

March 24, 2022

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on March 24, 2022, at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: David Reilly, Chairman
Ralph Neubauer
Rocco Logozzo

Brad Hammond, Building & Zoning Administrator

Ron Hill, Village Engineer
Kyle Collins, Village Planner

Anthony C. Pasca, Esq., Village Attorney

Maeghan Mackie, Board Secretary

ABSENT: Michael Schermeyer

DECISIONS:

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.

No one appeared on behalf of the application. Mr. Reilly stated there was a determination, and the reading was waived.

RESOLUTION OF THE PLANNING BOARD
VILLAGE OF WESTHAMPTON BEACH
DATED: March 24, 2022

IN RE:

**Village Marine of Westhampton, LTD.
33 Library Avenue Extension, Westhampton Beach, New York 11978
Suffolk County Tax Map Number 905-15-1-5.4**

WHEREAS, Village Marine of Westhampton, LTD., is the owner of real property located at 33 Library Avenue Extension which is designated on the Suffolk County Tax Map as 905-15-1-5.4, and

WHEREAS the owner has submitted an application to the Board for a modification of site plan to expand a stone blend parking area for boat storage and display area, and also to replace siding and install two (2) windows for the existing one-story marina building, as shown on the survey drawn by Young & Young Surveying, dated December 2, 2021 and received by the Village of Westhampton Beach on December 15, 2021 (“Site Plan”); and

WHEREAS, the application was referred to the Architectural Review Board on January 28, 2022 and the Architectural Review Board issued an Advisory Report dated March 3, 2022; and

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WHEREAS, the Board has reviewed the plan and pictures date stamped received by the Village on December 15, 2021 and has held a public hearing at which it reviewed the plan, and

WHEREAS, the applicant has submitted an Environmental Assessment Form Part 1 pursuant to SEQRA and this Board as lead agency determines that the action is a Type II action under SEQRA, and no further environmental review is required, and

WHEREAS the modification of site plan application is complete and contains all of the site plan elements set forth in the Village Code.

IT IS THEREFORE RESOLVED that the modification of site plan application is approved subject to the condition that all improvements shall be made pursuant to the Site Plan submitted and date stamped received by the Village of Westhampton Beach on December 15, 2021, and all documents above cited, and any changes shall be subject to further review and approval by this Board.

Dated: March 24, 2022

Motion was made by Mr. Neubauer to adopt the determination of **Village Marine of Westhampton LTD, 33 Library Avenue Ext (905-015-01-005.04)** as written; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

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.

RESOLUTION OF THE PLANNING BOARD

VILLAGE OF WESTHAMPTON BEACH

DATED: March 24, 2022

IN RE:

Westhampton Country Club

35 Potunk Lane, Westhampton Beach, New York 11978

SCTM #: 905-9-3-23.1

I. The Application for Site Plan Approval

Westhampton Country Club, Inc., is the owner of real property located at 35 Potunk Lane, Westhampton Beach, New York 11978, which is designated on the Suffolk County Tax Map as 905-9-3-23.1. Westhampton Country Club, Inc. (hereinafter, the “applicant”), has submitted an application to the Planning Board of the Village of Westhampton Beach (hereinafter the “Board”), for site plan approval to install a vehicular entrance from South Road

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for the Northerly parking area and install four (4) sport courts (tennis and basketball) and equipment storage shed with associated fencing and drainage, as shown on the site plan drawn by The Raynor Group, P.E. & L.S., PLLC., last dated February 9, 2022 and last updated on March 21, 2022 (“Final Site Plan”).

The application was properly noticed and advertised for a public hearing, which opened on March 10, 2022.

The applicant submitted an Environmental Assessment Form Part 1 pursuant to the State Environmental Quality Review Act (SEQRA). The Board determined that the application is classified as a Type II action under 6 NYCRR §617.5(c)(7), as it involves the construction of a nonresidential structure or facility involving less than 4,000 square feet of gross floor area. As such, the Board determined that no further environmental review under SEQRA is required.

II. Findings and Conclusions

As of the Board of March 24, 2022, meeting, the site plan application is complete and contains all of the site plan elements set forth in the Village Code. The procedures required for site plan review have been fulfilled as applicable to this application. The public hearing is hereby closed.

The Planning Board finds that, subject to the conditions set forth in Section III below, the Final Site Plan satisfies the requirements of the Village Code with respect to design, drainage, parking, lighting, landscaping, and other requirements of the Code. The Final Site Plan is therefore approved subject to the following conditions:

III. Conditions

1. All improvements shall be made pursuant to the Final Site Plan, including all details, specifications, notes, and conditions set forth therein. Except as provided herein, any changes shall be subject to further review and approval by the Board.
2. The installation of all drainage, and grading and surfacing of the parking lot, aisles, driveways and sidewalks, shall be supervised by the Village Building Inspector and Village Engineer and shall be installed pursuant to the Final Site Plan. The Village Engineer shall be authorized to approve changes to the location or sizing of drainage structures if field conditions shall warrant such changes and the changes are approved in advance, however the total capacity of the modified system shall equal to or exceed what is shown on the Final Site Plan. The modified drainage plan shall be submitted to the Village Engineer for approval prior to undertaking the work. The applicant shall also provide advanced notice to

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the Building Department prior to commencement of such work, so that inspections can be coordinated at the appropriate times and stages

3. No new site plan lighting is proposed nor approved by this determination. Any new site plan lighting would require further review and approval by the Board.

4. The drainage structures installed as part of the Final Site Plan shall be periodically inspected and cleared if necessary, to ensure that they function as designed. The Village shall be entitled to inspect the drainage structures annually to ensure compliance with this condition. In lieu of an inspection, the owner may provide the Village Building Inspector with a certification by a licensed, professional engineer confirming that the drainage structures have been inspected and are clear and are functioning as designed

5. The issuance of a Certificate of Occupancy shall be subject to the approval by the Board of a final "as built" survey containing all of the site plan elements set forth in the Final Site Plan. In addition, no Certificate of Occupancy may be issued by the Building Inspector until the Building Inspector has certified the completion of all the improvements and site work as shown on the Final Site Plan.

6. The approval set forth here and shall expire unless a building permit has been issued for the construction within six (6) months of the date hereof and construction is completed within eighteen (18) months from the date hereof. The Board shall have the right to extend the time period set forth in this paragraph by a majority vote of the members present at a regular meeting wherein such vote is taken.

Dated: March 24, 2022

Motion was made by Mr. Neubauer to adopt the determination of **Westhampton Country Club, 35 Potunk Lane Westhampton Beach (905-009-03-023.01)** as written; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

OUTDOOR DINING / MUSIC

1. **Ivy on Main, Inc., 103 Main Street (905-11-2-20.1)** Applicant requests outdoor dining and music. Applicant is seeking eight (8) tables, and 16 seats at maximum; and outdoor music.

Gerald Ferrari appeared on behalf of the application. He said that he wants to put tables outside and he will use a speaker for music from inside to out.

Mr. Neubauer asked if he had pictures of the tables?

Mr. Ferrari said no.

Mr. Logozzo said he would like to make sure the patrons have room to move around.

Mr. Ferrari said he can submit photographs.

Mr. Neubauer said he is okay with the application and referring it back to the Board of Trustees if the applicant submits photographs.

Mr. Ferrari said he will email them.

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Motion was made by Mr. Neubauer to refer the application of **Ivy on Main, Inc., 103 Main Street (905-11-2-20.1)** to the Board of Trustees with no objection; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

HOLDOVERS:

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 April 14, 2022**

ZBA: **GRANTED, 12/20/2018**

ARB: **N/A**

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

SCDHS: **Received**

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 April 14, 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. 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. He said that they would like to hold the application over to April 28, 2022.

Motion was made by Mr. Neubauer to holdover the application of **Westhampton Inn LLC., 43 Main Street (905-11-1-15)** to April 28, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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.

Status: **HELDOVER UNTIL April 14, 2022**

ZBA: **N/A**

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

SEQRA: *Coordinated Review Commenced January 27, 2020; Accept Lead Agency Status SEQRA Determination Adopted, August 27, 2020*

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: *Received SCPC No objection;*

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 court, and associated site improvements, upon an assemblage of three parcels totaling 122,001 square feet on the west side of Old Riverhead Road in the HD zoning district.

Status: *HELDOVER UNTIL April 14, 2022*

ZBA: **N/A**

ARB: **NEEDED**

BOT: **SPECIAL EXCEPTION PERMIT, NEEDED**

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

SCDHS: **NEEDED**

SCDPW: *Received March 21, 2022*

SCPC: *Received March 22, 2022*

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

Status: *HELDOVER UNTIL April 14, 2022*

ARB: **N/A**

BOT: **N/A**

SEQRA: *Needed*

SCDHS: *Needed*

SCDPW: **N/A**

SCPC: **N/A**

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.

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.

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.

No one appeared on behalf of the application.

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 April 14, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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 written request to hold the application over to April 14, 2022.

Motion was made by Mr. Neubauer to hold over the application of **Country Pointe at WHB, 44 and 60 Depot Road (905-4-1-13.1 and 14.6)** to April 14, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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.

Status: **HELDOVER UNTIL April 14, 2022**

ARB: N/A
BOT: N/A
ZBA: N/A

SEQRA: N/A
SCDHS: N/A

SCDPW: N/A
SCPC: N/A

13. 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, together with Bryan Grogan, Engineer.

14. 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.

Status: **HELDOVER UNTIL May 26, 2022**

ARB: Needed
BOT: Needed
ZBA: N/A

SEQRA: Needed
SCDHS: Needed

SCDPW: Needed
SCPC: Local Determination Received

Motion was made by Mr. Neubauer to adjourn the meeting at **5:40 p.m.**; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.