

March 10, 2022

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on March 10, 2022, at 5:00 P.M. via web-conferencing in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: David Reilly, Chairman
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

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.

No one appeared on behalf of the application. The Board said that this application has been stagnant for quite some time, and they'd like to remove it from the agenda.

Motion was made by Mr. Neubauer to remove the application of **Anthony J. Cassano, Jr., and Louis Commisso, 30 Lilac Road (905-5-1-21)** without prejudice; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

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.

Richard T. Haefeli, Esq., appeared on behalf of the application, he submitted the BOH and covenants and there is a covenant with reference to the access to the two lots.

Mr. Pasca said he didn't want to get into the covenants until they have a determination with the conditions, that dictates that covenants unless you're doing a separate driveway access. We don't have a determination, and you submitted covenants to this Board.

Mr. Haefeli said I submitted this week the BOH approval, and we understood there would be covenants for the two poles.

Mr. Pasca said we don't do that until the final determination.

Mr. Haefeli said that's fine.

Mr. Neubauer said I have this held over to the next meeting, and this application has been on the calendar for so long and keeping it fresh in our minds is impossible.

Mr. Haefeli said I am not disagreeing and I couldn't proceed without BOH.

Mr. Pasca asked if there is BOH?

Mr. Haefeli said yes, and it was filed with the Village and I wasn't anticipating anything final tonight.

Mr. Pasca said this is the time we go back to it, we look at it and make sure everything is in order and proceed to a decision but it's been along time and we have to make sure everything is in order.

Ms. Mackie said there are members of the public that have been diligently following this.

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Mark Coles, 6 Guldi Street said we have been following this closely with Ms. Mackie and we were set up for March 24, and to manage our schedules its difficult and they don't interact with us and we'd like to speak at a meeting and we have opposition that I'm happy to provide to the Board.

Mr. Neubauer asked if they are duplicates?

Mr. Coles said yes, it's their 2019 letter and we think it's a dense development and the variance is not as of right and there's going to be a lot more noise, and impact and we'd like to see screening down both sides of the lot for the full length of the lot and that's all we're asking for. I can also supply pictures of the screening that was behind 6 Guldi Street that was cut down without permission and they were 20' high and I'd like that put back. We won't be against this if we get that relief.

Mr. Pasca said we're not closing this and we need to provide a copy to Mr. Haefeli and we can resume the conversations on March 24.

Mr. Coles said the density is a lot higher in this area and their plan has two flag poles and they are 10' rather than 15' and you still wouldn't have space and it is very dense the houses they will construct and there will be amenities and coverage and vehicular traffic and a lot of noise and we'd like to see it screened. And we had the screening, but it was cut down by the applicant.

Mr. Reilly said I recall a conversation about this about to what extent we can impose that level.

Mr. Pasca said that's why we have to re look at the application and I want to review the variance too for conditions and then we can have a better conversation on March 24,

Mr. Coles said there was comments about screening on the driveway.

Mr. Pasca said okay.

Mr. Neubauer said it's good that you're getting this moving.

Mr. Haefeli said he is fine returning on March 24, 2022.

Mr. Neubauer said why don't we hold it over to April 14 so you can look at everything. Is that okay with you?

Mr. Haefeli said I would prefer it for March 24, but if you want to put it on for April 14 that's fine.

MaryAnn Ojeko, 34 Hazelwood Avenue said her property runs where the driveway is going to go and I want to submit a survey so you can see how I'll be affected by this.

Mr. Neubauer said okay.

Mr. Reilly asked if there were any other comments. There were no other comments.

Motion was made by Mr. Neubauer to holdover the application of **Marios Nikolaidis, 36 Hazelwood Avenue (905-6-1-11.1)** to April 14, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

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.

Nicholas A. Vero, Architect appeared on behalf of the application.

Mr. Reilly said this application goes back to 2018, and the question I have is what plan are we reviewing?

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Mr. Vero said whatever I submitted a few weeks ago and Mr. Hill reviewed them, and they are dated February 3, 2022.

Mr. Reilly said it's a floor plan, elevation and site plan?

Mr. Vero said a lighting plan, floor plan, site plan and elevations.

Mr. Reilly asked if he's reviewed Mr. Hills memorandum?

Mr. Vero said yes, we're working on those revisions and I believe the last time I appeared you wanted a complete application.

Mr. Reilly said at the risk of speaking, it seemed the two more substantive were the parking calculations and the seats.

Mr. Vero said I'll coordinate that and make sure it's corrected.

Mr. Reilly asked if he received Mr. Hammonds comments?

Mr. Vero said yes, we're working on that.

Mr. Reilly said so I'm clear, and I'd like to check with the Village Attorney this is a Special Exception application for the use in the B2, are we ultimately making the decision based on the Board of Trustees?

Mr. Pasca said it needs variances as well; I don't know what the right order is going to be, but you should try to get to the ZBA as soon as possible.

Mr. Vero said yes, I'd like to. If we are trying to conform the footprint the building envelope is negative so I want to go to the ZBA and we can fall in place and go back to the Board of Trustees who have approved the Zone Change and a copy of that was submitted with the application. I'd like to go to the ZBA because the issues are moot if they don't approve the variances.

Mr. Pasca said the ZBA will want comments from this Board so you have to be comfortable from a conceptual level to give comments to the ZBA before you can have that public hearing.

Mr. Reilly said my comments and they have not changed since this was first discussed, and merging the lots is a big positive, and coordinating the sites, but for my money I think the proposed building is way too big and that's driving a lot of the problems so that is my big issue.

Mr. Neubauer asked why the service parking can't be through on to the lots so we have an entrance off of Lilac Road?

Mr. Vero said they'd like to limit the traffic off of Lilac on to that site?

Mr. Neubauer asked what their thought of entrance only on Lilac and the Oak Street exit only?

Mr. Vero said that's something Mr. Hill should review.

Mr. Hill said I have no problem with that, Lilac is only wide enough for one direction and you have the issue of where the service facilities are placed for the small store and restaurant on the West.

Mr. Neubauer said consolidating that might be the opportunity.

Mr. Hill said you'll lose parking.

Mr. Vero said he's not set on a 4,000 square foot building, and he can make it smaller and it would solve a few problems but we'd meet the parking requirements and I think any improvement to this corner will be a major one but I would be okay with making the building smaller and give excess parking and address the buffer and create ingress only to the site.

Mr. Hill said it may be better as egress.

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Mr. Vero said do you want that traffic? During the rush hour it's a lot.

Mr. Hill said with school traffic at lunch its a lot.

Mr. Vero said there's no ingress on that side, and it's only service now.

Mr. Hill said there's no alleyway and tat's the thing, I'm not sure it gives you anything as ingress.

Mr. Neubauer said people coming from the Village don't have to go Montauk Highway they can enter from Oak or Lilac.

Mr. Vero said the lunch traffic is foot traffic from the high school. You get a lot of contractors at lunch also, but they come in off of Montauk Highway and we can look at it and rework the service areas. Where will it be for Boom Burger and they'll park on Lilac and you don't want that.

Mr. Hill said there's no parking on Lilac. That's the problem with this site, there's no alternate parking.

Mr. Neubauer said no one likes to pull into that parking lot on a rainy day.

Mr. Hill said at night people park at the bank, but then they walk across Oak Street.

Mr. Vero said Boom Burger is closed at night so it's just traffic for this site.

Mr. Hill said the way they may work together may benefit.

Mr. Reilly said Lilac is creating a cut through and that presents a new challenge.

Mr. Hill said I'm not sure whether the cut through helps.

Mr. Reilly said if they want to avoid the light, they'll use it.

Mr. Hill said then you have to make a left on to Montauk Highway.

Mr. Reilly said they try to avoid that light at all costs.

Mr. Neubauer said he'd like to see the footprint reduced.

Mr. Reilly said if it's reduced in terms of setbacks what will change?

Mr. Vero said some parking, it won't give me any better buffer I have maxed them out as much as we can on the South West corner and its way more than what's there now. Reducing the building won't make a huge difference, and I don't think my client will care one way or the other if it's 3,500 square feet or 4,000 square feet and I think the best location for the building is where it is proposed and currently is. It's worked there.

Mr. Reilly asked about the curbing on the entrance on Oak Street, it's a strange configuration, will that be a problem? It seems like the turn will have to be sharp.

Mr. Hill said it's a standard curbcut.

Mr. Reilly said if you can cut the curb and give a better radius.

Mr. Hill said they are a little tight.

Mr. Pasca asked if the rezoning finalized?

Mr. Vero said that is finalized.

Mr. Pasca asked if the current map shows the new zoning? Should you change the site plan to show that it's been rezoned, have that removed off the site plan.

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Mr. Vero said he thought that should be demarcated and he left it for that, but he will have it removed

Mr. Hill asked if the lots merged?

Mr. Pasca said I don't know if they have, but that was a condition of the rezoning, but I don't know if you finished that process.

Mr. Vero said he will double check.

Mr. Pasca asked if the tax map shows one or two?

Mr. Vero said I am not sure, but I will double check.

Mr. Hill asked if the site holding Boom Burger will be single and separate?

Mr. Vero said it is now, and he owns it and the parking is non-conforming and there's designated parking.

Mr. Pasca said if there's a parking lot being created you have to get rid of the lot line.

Mr. Hill asked if you can do cross access to both?

Mr. Pasca said if he owns both, they should merge them.

Mr. Hill said we have a similar issue with Baby Moon.

Mr. Pasca said to ask the client whether they intend to keep them separate, if they are willing to merge them it simplifies it a lot, but it's not mandatory.

Mr. Vero said they are willing to merge them and intend to keep them separate.

Mr. Pasca said you could put a dash line on the site plan or label it to be merged.

Mr. Reilly said that was an issue from the start as well. We can't send them to the ZBA yet?

Mr. Pasca said Mr. Vero is going to review the plans for the building and Mr. Vero will return and you can go to the ZBA.

Mr. Hill said the most important is the parking.

Mr. Vero said if the building is smaller, the parking will change I will do that all and I would prefer to hold it over to the April meeting and I will have everything submitted then and then I can hopefully go to the ZBA.

Mr. Reilly asked if there were any members of the public who wish to speak to the application?

There was no public comment.

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 14, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

4. 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 with William Heine Architect and Ettore Manicini. Mr. Hulme said the discussions have been with the façade and we submitted something on February 28, 2022 and I think that meets our needs. There have been discussions about the turret, porch and deck and you should have our plan and Page 6 of the plans show that we have maintained the turret on the one end and we've extended the porch around the side and we've created a gazebo on the end of the building and if you go to Page 9 you'll see the porch extends down the side of the building and

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there's habitable space that needs an egress window so that's why we stopped the side porch at that point. The other thing we did, if you look at the site plan draft that we provided the septic system that was proposed between the building and Mitchell Road but we're going to connect to the sewer district so we moved the building closer to Mitchell Road and we still meet the setbacks and the parking was reconfigured but there's still enough for 14 Units as proposed.

Mr. Neubauer asked if the property backs up to the Great Lawn?

Mr. Hulme said no. There is a label on the site plan that says Great Lawn, but that's our backyard. We're trying to preserve that for future development.

Mr. Reilly said that's a nice buffer to the Southerly neighbors.

Mr. Hulme said yes, and that's why we did not consume it with parking and the parking abuts the Great Lawn.

Mr. Reilly said you have made great strides. I just don't know without Mr. Collins how much further we can go.

Mr. Hulme said we received SEQRA, we are pending with the BOT for the Special Permit and we need a referral from the ARB.

Mr. Reilly said we will do a new referral and we'll wait on Mr. Collins comments.

Mr. Hulme said at some point, I don't know if there is a process for the sewer and what we do. We may be the first connection.

Mr. Pasca said we're working on it.

Mr. Hammond said you still have to apply to the BOH because it's new.

Mr. Hulme asked if they'd accept an application?

Mr. Hammond said I would imagine so.

Mr. Hill said at one point I saw a complete site plan, but I haven't seen one again.

Mr. Hulme said since the building changed we have to submit something else, this is conceptual.

Mr. Reilly asked if there was any public comment?

There was no public comment.

Motion was made by Mr. Neubauer to holdover the application of **Westhampton Inn LLC., 43 Main Street (905-11-1-15)** to March 24, 2022 seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

5. 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.

No one appeared on behalf of the application. Ted Galante Architect submitted a written request to hold the application over to April 14, 2022.

Motion was made by Mr. Neubauer to holdover the application of **Prime Storage, 98 Depot Road (905-002-01-019.10)**. to April 14, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

6. 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

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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, she asked the Board to hold the application over as they working on their plan and Board of Health approval is still pending.

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 14, 2022 seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

7. 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.

Motion was made by Mr. Neubauer to holdover the application of **Firestar Holdings LLC, 14 Rogers Avenue (905-006-02-017)** to April 14, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

8. 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. They provided an updated site plan to the Board and they received comments from Ron Hill, and they submitted revisions on March 9, 2022 and they updated the site plan which reflects almost all of Mr. Hills comments and they are reflected in this letter and we submitted a letter with a narrative explaining our changes, and the only comment not addressed was the turn around for the garbage truck and the applicant is proposing a flag man.

Mr. Aylward said they are proposing is an attendant, the staff member who receives the delivery helps the vehicle out on to Beach Lane. The hedgerow that's there is on the neighbors property or on the property line, but it's not on ours it's on the line or on the North and we can't cut it.

Mr. Neubauer said that wasn't really an impact item about not backing on to Beach Lane.

Mr. Hill said it impacts on site distance and what the driver can see and if its not there he can see the Southerly traffic, so it does impact safety.

Mr. Aylward said the attendant can provide that.

Mr. Pasca said how do we enforce something that depends on a human to be there, that's tough.

Mr. Aylward said the dumpster and deliveries will be between 11 am and 3:00 p.m. due to the use.

Mr. Hulme said it's a solution, perhaps an imperfect one but it's not a high frequency use.

Mr. Neubauer asked how we enforce that?

Mr. Pasca said I don't know, it requires a person to be there what's the condition you can't have a delivery without someone to direct traffic?

Mr. Aylward said the nature of the delivery would require a person there.

Mr. Hill said not when the garbage is being picked up.

Mr. Hulme said we can try to find other examples of this solution and see how it was dealt with.

Mr. Hill said try to see if you can negotiate with the neighbor to help the site distance.

Mr. Hulme said you want to see the hedge trimmed back and down and a certain distance in?

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Mr. Hill said yes, that will go a lot to help it. Trucks back out of places all over currently, and it's something we live with.

Mr. Neubauer said this is preexisting we're not reinventing the wheel.

Mr. Pasca said the whole site being redone, we can't grandfather certain aspects and this is the opportunity to fix things that don't work.

Mr. Hill said the vehicle sizes will matter too.

Mr. Hulme said we'll take another look at it.

Mr. Reilly said I am not sure how we go about this.

Mr. Schermeyer said you should talk to Mr. Davis, and his issue was the dumpster pick up in the morning.

Mr. Hulme said yes, and you can covenant that. So, we'll talk to him and see what they say. Everything else raised by Mr. Hill has been reflected in the site plan.

Mr. Hill said he will review it and provide the Board with a memorandum.

Mr. Hulme said they'd like to come back on March 24.

Mr. Reilly asked if there was any public comment.

There was no public comment.

Motion was made by Mr. Neubauer to holdover the application of **WHBH Real Estate LLC, 7 Beach Lane (905-011-03-010)** to March 24, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

9. 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 main topic of this application has been the canopy and we submitted a revised plan to this Board on March 9, 2022.

Mr. Reilly said I know what Mr. Collins is going to say but I think because he was very insistent on referring to the Valero which had double gables because of the length of the canopy to break it up.

Mr. Hulme said we can talk about that. Is this canopy in concept headed where you want us to go?

Mr. Neubauer said we're getting there.

Mr. Reilly said he had them offset a little more, and I'm not sure how he'll feel about them on one side only. Overall, I think we're generally headed in the right direction.

Mr. Logozzo said I missed the last meeting, but when we discussed the site plan and the dumpster location.

Mr. Hulme said yes and we provided our reason why we want it to be maintained in its current location, and the elevations show the building architecture and the dumpster location and the heavy duty metal doors and the fact that it has the locked base.

Mr. Krasnow said the landscaping is all around it and we show that on a site plan.

Mr. Logozzo said you placed plantings on the South and I think its setback far enough, but it is setback far enough and maybe it can go further it doesn't catch your vision and we discussed this about the area and a few felt the area may become untidy

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Mr. Hulme said we discussed that and we know there will be covenants preventing that.

Mr. Logozzo said those things tend to be unsightly.

Mr. Hulme said they will make that feature look as good as it can be.

Mr. Logozzo said my personal opinion is leave it or push it back because I think anywhere else it will be seen even with an enclosure.

Mr. Hulme said if someday there is some form of connection between the site and train station, we don't want people walking by the dumpster.

Mr. Logozzo said Mr. Neubauer would like to see it behind the building, and I want to respect his comment.

Mr. Hulme said that's not something we're in a position to offer, but we're happy to offer more landscaping and we have done a nice job masking it.

Mr. Neubauer asked if there's a possibility of moving it back

Mr. Hulme said it is not a zoning issue.

Mr. Krasnow said he thought they were okay with the dumpster. I didn't realize you wanted it pushed further back.

Mr. Logozzo said I am bringing it up because Mr. Neubauer wants to see it behind the building but maybe it will be a good compromise, it won't change the appearance if it's pushed back 10' and it won't change much

Mr. Krasnow said it's 200' from the road and I don't think it's a major problem.

Mr. Logozzo said I would like to see it covered with plantings on the southerly curb.

Mr. Hulme said they will look at that.

Mr. Reilly said the North elevation doesn't show the dumpster enclosure?

Mr. Hulme said yes, we have to revise that.

Mr. Jones said I don't care about where it is and if you want to push it back that's good, and the gates look nice as long as they are maintained but there are a lot of bollards.

Mr. Reilly said I have issues with the bollards.

Mr. Hulme said there's 18' between them and the parking spot.

Mr. Jones said the canopy looks good, and the gable is centered and with that roof even though it's long there's visual substance.

Mr. Reilly asked the asphalt shingle color, black or gray?

Mr. Krasnow said it wasn't discussed. Mr. Collins sent us samples, and since day one he's referred us to a Speedway in Watermill and that's a plain roof and there was small gable in the middle and then he set us this canopy plain and we added the gable. We took what he said and we enhanced it.

Mr. Reilly said I am not unhappy, but he specifically referred us to the Valero at the end of this road.

Mr. Schermeyer said he likes the enclosure and the site looks good.

Mr. Reilly asked if he wants them to push it back?

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Mr. Schermeyer said yes, we can to make Mr. Neubauer happy.

Mr. Krasnow said I would prefer not to, but I will if I have to.

Mr. Neubauer said okay.

Mr. Krasnow said it closes off future opportunity.

Mr. Reilly said I like things to look neat, and I prefer the symmetry and where it lines up.

Mr. Hulme asked if this location is okay?

Mr. Reilly said it should be fine.

Mr. Neubauer said the larger convenience store didn't have the dumpster matching the building, it does now but I won't make an issue.

Mr. Reilly said the site plan has to be corrected so there's no right turns.

Mr. Krasnow said yes, we did put a "pork chop" in, and there's no right turns.

Mr. Hulme said I will endeavor to discuss the canopy with Mr. Collins and we'd like to return with that.

Mr. Reilly said we're in the tinkering phase and you can go to the ARB once Mr. Collins looks at the canopy. He asked if there was any public comment.

There was no public comment.

Motion was made by Mr. Neubauer to holdover the application of **WHB Development Partners LLC, 107 Old Riverhead Road (905-002-01-019.05)** to March 24, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

10. 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., submitted a request to holdover the application to March 24, 2022 as the applicant is still waiting on approval from the Board of Health.

Motion was made by Mr. Neubauer to holdover the application of **Hampton Synagogue Parrish House, 13/15 Brook Rd & 161 Sunset Ave (905-012-01-039, -040, & -043.01)** to March 24, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

11. 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 J. Pizzuli, Esq., submitted a request to holdover the application to March 24, 2022.

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 March 24, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

12. 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.

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Motion was made by Mr. Neubauer to holdover the application of **PGJG Holding Corp., 214 & 238 Montauk Highway (905-6-2-31 and 32.1)** to April 14, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

13. Village Marine of Westhampton LTD, 33 Library Avenue Ext (905-015-01-005.04)

Applicant seeks modification of site plan to expand stone blend parking for boat storage & display area, and also to replace siding and install two windows for the existing one-story “Modern Yachts” marina building located upon a 3.5-acre parcel in the Marina zoning district.

Mathew Levy appeared on behalf of the application they’d like to do vinyl siding and they cleaned up the front area on Library Avenue and put new blue stone down for a display area and they called it parking but it’s not its for boat display and we’re going to replace windows and add one additional window to the Library Avenue side.

Mr. Reilly said you went to the ARB and we got their report. The bluestone is already down?

Mr. Levy said yes.

Mr. Hill asked what was there before the bluestone?

Mr. Levy said pavement and bluestone.

Mr. Hammond said we label it a modification, but because of the grass area that was changed from parking to boat display.

Mr. Neubauer asked if the copy is satisfactory to everyone?

Mr. Hammond said this is just catching up and there’s no other changes.

Mr. Neubauer said there’s no reason not to write a decision to allow it.

Mr. Reilly said I have no objection.

Motion was made by Mr. Neubauer to close the application of **Village Marine of Westhampton, LTD., 33 Library Avenue (905-15-1-5.4)** for a determination; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

14. WH Equity Group LLC, 12, 22 & 80 Montauk Highway & 11 Old Riverhead Road (905-004-01-022.01, -023, -026.03 & -030.01) Applicant seeks site plan approval to construct a multi-family residential development consisting of forty-eight (48) dwelling units, distributed amongst seventeen (17) buildings, with a community building, swimming pool, on-site sanitary treatment plant and associated site improvements upon an 8-acre assemblage of parcels in the HD & B-2 zoning districts.

James N. Hulme, Esq., appeared on behalf of the application and the over arching issue is SEQRA and I submitted a letter on their legal position to that, and at that time we provided a traffic study and an analysis of the consistency and comparing and contrasting the relief we had and the changes in the conditions. We received comments from Mr. Hill and we’re working on our response to them and I think that the engineer has talked to Mr. Collins to get feedback.

Mr. Pasca said I think that needs to be done in a public forum due to the community input.

Mr. Neubayer said this has been here for 14 years and I got the impression that the expectation was they were good to go, this is a new application.

Mr. Hulme said it had a SEQRA approval.

Mr. Neubauer said this is a new project, in a new year.

Mr. Hulme said passage of time is not.

Mr. Reilly said I appreciate that but there has been a lot of development around it, and the nature of the Village has changed not only in 14 years but in five years.

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Mr. Hulme said I would suggest this problem was anticipated and we can discuss that and I'm mindful of the attorney's direction.

Mr. Reilly asked what we do procedurally.

Mr. Pasca said we have to talk to Mr. Collins and Mr. Hill and decide how you want to deal with SEQRA. If you're going to reexamine it, it may be coordinated which may be proper before making a final decision and there is a process.

Mr. Neubauer asked how do we do that?

Mr. Hulme asked what they indicate they are coordinating?

Mr. Pasca said a determination of significance and whether it's still valid.

Mr. Reilly asked what we're asking them.

Mr. Pasca said the prior SEQRA you're claiming is still binding, what agencies were involved in it?

Mr. Hulme said he will have to review it, I don't know if it was coordinated or not.

Mr. Hill said Suffolk County DPW would have been involved.

Mr. Pasca asked if the Trustees were involved?

Mr. Hill said it wasn't special exception then.

Mr. Hulme asked if we can hold it over.

Mr. Pasca said if a coordinated review wasn't done, that changes the decision because you still have to go to the BOT.

Mr. Hill said it was so long ago, there was a traffic study but I don't know if the review was coordinated. There was a traffic study and there was off site improvement on the intersection.

Anne Smalley, Patio Villas. She has resided there for 20 years, and she grew up in this Village and this Village has changed and it's not the same as it was in 2008 when this was trying to be constructed. The police, fire department and those are volunteers and the schools and the impact on the community on the infrastructure will be considerable the traffic will be terrible, the ingress and egress will be unbearable and the traffic light is already unbearable. I'm speaking on behalf of a lot of the neighbors and Bobby Betts who lives North of this project, and we already nearly overstuffed in this Village. The burden on all of our infrastructures will be unbelievable and there are two main roads, Montauk Highway and Old Riverhead Road and if you look at the development on those roads and on the table now, there's 138 units residential being discussed, a new restaurant, a 7-11 and I shutter to think what might think if a plane misses the runway and hits a gas pump and I read your decision and recommendation regarding Rogers Avenue Associates and I was gratified to see you were recommending the impact the nature of the community and I hope you consider that when we get to this project too.

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

Motion was made by Mr. Neubauer to holdover the application of **WH Equity Group LLC, 12, 22 & 80 Montauk Highway & 11 Old Riverhead Road (905-004-01-022.01, -023, -026.03 & -030.01)** to March 24, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

NEW APPLICATIONS:

15. George Vickers, 25 & 27 Hazelwood Ave (905-004-02-020 & -019) Applicant seeks lot line modification between adjoining parcels that total 26,897 SF (Existing: 19,773 SF & 7,124 SF) resulting in one lot of 13,304 SF and one lot of 13,593 SF.

March 10, 2022

Heather A. Wright, Esq., appeared on behalf of the application. We have a variance and we're looking to modify the lot lines and make them the same size.

Mr. Neubauer said everything on the lots will be cleared?

Ms. Wright said yes.

Mr. Reilly asked if the new lots are non-conforming?

Ms. Wright said yes, they are undersized in lot size.

Mr. Reilly said it makes sense to him to do this.

Mr. Hill asked if the driveway will be shared?

Ms. Wright said no, it's not needed.

Mr. Hill asked if it's a flag?

Ms. Wright said no, they front on Hazelwood Avenue.

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

Mr. Hammond said they do need to get approval from the Board of Health.

Mr. Pasca asked where they are with the BOH?

Ms. Wright said we have to apply.

Mr. Pasca said they may ask for SEQRA and they may want that, and it's Type II and it could simplify the process and resolve to declare it's Type II and no further SEQRA review is required.

Motion was made by Mr. Neubauer to holdover the application of **George Vickers, 25 and 27 Hazelwood Avenue (905-4-2-19 and 20)** to May 26, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

16. Westhampton Country Club, 35 Potunk Lane (905-009-03-023.01) Applicant requests site plan approval to install a vehicular entrance from South Road for the northerly parking area and install four sport courts (tennis/basketball) & equipment storage shed with associated fencing & drainage, upon a 45-acre parcel in the R-1 zoning district.

Tony Panza appeared on behalf of the application. This application is for two parts, a curb cut with a driveway off the South and heading to the existing lot on Potunk Lane and adjacent to that. You are familiar with the corner, there's a privet on the property line and in the Summer the drop off and pick up for Junior Sports is this area and it backs up on Potunk and the clubs looking to alleviate that by putting in a curbcut and they make a right turn in and it's a one way and the exit is at the Southern side of the parking lot and everyone coming out is told to make a right to the traffic circle.

Mr. Reilly asked what the courts are for?

Mr. Panza said there are tennis courts on the South and rather than traversing across the parking lot for the younger kids they have to traverse and go to the West side of the club house across the first fairway or they go to the roadside and the older kids and the younger kids will remain on this side. They can do basketball, tennis and a 4' high fence to prevent the junior sports kids from leaving the area. They're proposing a small shed with cedar walls and roof to supply the sports equipment.

Mr. Logozzo if it's one way?

Mr. Panza said yes. Mr. Hill looked at the drawings, and I responded to his comments and the corrections were made and he found the responses acceptable.

March 10, 2022

Mr. Hill said we agreed on the work to be done, and the only thing I want to make sure the Board did and have the idea of the shed and its going to look like.

Mr. Panza said we discussed stone, but in talking to Ron Hill we thought we should put in drainage and do it properly.

Mr. Reilly asked if the courts are lit?

Mr. Panza said no.

Mr. Neubauer asked if the driveways lit?

Mr. Panza said no, there's just signage that exist today.

DR said it looks like you're setback a fair distance.

Mr. Panza said the activity there now is where the Junior Sports is and what happens because of the parking lot, people drop off and others wait to pull in and it creates a back up on to Potunk Lane and they can come from South Road with a longer run and won't back up on the road.

Mr. Logozzo asked what the curb will be?

Mr. Panza said there's a curbcut then when it gets to the Privet there's no curb.

Mr. Neubauer asked if there's Belgium block?

Mr. Pnaza said we wanted to, but that's not approved in the Village so it's concrete as shown on the plan.

Mr. Hill said Belgium Block doesn't hold up to the plows.

Mr. Logozzo said I know Mr. Hill will review it, but I'm looking at the drainage and the topography.

Mr. Reilly asked where the egress is?

Mr. Panza said the same point, the Southern point of the existing Junior Sports lot. If people are coming in and parking, or dropping off there's a que delay and that backs the cars on to Potunk Lane.

Mr. Reilly said the curbcut shown, and where the new driveway meets up there's people coming and unless I'm missing something it's a conflict point.

Mr. Hill said it is low volume.

Mr. Logozzo said on th spot elevations, will the drainage work? Since its so big, I'm looking at it as a waste of time and not functional? The way the road is crowned it'll drain off into the grass.

Mr. Hill said it's pitched to run into the property.

Mr. Logozzo said it shows drainage but it doesn't work.

Mr. Hill said I saw they need more at the entrance but it's pitched into the basin, it's not crowned.

Mr. Logozzo said it's a troft effect.

Mr. Hill said it's light but they'll depress them I was thinking of asphalt collars being put on them.

Mr. Pasca if it goes for a 29-C?

Mr. Hammond said no, the field is the field whether there's a structure I didn't interpret it as a change and it's just the driveway entrance.

Mr. Pasca said okay.

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Mr. Reilly asked if the conflict is okay with Mr. Hill.

Mr. Hill said it shouldn't be an issue, you want signage to clarify the driveway coming in is one way in, and so you don't have someone turning out into the exit.

Mr. Panza said okay.

Mr. Reilly said people coming in the new way, and someone makes a Left off Potunk Lane.

Mr. Hill said we can put a stop sign on the new road.

Mr. Reilly asked if it's a modification or not?

Mr. Pasca said I am not sure it matters too much; the resolution will be the same regardless.

We don't like the removal of the hedges and we don't like the fact that we believe having lived there for many years, it will create more safety or traffic issues

Motion was made by Mr. Neubauer to close the hearing of **Westhampton Country Club, 35 Potunk Lane (905-9-3-23.1)** for a determination; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

EXTENSION REQUEST:

17. Michael Rettig, 51 South Road, Westhampton Beach (905-9-3-17.16) Applicant requests an extension of their June 28, 2018 Planning Board determination.

Heather A. Wright, Esq., appeared on behalf of the application, and they received an approval in 2018 and their agent took care of it and the project stopped and they did not know they had to renew it. I wasn't sure if I needed to extend it or reapply, they are looking to just construct the same tennis court.

Mr. Neubauer asked when they were going to do this?

Mr. Hammond said they have been renewing their permit, they intend to start construction this spring and it wasn't, there's no fee for residential and in light of the craziness and even though it's old I was hoping they could do an extension and apply for the permit.

Mr. Neubauer said okay.

Mr. Reilly said the will issue a retroactive extension for 18 months, from November 28, 2018.

Motion was made by Mr. Neubauer to grant the extension request of **Michael Rettig, 51 South Road, Westhampton Beach (905-9-3-17.16)** up to and including September 28, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

18. Avidor Group, LLC., 92 Oak Street Westhampton Beach (905-5-2-38) Applicant requests an 18 month extension of their site plan approval.

Jefferson Murphree appeared on behalf of the application. There has been progress on the property, we have demolished the buildings, and its not complete yet and we have questions for Mr. Hammond and we will give him a call to finish up the site work and we have no luck for a tenant, the market for retail is soft and we don't want to build a spec building. We don't know if it'll be one two or three tenants and we don't want to redesign it and we're asking for an 18-month extension to try to find a tenant.

Mr. Reilly said I am not inclined to an 18-month extension, I'd like to keep a tighter rein on it.

Mr. Neubauer said I think 6 months should be the maximum.

Mr. Murphree said he understands, they would be happy with whatever the Board grants.

Mr. Reilly said he agrees. He asked Mr. Logozzo what he thinks.

March 10, 2022

Mr. Logozzo said he's happy to see it demolished, he likes six months.

Mr. Jones agreed.

Mr. Murphree said this is in Phase III of the sewers which also dictates the available uses.

Mr. Reilly said he'd like to see a six-month extension, not 18 months.

Motion was made by Mr. Neubauer to grant the extension request of **Avidor Group, LLC., 92 Oak Street (905-5-2-38)** up to and including September 28, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer to adjourn the public hearing at **7:00 p.m.**; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.