessory structures are there as well but vacant and the utilities are disconnected. My company inquired whether they could obtain a demolition permit for the structures and tennis courts, and Mr. Hammond advised me to discuss that request with this Board and I also have a construction trailer I'd like to bring to the site.

Mr. Neubauer asked Mr. Hammond if he has objection to Mr. Dubb's request?

Mr. Hammond said no, but because they are before this Board the applicant should speak directly to the Board and its kind of tied into the SWPPP and I think Mr. Hill is in a good spot with that, and some erosion and sediment control and construction entrances should be installed prior to the demolition.

Mr. Hill said they need to make small changes to the SWPPP and we should have that next week.

Mr. Hammond said we don't need a resolution, but if you are okay with the demolition I will issue it.

Mr. Neubauer asked if there were any objection.

All Members present said they did not have objection.

Mr. Neubauer asked if this Board can authorize Mr. Hammond to issue a demolition permit?

Mr. Pasca said yes.

There were no members of the public who wished to comment.

Motion was made by Mr. Neubauer to holdover the application of **Country Pointe at WHB, 44 and 60 Depot Road (905-4-1-14.6 and 13.1)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

NEW APPLICATIONS:

13. PGJG Holding Corp, 214 & 238 Montauk Highway (905-006-02-031 & -032.01) Applicant seeks modification of site plan to convert a portion of site parking and access way for a seasonal dining area (100 relocatable seats) with façade changes to install accordion doors & associated site improvements for the existing standard restaurant "Baby Moon," upon property totaling 44,650 square feet in the B-2 zoning district.

Michael Sudano, Architect and Carlo Sciortino. Mr. Sudano said they are looking to relocate indoor seating to the exterior for seasonal use, it's around 100 seats and in doing so they will be closing by way of bollard the access where it is currently on the right side of the property facing the building. And they will put bollards on the back right corner of the building to prevent cars from traveling that way. They are losing four parking spaces at this location, and in discussion with Mr. Hammond the parking lot has to be re-striped to conform with the original plan and they are adding a handicap route to the front door and an ADA ramp, and additional handicap parking spaces and making it accessible. One thing they did lose was four parking spaces and he could add them back in if the Board allows him to relax the 24' drive aisle he can put them on the North property line in the back. As far as lighting, the existing lighting is to remain and there is lighting along the building and on the lighting there are two lights on the Rogers Avenue entrance and they are not proposing additional lighting.

Mr. Neubauer said they do have concerns, the use is increasing. And they'd like to see the site lighting being brought into conformance with today's Code.

Mr. Hill said he did not have an opportunity to review the files in the Village office and compare the original site plan with this presentation and we will lose the four spaces and we want to see how they'll be made up. Another concern is the parking calculation, the CO says they are good for 153 seats, but I see that the 153 seats there is only four employees and that sounds under.

Mr. Sudano said there are 10 during off season and maybe 20 during the season.

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Mr. Hill said I want to compare the original site plan and where this is going, it looks like you're adding and picking up a space at the back end of the building where the aisle is closed off, and that's okay as long as its closed but in the Winter that space will be gone and I don't know if you put the four back.

Mr. Sudano said the bollards will stay permanently. If they are taking 100 chairs out of the inside they are going outside, they aren't increasing by 100. The four spots he can put on the North property line but I need a 12' drive aisle.

Mr. Hill said I want to look at the old site plan and we can put flexibility into the parkig but we can go with 9 x19 parking spaces instead of 10 x 18.

Mr. Sudano said it's drawn as 9 x 18.

Mr. Hill said I have to check that, I don't know that we have 9 x 18 and they are 9 x 19 and I'm less concerned with the spaces and whether there is overhang over a curb and vegetation but the middle spaces must be full sized, but I have to look at it in the office and I will. The Board has to figure out how, when the seats are outside do we make sure there are not 100 inside, it's difficult to enforce and the Inspector can't see that and I'm not sure it should be his responsibility, most of the cases it's only 10 to 20 seats and this is a lot of seats and if its enforced and the total seats for the restaurant is 153 we just have to figure out enforcement.

Mr. Hammond said we did go over this, and this site plan did get stalled out and they resubmitted it and it was always my understanding that BOH would give an approval on their end on seating outside, but Bruce Johnson from Suffolk County Health Services said they had no problem with taking the seats from inside to outside as long as they kept under their number. The outdoor dining, in this Zone the B2 is limited to 12 seats, so that did not work from this applicant and that's why they need site plan approval. I do have confirmation from Health Services its up to this Board and they need to operate within their Health Department permit.

Mr. Collins said it's also about parking, if what they're saying they will only have 53 seats inside how do we know that's happening? In the Summer there are 20 employees and there are 71 spaces, and the plan only has 55.

Mr. Sudano said most employees carpool or ride bikes.

Mr. Collins said the Code is 1 space per employee; even if it's 10 you're still shy spaces. The bollards on Montauk Highway and the rear are permanent?

Mr. Sudano said yes.

Mr. Collins asked why we don't close curb cut then?

Mr. Sudano said yes we can. Since COVID everyone likes to eat outside, and most like the outside.

Mr. Collins said that's great, you should close the curb cut, take out the asphalt and plant this out so it's not box planters you can create an outdoor patio space. It's a great idea. But the tables in a parking lot, I don't think that's optimal for the restaurant or the Village.

Mr. Hill said the County would love to see that curb cut closed off.

Mr. Hammond said they are separate parcels, and how do es that work if you want to reopen it in the future?

Mr. Neubauer said that's the idea of the permanent baluster?

Mr. Hill asked Mr. Hammond to clarify.

Mr. Hammond said the parking lot to the west is one parcel, and Baby Moon to the East is separate.

Mr. Collins said Mr. Hill has to review the original site plan, there has to be conditions.

Mr. Hill said I am not sure it was the last approval; I would think they'd have to be merged.

Motion was made by Mr. Logozzo to holdover the application of **PGJG Holding, Corp., 214 and 238 Montauk Highway (905-6-2-31 and 32.1)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

14. PAB Realty Holdings, 314 Dune Road (905-018-01-024.01) Applicant seeks site plan approval to install fill within the floodplain for a sanitary system installation in conjunction with the construction of a single-family dwelling upon a 14,077 SF parcel located within the R-3 zoning district.

Aram Terchunian appeared on behalf of the application.

Mr. Neubauer asked Mr. Hill if he looked at it?

Ms. Mackie asked if this is a fill application, she apologized she didn't have anything with her. She thinks because of the Holiday and she was out sick she was not able to schedule a site inspection but she will set one up tomorrow.

Mr. Terchunian said they are requesting fill for a sanitary system, and it's a straight forward application they have DEC and Department of Health, they have appeared before the ARB and the last thing they need is fill.

Mr. Neubauer said they will have to hold this over for Mr. Hill to review the site.

Mr. Hill asked if the paving off to the side for the driveway, is there any drainage for that? How are the grades working it looks like it flows toward the road.

Mr. Terchunian said the natural slope is away from the road, and its going to be level and pervious so there is no drainage and there is a curb in front on the road so it's a good separation.

Mr. Hill asked if they putting an apron in? If it's draining away from the road it won't cause problems for the Village, and I don't think there's anything too big.

Motion was made by Mr. Logozzo to holdover the application of **PAB Realty Holding, 314 Dune Road (905-018-01-024.01)** to January 27, 2022; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

15. 71 Sunset Ave Realty Inc, 71 Sunset Avenue (905-012-01-051.01) Applicant seeks modification of site plan to convert the former bank building for butcher/grocery use including screening of rear roof-over for walk-in cooler on a 0.8-acre parcel in the B-1 zoning district.

Justin Demarco appeared on behalf of the application, together with Valentino Pompeo, Architect and Jodi Giglio. Ms. Giglio said they are seeking to move into the vacant bank and they need to modify the site plan to convert the bank to the butcher grocery use and hear this Boards comments. They are proposing a handicap ramp and transferring the use from the existing store to this location.

Mr. Neubauer asked if they have reviewed the comments from Mr. Hill?

Ms. Giglio said yes. As far as the lighting and the parking lot pole height we were hoping the Board would grant relaxation for the height and light and that was due to the bank and ATM and now that is no longer, we were hoping to change the fixtures downward facing to a much dimmer light.

Mr. Neubauer said we will want the site to conform to the Village Lighting Code.

Ms. Giglio said yes. The drainage on Sunset Avenue they will clean the drains out and then we will see if there is more flooding, and there is no proposed improvements to the site at this time. They are moving the use from Mill Road to the Sunset Avenue and it's under the supervision of Ag and Markets because less than 50% of the food is made on the premises. If he were to make it more than 50% of the sales, he has to go to the Suffolk County Department of Health for a grease trap. He wants to make renovations and then occupy the space as soon as possible.

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Mr. Neubauer said you have Mr. Hill's comments, and I would expect Mr. Hammond to have comments, and Mr. Collins as well and we don't have any comments. We're enthusiastic about the application,

Mr. Hammond said I understand its going from bank to retail, and I am not sure how much of the outside they need to touch, other than the lighting and the existing walk in.

Mr. Hill said my comments with existing site plans that complied, what we do is up to the Board's discretion it's not a blank sheet I made a few suggestions that this Board may consider and you may not want to do it and whether you want more landscaping and removing a driveway that won't be used, but if you don't want to consider you don't have to.

Mr. Pompeo said as far as landscaping, Marcus Stinchi is the owner so we will work with him to update the landscaping and plant additional vegetation around the front porch and other areas.

Mr. Hammond said so the Board is aware when it was purchased a lot of the scrubby vegetation was removed and I gave him leeway since he does do great work, and the last two years have been tough with the pandemic.

Mr. Neubauer said we expect that he does the same quality work he historically does in this Village.

Mr. Hammond said he owes us a lot of vegetation on the site.

Mr. Pasca asked if there is a Code Compliant lighting plan with the submission? It is standard to make sure we have that plan with the change of use.

Ms. Giglio said they will submit that.

Mr. Pasca said it can't be a condition, it can't close without it.

Mr. Pompeo said they provided a cut sheet.

Mr. Pasca said we need a Code Compliant lighting plan.

Ms. Giglio said when you approved other applications, you'd do this as a condition of approval to make sure they are dark sky compliant and we sought Mr. Hammond's opinion as to whether we return to this Board.

Mr. Pasca said it's a requirement that there is a lighting plan.

Mr. Neubauer asked the neighbor if they'd like to speak.

Gino Dossche, 4 Hansen Place said there were a few questions, he understands there will be a walk-in refrigerator at the back of the property, and he is wondering about the noise and to see what plants are around it and in the Summer when the refrigerators are running it is something we can hear now from 7-11 across the street. The second question is I think I heard you discuss the dumpster, will it remain at the same location which is close to our property and the dumpster of a bank versus a dumpster at a butcher shop.

Mr. Neubauer thanked the neighbor.

Ms. Giglio said they intend on keeping the dumpster in the location it exists, and as far as the condensers outside of the walk-in and they can be covered to mitigate the noise but they can get the noise from the condenser to the property line.

Mr. Demarco said the condenser that will be used to run the walk-in box are silent, there is no sound like at the 7-11; the only sound is inside and they are from the blowers. The neighbors concern, they will do their best and they keep their neighbors in mind but the condensers are essentially silent. He can come to the store now and listen to them if they want to.

Mr. Hill asked if they are on the South side of the building, or are they on the box itself?

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Mr. Pompeo said typically now they are top of the box, but we are trying to camouflage it to blend with the building so we are going to put them against the building with screening. If you stand outside the walk in box now you don't hear the noise.

Mr. Hill said they will be moved further from the house and its easier to shield them on the South side.

Mr. Demarco said to answer the dumpster, he does a lot of pickups, and waste product and by product they do not have a lot of waste that they generate smells from and they do maintain the dumpster and its swapped out several times per season,

Mr. Hill asked about moving it closer to the cold box in an area that's already paved.

Mr. Pompeo said that's up to the Board, they do not mind.

Mr. Demarco said he'd prefer it closer to the building.

Mr. Hill thinks it is a better location its an already paved area, easily accessible for the truck, its shielded and further from the neighbor and it is shielded completely. David Fox's site plan doesn't match the architects, and I would prefer one.

Mr. Pompeo said that's fine they will have David Fox update the site plan.

Mr. Neubauer said we will expect a revised site plan and photometric plan.

Ms. Mackie said we are still going to be via Zoom she assumes; you can submit everything in person but also email works well. Today is February 13, 2022 and they want it 10 days in advance, and if you submit it via email, I can access that while I'm away, I am just not in the office until February 19th I don't want my absence to hold this up.

Ms. Giglio asked what they would like them to do with the pole height, should it be reduced?

Mr. Hill said you probably have to install shorter poles.

Ms. Giglio said okay.

Mr. Neubauer said they have to comply with the Village Code.

Mr. Dossche thanked Justin for all of his efforts.

Mr. Logozzo said he isn't a fan of how the coverage on the walk-in box looks and it doesn't accent the building, and he'd like to see a rendering from the Hansen Place side and I think something has to be done with it, I don't like it at all.

Mr. Neubauer has the plan, he sees it.

Mr. Logozzo said the view from Hansen Place doesn't fit the character of the building and its on the corner. The freezer box camouflage I don't buy it, I'm speaking on my own but it doesn't work for me.

Ms. Giglio asked if he has any recommendations.

Mr. Logozzo said he'd like to see it fit with the character of the building, this does not.

Mr. Jones said he has no comments, they can look at other drawings if they have them but I understand it has to be camouflaged.

Mr. Schermeyer said he sees what Mr. Logozzo is saying but it's a hard call, it looks like its there for sure.

Mr. Logozzo said if it was in the back of the building, but when you turn the corner you see it.

Mr. Schermeyer asked if they could blend it better.

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Mr. Pompeo said they can try a raised panel.

Mr. Logozzo said they could do a brick façade, but that's adding a lot more money to the job. But it's that the stark white doesn't work well.

Mr. Neubauer said they have a few things to address at the next meeting.

Motion was made by Mr. Logozzo to holdover the application of **71 Sunset Ave Realty Inc, 71 Sunset Avenue (905-012-01-051.01)** to January 27⁸

FILL APPLICATION:

16. 13 Meadow Lane LLC, 13 Meadow Lane (905-010-01-019) Applicant seeks site plan approval to install fill and drainage within the floodplain in association with reconstruction of a tennis court & sport court, improving the backyard area of 1.1-acre single-family lot in the R-1 zoning district.

Susan Wilcenski, Spaces Landscape Architecture and she said they are returning to this site and it was recently improved up to the existing tennis court and now they want to improve from the tennis court to the back yard and the existing clay tennis court and sports court have a lawn and there is a hedge bordering the backyard and the existing elevations have the low point in the center of the lawn and they experience ponding in the back and want to address it. The only thing they are doing is raising the grade about 1 foot and the important thing they are doing is improving the drainage and they are putting the standard gravel leaching field in so the water can go in and raise it up to collect the water and its simple and Mr. Hill had concerns about the lawn drains and there are four and connected to pervious pipe and they are 12" x 12" and she shows a catch basin so there is a filter that you can open the drain and empty it.

Mr. Hill said they just want to make sure the French Drain is protected, they usually wrap them and this is different but we don't want it to be clogged.

Ms. Wilcenski said the leaching field will be encased in filter fabric.

Mr. Hill said that should work.

Mr. Neubauer asked if they will do a site inspection and if she submits a revised plan can they do a resolution?

Mr. Hill said yes, that's fine.

Motion was made by Mr. Neubauer to holdover the application of **13 Meadow Lane, LLC., 13 Meadow Lane (905-10-1-19)** to January 27, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

Motion was made by Mr. Neubauer to adjourn the meeting at **8:06 p.m.**; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.