

June 9, 2022

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on June 9, 2022, at 5:00 P.M. 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

Anthony C. Pasca, Esq., Village Attorney

Maeghan Mackie, Board Secretary

## **DECISIONS**

**165 Oneck Lane LLC, 165/167 Oneck Lane (905-009-01-021.01 & -021.02)** Applicant seeks modification of the conditions of subdivision approval of the “Laurence Verbecke” two-lot subdivision, originally approved by resolution of the Planning Board on March 25, 2021.

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

DECISION OF THE PLANNING BOARD  
VILLAGE OF WESTHAMPTON BEACH  
DATED: May 26, 2022

IN RE:  
**165 Oneck Lane, LLC.**

**165 and 167 Oneck Lane, Westhampton Beach, New York 11978  
Suffolk County Tax Map Numbers 905-9-1-21.1 and 905-9-1-21.2**

### **I. The Application for Subdivision Approval**

165 Oneck Lane, LLC., hereinafter referred to as the applicant, is the reputed owners of real property located at 165 and 167 Oneck Lane, Westhampton Beach, New York 11978, which is designated on the Suffolk County Tax Map as parcel numbers 905-9-1-21.1 and 905-9-1-21.2.

The applicant has submitted an application to the Planning Board of the Village of Westhampton Beach (hereinafter the “Board”), for approval to modify the conditions of the subdivision approval of the “Laurence Verbecke” two-lot subdivision, originally approved by resolution of the Planning Board on March 25, 2021.

### **II. Review by Planning Board and Other Agencies**

The application has been processed as a minor subdivision, for which no preliminary plat is required.

The application was properly noticed and advertised for a public hearing, which opened on May 12, 2022. The Board thereafter reviewed the application, subdivision, supporting materials, and revisions to the subdivision and supporting materials. The Village’s engineer and planner also reviewed the application and provided comments thereon.

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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.

**Findings and Conclusions**

A. As of the Board’s May 12, 2022 meeting, the application is deemed complete, subject to the conditions and remaining steps to be completed as set forth herein. The public hearing is hereby closed.

B. The Planning Board hereby conditionally approves, subject to the conditions set forth in section V below, the Final Subdivision Plans.

**V. CONDITIONS**

1. All stormwater runoff resulting from the development and improvement of any of the subdivision lots shall be retained on the individual lots by adequate drainage structures so that such runoff will not flow off the individual lots.

2. All future local electric power, telephone, and cable television lines for the subject subdivision and any of its lots shall be placed underground, whether on any of the lots or within the Common Driveway and Utility Easement area or Drainage Easement area.

3. All driveways within the residential lots of the subdivision shall be of sufficient width to support emergency vehicle access, shall maintain a minimum overhead clearance, or “tree free canopy,” of 14 feet, and shall be made of a material that would support emergency vehicles.

Pursuant to Section 7-728(7)(c) of the N.Y. Village Law, this conditional approval shall expire within one hundred eighty days after this unless all requirements stated in this resolution have been certified as completed. The Planning Board may extend for periods of ninety days each the time in which the final plat must be submitted for signature if, in the Planning Board's opinion, such extension is warranted by the particular circumstances.

Pursuant to § 150-40 of the Village Code, the conditional approval shall expire 90 days after the date of the Board's resolution authorizing the Chairman to sign the final plat unless, within such time, the final plat shall have been filed in the Office of the Suffolk County Clerk and Village Building Department, unless the applicant requests, prior to such expiration date, an extension of the expiration date, and such request is granted.

Also, pursuant to Section 7-728(11) of the N.Y. Village Law, the final approval of the aforesaid subdivision plat shall expire unless the owner(s) of the subdivision property shall file the approved final plat in the Office of the Suffolk County Clerk within 62 days of the date the plat is signed by the Planning Board Chairman, as set forth herein.

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If any condition or conditions of this approval resolution is/are not met, or is/are not met within the prescribed time period, all approvals and authorizations granted hereby shall be void and of no effect.

Dated: May 26, 2022

Village of Westhampton Beach Planning Board

Motion was made by Mr. Logozzo to adopt the determination of **165 Oneck Lane, LLC., 165/167 Oneck Lane (905-9-1-21.1 and 21.2)** as written; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**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.

DECISION OF THE PLANNING BOARD  
VILLAGE OF WESTHAMPTON BEACH  
DATED: June 9, 2022

IN RE:  
**WHBH Real Estate, LLC.**  
**7 Beach Lane, Westhampton Beach, New York 11978**  
**Suffolk County Tax Map Number 905-11-3-10**

**III. The Application for Site Plan Approval**

WHBH Real Estate, LLC., is the owner of real property located at 7 Beach Lane, Westhampton Beach, New York 11978, which is designated on the Suffolk County Tax Map as 905-11-3-10. WHBH Real Estate, LLC., (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 renovate and construct additions to the three-story hotel / inn (16 units) with associated site improvements on a one-acre parcel located in the HC Zoning District.

The application was properly noticed and advertised for a public hearing, which opened on July 22, 2021. The Board thereafter reviewed the application, site plan, supporting materials, and multiple revisions to the site plan and supporting materials. The Village’s engineer and planner also reviewed the application and site plan and provided comments thereon throughout the course of the review process.

The final version of the site plan for which applicant seeks approval is the site plan prepared by R&M Engineering, Robinson & Muller Engineers, P.C. dated May 25, 2021 last revised April 13, 2022, consisting of twelve (12) sheets: SP-1 Cover; SP-2 Alignment Plan; SP-3; SP-4 Demolition and Erosion Control Plan; SP-5 Landscape / Irrigation Plan; SP-6

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Photometric Plan; SP-7 – SP-11 Construction Details; EC-1 Existing Conditions Plan; (hereinafter collectively referred to as the “Final Site Plan”).

By resolution dated October 14, 2021 the Board adopted a negative declaration under the State Environmental Quality Review Act (SEQRA). As such, the Board determined that no further environmental review under SEQRA is required.

The applicant received approval from County of Suffolk Department of Health Services on May 20, 2022.

The application was referred to the Village’s Architectural Review Board, which issued a report dated March 16, 2022.

The application was referred to the Suffolk County Planning Commission, which, by response dated \_\_\_\_\_, determined that this was a matter for local determination, thus terminating the Commission’s review process.

The applicant appeared before the Board of Zoning Appeals on February 18, 2021, and received a determination on February 17, 2022.

### **Findings and Conclusions**

A. As of the Board’s June 9, 2022 meeting, the site plan application is deemed complete, as the Final Site Plan 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.

B. The Planning Board finds that, subject to the conditions set forth in Section III below, the proposed site plan satisfies the requirements of the Village Code with respect to design, drainage, parking, lighting, landscaping, and other requirements of the Code.

C. The Planning Board approves, subject to the conditions set forth in section III below, the site plan and improvements as depicted on the Final Site Plan (i.e., the plans prepared by prepared by R&M Engineering, Robinson & Muller Engineers, P.C. dated May 25, 2021 last revised April 13, 2022, consisting of twelve (12) sheets: SP-1 Cover; SP-2 Alignment Plan; SP-3; SP-4 Demolition and Erosion Control Plan; SP-5 Landscape / Irrigation Plan; SP-6 Photometric Plan; SP-7 – SP-11 Construction Details; EC-1 Existing Conditions Plan, which Final Site Plan documents are hereinafter collectively referred to as the “Approved Plans.”

### **III. Conditions**

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1. All improvements shall be made pursuant to the Approved Plans, 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 dumpster shall be screened from the view of Beach Lane and adjacent properties, as depicted on the Approved Plans. Any change in the location of the dumpsters shall be subject to further review by the Board as to location and screening.
3. All roof runoff will be retained on-site by being piped to on-site catch basins.
4. The installation of all drainage, and grading and surfacing of the parking lot, aisles, driveways and sidewalks, shall be supervised by the Village Engineer and shall be installed pursuant to the Approved Plans. 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 by the Village Engineer, however the total capacity of the modified system shall equal to or exceed what is shown on the Approved Plans.
5. The landscaping for the property shall be completed and maintained pursuant to the landscaping plan included in the Approved Plans. An underground sprinkler system shall be installed to water the improved areas of the site.
6. All lighting shall be installed pursuant to the lighting plan within the Approved Plans, subject to the final inspection of the Village Engineer and the Planning Board. All installed exterior lighting shall be zero cut off, and all lighting shall be contained on the premises.
7. The construction and installation of all site improvements, including lighting and landscaping, shall be subject to the periodic inspection and approval of the Building Inspector and Village Engineer to ensure consistency with the Approved Plans and compliance with Chapter 149 of the Village Code.
8. The site shall be kept clean and neat at all times. Any vegetation on the property shall be mowed at least once every two weeks during the growing season, and the entire site shall conform with the New York State Property Maintenance Code.
9. 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 Approved Plans, together with any additions set forth in this resolution. In addition, no Certificate of Occupancy may be issued by the Building Inspector until the Building Inspector

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has certified the completion of all of the improvements and site work as shown on the Approved Plans.

10. Covenants:

i. The applicant, at its own expense, shall prepare a "Declaration of Covenants and Restrictions" (hereinafter, "Declaration") that affects all of the property subject to this resolution and that sets forth the restrictions in Conditions 1, 2, 3, 5, 6, 7, and 8 above.

iii. The applicants shall submit the Declaration to the Planning Board for review and approval of the form and substance of the Declaration by the Planning Board and the Planning Board's attorneys.

iii. The applicant shall simultaneously submit to the Planning Board (a) a title certification by a title company licensed to do business in the State of New York identifying the owner(s) in fee of the entirety of the subject property and identifying the names of all parties that must consent to the execution and recording in the Suffolk County Clerk's Office of a declaration of covenants and restrictions setting forth the conditions required by this determination, and (b) signed and duly acknowledged consents from all the parties that must so consent.

iv. Following approval of the form and substance of the Declaration by the Planning Board and its attorneys, the applicant shall, at its own expense, execute and record the Declaration as a conveyance affecting the property, in the Office of the Suffolk County Clerk and provide the Planning Board with proof of such recording.

v. The filing of proof of recording shall be a condition precedent to the issuance of any Certificate of Occupancy.

11. 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, which extension shall not exceed a total of one hundred and eighty (180) days.

Dated: June 9, 2022

Village of Westhampton Beach

Motion was made by Mr. Logozzo to adopt the determination of **WHBH Real Estate, LLC., 7 Beach Lane (905-11-3-10)** as written; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**Michael Nobiletti, 8 Stillwaters Lane (905-010-04-025)** Applicant seeks site plan approval to install fill within the floodplain for backyard improvements of a single-family dwelling on a 40,000 SF parcel in the R-1 zoning district.

**HOLDOVERS:**

**1. Marios Nikolaides, 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. Hafeli, Esq., submitted a request to holdover the application to June 23, 2022.

Motion was made by Mr. Logozzo to holdover the application of **Marios Nikolaides, 36 Hazelwood Avenue (905-6-1-11.1)** to June 23, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**2. 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 submitted a request to holdover the application to July 28, 2022.

Motion was made 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 July 28, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**3. 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 requested to hold the application over to June 23, 2022.

Motion was made by Mr. Logozzo to holdover the application of **Westhampton Inn LLC., 43 Main Street (905-11-1-15)** to June 23, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**4. 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.

Motion was made by Mr. Logozzo to holdover the application of **Prime Storage, 98 Depot Road (905-2-1-19.10)** to June 23, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**5. 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.

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Heather A. Wright, Esq., submitted a request to holdover the application to June 23, 2022.

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 June 23, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

**6. 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 June 23, 2022**

*ARB:* **N/A**  
*BOT:* **N/A**

*SEQRA:* **Needed**  
*SCDHS:* **Needed**

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

**7. 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 and they submitted a modified site plan and they are waiting for comments.

Mr. Hill said they have addressed the truck routes and the rest of the comments are smaller.

Mr. Hammond said we are waiting on the Board of Health.

Mr. Pasca asked where they stand with the Board of Health?

Mr. Hulme said they have a few comments that they have to address with them, and they are going to do that.

Mr. Krasnow said they will return the comments to the Board of Health tomorrow there is something new with how the nitrogen is removed and they have to do that with the county. Its all under ground and not site work.

Mr. Hill said I didn't bring it up, can you identify the location of the vent pipes.

Mr. Krasnow said it's in the updated plans, and it's not in the front and shown on the side.

Mr. Hill said okay.

Mr. Reilly

**8. 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.

Frank Lombardo, Architect requested to hold the application over to June 23, 2022.

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 June 23, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.



**9. 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 submitted a request to holdover the application to July 14, 2022.

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

**10. 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 PW Grosser, Pat Lenihan, Ryan Jantzen, and Mike Kelly. Mr. Hulme said he has received comments from the public to date and I would characterize them most from Patio Villas which is similarly situated and dense as the number of units per acre so it is comparable. Part of the Village which has allowed us to make applications to construct these types of projects, and it’s a Special Permit Use and that part of it goes to the yield and not to the actual use so what we’re talking about as part of SEQRA is the MF Use as proposed. One thing, and several written comments received seem to have the mistaken belief that there is only one access and there are three (3) to this project, and this came from the 2008 process. There is full access from Depot Road in and out, and there’s a right in and right out on Montauk Highway and a right in South bound from Old Riverhead Road. The other thing I want to point out about the plan, we have dedicated a portion of the property in the Depot Road, Montauk Highway intersection to allow a South turning lane, and a right turning lane off of Montauk Highway to absorb the car traffic going past us to the train station. Again, the comments received so far all seem to be related to traffic and I thought it would be helpful to have the traffic engineer make a presentation to the traffic studies. We did one, and we received comments and we provided additional materials and conclusions.

Pat Lenihan, VHB appeared on behalf of the application. They performed a traffic study to evaluate the traffic impacts for the proposed development and that was done in accordance with the standards procedures and reviewed by the Village Engineer and that final version was submitted with the project documents. Much of the existing condition information, traffic volume and crash records were sourced from the traffic study for the Country Pointe done by Beechwood to the North of this and is approved and under construction. They were collected prior to, during and after the 2021 Memorial Day Holiday and found to be appropriate. That information was vetted prior and the study evaluated typical elements, such as safety, existing conditions, site access and circulation, volumes and capacity. We looked at weekday AM and PM period and Mid-Day peak period. They are associated with the highest levels of traffic. We looked at Montauk Highway and Old Riverhead Road and Montauk Highway and Depot Road and Oneck Road and Old Riverhead Road, and Montauk Highway and Depot Road access point. The proposed complex generates a modest number of peak hour vehicle trips. MF housing generates trips at a half rate of single family detached housing, in its highest peak hour we expect it to generate 24 vehicle trips. MF housing tends to be smaller, fewer people and cars and drivers and that washes out in the data in the vehicle trip generation. We have three access points, also the driveway on Depot Road is close to Montauk Highway so the way its situated that small amount of traffic unless they go North or to the tennis club will be constrained to the South end of the road. In terms of site access, it was mentioned, we have right turns in Southbound on Old RR Road, right turns in and out on Montauk Highway and full on Depot Road and that will diffuse the locations and directions you won’t see the traffic in one spot, With the provision of the three points of access the site traffic is reduced. During the weekday PM Peak on Oneck Road you will see 15 trips in one hour both direction, and this is average there will be up and downs but if you could identify a car once every four vehicles. The study and the technical end and regarding parking the site meets code requirements the geometry provides good circulation. The study doesn’t identify the need for offsite mitigation and there is proposed beneficial improvements done with eh project and that’s at the intersection of Montauk Highway and Depot Road; on the South lane the Western frontage of the site will be widened to 8’ from the property line and allow two south bound lanes and dedicate South lane and a second right lane. There is a single lane there now and that gives twice as much capacity so when the cars are queued people can turn left in one lane and they move

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through the light twice as fast. On the West bond through pavement widening we are providing a separate turning lane on to Depot Road so they will provide significant increases that exceeds small impacts and those capacity increases will be there all day. We have been made aware of concerns of periodic increases in traffic relating to the train station on weekends and perhaps the Hampton Jitney. No matter what hours those exist you may find ques at higher traffic levels on Depot Road the roadway improvements will help that situation as well. Patio Gardens III will place them at their cost and they will address the situations that may occur now. Based on that study that the approval won't result in adverse traffic conditions.

Mr. Reilly said I have a question, another project North of here we reviewed and we prohibited an access from CR 31 because we were concerned about a cut through to Depot Road and I see this being the same thing. An access point off of CR 31 and it's closer to Montauk Highway and this I guarantee people who don't want to use the Montauk Highway will use this. I would like it to be looked at again, but I know how it'll work.

Mr. Lenihan said we will look at that. The geometry in the community.

Mr. Reilly said anyone that travels out East knows they use the side roads, and I'm not advocating and I'm not saying anything and we had this conversation on another application and we told them they could not use that road.

Mr. Hulme said we will look at that. The only comment that occurs to me the traffic we are not generating.

Mr. Reilly said it's a community problem.

Mr. Hulme said you're suggesting they'll zig zag through the community and go left and they are already going down that road, people who would come down Old RR go to Montauk Highway and Depot Road they are already going there.

Mr. Reilly said you're creating a dangerous condition and redirecting traffic into a different intersection further West and create more problems and I don't know the traffic study accounts for that.

Mr. Collins said there is a difference, this is a private road and the other development was public.

Mr. Logozzo said south on CR 31 is a right turn in, and I thought it might be beneficial to add a right turn out as another way to get into town instead of having to go to Depot Road. The destination in the Summer will be South and that's another way to get South instead of Depot Road.

Mr. Lenihan said the right turn in off CR 31 is easy, it doesn't slow traffic down or make them look for a gap and there right turn forces someone to merge into traffic on CR 31 and with the improvements at Depot Road routing through the Depot intersection with the traffic signal is the better solution.

Mr. Logozzo said the in has no congestion, the way out is trips and they are limited. Let's say it's an even split on trips and you're going to generate half them on Depot and push them out going South on CR 31.

Mr. Lenihan said we have to talk to Suffolk County about that. He thinks its related to evaluating the cut through.

Mr. Reilly said this Board has been trying to avoid creating new conflict and this borders two of the heavily traveled roads.

Mr. Lenihan said the County DPW mentioned if we want they would put a left turn in off on Montauk Highway because the median is there.

Mr. Schermeyer asked if the redesign will change the light

Mr. Lenihan said the two corners are not being impacted by the equipment will have to be changed and that new equipment may be such that structurally the poles have to be changed.

Mr. Schermeyer said it's one of the worst timed lights.

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Mr. Logozzo said a lot of people mention the timing of the light and I was told the signal cannot be changed, and it's a big issue why can't the timing be addressed.

Mr. Lenihan said the Suffolk County DPW and NYS Dept. of Transportation promotes throughput on their roads. The traffic signal does nothing but a portion of an hour of time and they give more time to Depot Road they have to take if off Montauk Highway.

Mr. Logozzo said the light on CR 31 going South goes into demand mode most of the day and this light within 20 seconds turns green most of the day and that signal lets people going North to CR 31 through so if that can happen at that signal, why can't something be done at this signal.

Mr. Lenihan said we have to raise that to Suffolk County, and we can look in to it. If the Village makes the request you hold more weight than I do.

Mr. Logozzo said it's been said it's difficult to change the light.

Mr. Lenihan said we will look into it.

Mr. Logozzo said the right turn out going South, the trip count you aren't talking about a lot of cars going South so it's not a fight to get out of there.

Mr. Lenihan said we will look into it.

Mr. Jones said cars coming South turning right and circling through going West on Montauk Highway.

Mr. Lenihan said that's related to the Chairmans point, and we will look into that and look at ways to mitigate that because it is a private road.

Mr. Reilly said across the street is the High School and there is a ton of traffic and trying to navigate the school traffic and now the contractors and people coming to and from work what comment do you have with how that will be impacted.

Mr. Lenihan said the traffic will be incrementally more, but its daily variations are as big as what we're adding. When the light turns green if you look at the traffic we're putting on Depot Road and most times it's a signal cycle there should not be a car from this development.

Mr. Reilly said when you did the numbers, was each unit occupied year-round full time?

Mr. Hill said yes.

Mr. Lenihan said yes.

Mr. Reilly said the numbers you are anticipating are they full time, full occupancy?

Mr. Lenihan said yes, this is worst case scenario.

Mr. Neubauer said the calculations, what projects did you consider as potential impacts in this traffic study?

Mr. Lenihan said there is a list of other planned developments that were considered and the number was about 10 and we went through that with the Engineer and looked at Beechwoods and added to it. Country Pointe was in our study and we were in theirs, and we included Amazon and several other projects. There were many small projects identified and Speonk.

Mr. Neubauer said the project at Strebels will not be small; the ones in Speonk and Eastport are not small.

Mr. Lenihan said there are 11, this study searches for projects and it doesn't change the impact and we do the best we can in the snapshot we take at the time we take it.

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Mr. Neubauer said I'm going to comment about CR 31 and I will be surprised if the DPW will allow it and not having an entrance there is to their advantage.

Mr. Reilly said we are at the public portion of the meeting, and I ask whoever wishes to speak to line up along the wall and identify yourself.

Rose Lowe 51 Brittany Lane and I believe you have a letter from the Board President. In regard to the traffic study, I was on the Village Board in the 1990's and the Police Chief and myself tried to get the lights to move faster and at that point regarding the turns on CR31 and its still a problem and I would ask that the traffic study include particular times when the trains come in on Friday and the back up is really bad on Depot Road and it's unfair to the train station and I would ask that they consider instead of doubling the size of the lanes perhaps consider having a turn West only turn right only off Depot Road forcing people to go further before they go South.

Mr. Reilly asked if they want South traffic across Montauk Highway?

Ms. Lowe she thinks it should be specific, the school traffic is not that intense and it's school busses coming North. The problems are between Depot Road and CR 31 in the morning, there can be two miles going West.

Mr. Hulme said as has been pointed out, our traffic study concluded the traffic impact from our site is small. The issues that Ms. Lowe is speaking to is a problem that exists and its not a problem we can solve with our project but its also not going to be exacerbated by our project and our project will attempt to relieve some of that by modifying the intersection. We can have an impact on calming the traffic.

Anne Smalley, 27 Brittany Lane and said she's a full time resident and I have many concerns about the project. The density and 48 units will be too much hardscape and there are 98 angled parking spaces because many do not have garages, there's a swimming pool, septic field and a community building. There is 90 yards from the corner to the property line and I don't know how they will make the turn. The vehicle ingress and egress on to Depot Road has a service station that does repairs and they encroach on to the shoulder of the West side of Depot Road with their cars and they are encroaching and I don't know how to take their space to make a right turn lane. I also question the validity of the traffic study, which was done 5/27/2021 and I made copies of pages, and that was claimed to be a peak holiday period and it was Memorial Day a year ago and COVID was still going on and a problem and according to the almanac and the temperature was 48 to 58 degrees and we have 3.39 inches of rain that weekend and I imagine anyone who lives in NYC could see that the weather was not going to be nice and chose not to come out that weekend which is why there were not many cars and that invalidates the numbers. This will impact the services, the volunteers the beaches and other things.

Mr. Hulme said the turn around, the expansion of that will come from our property and we can't push on to the gas station property and we have enough space to create another lane to provide for the stacking of cars. The validity of the study was done by professionals and certified and you have to accept that people know what they are doing, the purpose of the study is not to look at the gross amount of traffic it's to look at the generated traffic introduced and the primary conclusion reached by the traffic study is that very little impact on whatever level of traffic there is will not be added.

Terri Macanty, 38 Brittany Lane. She said her concern is the aesthetics of this, it will be 48 units along Montauk Highway it's not deep and goes from Depot Road to Riverhead Road and I'm afraid it'll look like Queens and it concerns me.

Mr. Hulme said the project will be reviewed by this Board, the ARB, and the Trustees and there will be a substantial landscape plan and most will not be viewable from Montauk Highway. They want to build something appealing and desirable.

Elizabeth Lunding, 31 Brittany Lane said she is the closest unit to the CR 31 and when I first moved in I understood it was a major road and the first thing that occurred was how I will breathe the air without getting lung cancer from the air pollution so I screened my property and thanks to a local insurance company there are trees on my fence which create screening and at the South West at the busy light I am hoping you'll put screening between the fencing and the units and the trees matter it's absurd to add traffic and idling cars and take down two large areas. The new homes next to us have deforested the

whole place and we hope they will put up foliage and I'd like to know your plan to keep our health and the health of the people you sell the units to.

Mr. Hulme said we're in SEQRA and one thing is the landscaping which should have an impact and our commitment is to provide screening and trees and oxygen producing plants and there are a lot of positives and the road way improvements and landscaping are positives.

Bridget Fraser, 50 Brittany Lane. I have concerns about the density, 48 units and that would be 2 cars, and 96 parking spaces are necessary and there's no guest parking what will happen to guests, where do they park? Also, repair trucks and tradesman when they come into the community to work. I am concerned about the traffic and 96 cars isn't significant to Depot Road. If anyone wants to leave Patio Villas and drive South or North or East they have to come out on to Depot Road to do that and the impact is significant.

Mr. Hulme said we will address those parking questions, but we aren't expanding out in to the community they will all be internal to the site. There are times and impacts that we believe on average overall the impact will be low and I was on my way to the meeting and I drove up and I was the only car on Depot Road and there are times when it's easy to go down that road.

Mr. Reilly said the last comment is well taken in terms of the internal parking, and there are horror stories in the Timber Ridge community. That had permitted parking but didn't account for extra cars for guests. You have to address some aspects of that.

Mr. Reilly asked what the County DPW said about the intersection on CR 31, it looks very close to the intersection. Did they comment on it?

Mr. Lenihan said the comment letter came to the Village because the Village submitted it to the County as part of the process but in my discussions the right turn in off of CR31 is not an issue. And then in talking further, if you want there is a median on Montauk Highway and will give left turns in when traveling East to North. When you make a left turn to on coming traffic, when you make a right turn you're exposed longer The move is faster but the consideration for consequences is worse. We aren't proposing it though.

Mr. Logozzo said I said this months ago asking to change the time of the light.

Mr. Hill said I thought you do a max they may go for; the Depot Road would get more time certain times of the day and week, but the letter really should come from the Mayor.

Mr. Logozzo said there's an avenue to address the timing of the light?

Mr. Hill said yes, there is an avenue but it should come from the Mayor's Office.

Motion was made by Mr. Neunbauer to holdover the application of **WH Equity Group, LLC., 12, 22, and 80 Montauk Highway & 11 Old Riverhead Road (905-4-1-22.1 – 23, 26.3, and 30.1)** to June 23, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**11. 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 June 9, 2022**

**ARB:** *Needed*

**BOT:** *Needed*

**ZBA:** *N/A*

**SEQRA:** *Needed*

**SCDHS:** *Needed*

**SCDPW:** *Needed*

**SCPC:** *Local Determination Received*

June 9, 2022

**12. Robert Schoenthal, 22 Bayfield Lane (905-010-06-002)** Applicant seeks minor subdivision approval to subdivide an improved 97,769 SF parcel in the R-1 zoning district into two lots; 57,768 SF & 40,001 SF.

Richard T. Hafeli, Esq., appeared on behalf of the application, they received ZBA and Ms. Levan submitted comments on the screening.

Mr. Neubauer said he thinks the screening is the only issue.

Mr. Hafeli submitted pictures of the Northerly line and Ms. Levan's driveway; there is a 10' high screen on the property at the present time and it has been there and it's comparable and similar to the lots on Bayfield Lane and I don't think there is additional screening needed for the property.

Mr. Logozzo asked if that is consistent across the property.

Mr. Hafeli said it is around the property, yes. It's around the entire piece of property.

Mr. Reilly asked if the driveway is off of Stevens Lane.

Mr. Hafeli said it's coming off Bayfield. The screening is 8' to 10'.

Mr. Logozzo said he thinks she's referring to the back of the property.

Mr. Hafeli said her property is 130' from this property.

Mr. Reilly asked what guarantee there is to keep the screening?

Mr. Hafeli said how it'll be maintained, when its sold we can covenant that the screening will remain.

Mr. Neubauer said I don't have a problem with the covenant.

Mr. Reilly asked if the green shown on Ms. Levan's submission is covered?

Mr. Hafeli said yes.

Mr. Reilly said the whole area that Ms. Levan is concerned with is screened.

Mr. Hafeli said she's concerned with the Northerly boundary, and you can covenant that the screening has to remain.

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

Ms. Levan said the hedges he's referring to on the other side is a tennis court, and those hedges are in disrepair and there are sections that are completely open and they haven't been taken care of at all this Summer or last Summer and I can't imagine someone will buy the land and then build a house and keep the hedges. When you go on the other side across and if its not hedged during building the privacy will not exist. I'm not concerned about the hedges now with the tennis court but once there is construction on there I will be. The hedges are not healthy and have not been trimmed, they would not afford any privacy.

Mr. Logozzo said they need to be filled in?

Ms. Levan said anyone who spends the amount of money for the property plus the construction, I wouldn't want those hedges you can see through them. The landscaping would be terrible.

Mr. Neubauer said if we covenant that boundary to make sure they can't be removed is that okay?

Ms. Levan said yes, and I'm looking for screening.

Mr. Hafeli said I have no problem putting a covenant on it.

Mr. Logozzo said she wants to fill in the bald spots.

June 9, 2022

Mr. Haefeli said she's 135' from the property line, we're screening a driveway.

Mr. Neubauer said if it's maintained and on a covenant, we have no issue.

Mr. Haefeli said that's fine I will do that. I'm not putting a new screening in.

Mr. Reilly said we're not expecting new plants, we're looking for maintenance and the preservation of screening going forward.

Mr. Hafeli said I have no problems with that. The other application had no screening.

Mr. Reilly said we have a resolution if you will for the screening issue.

Mr. Hafeli said I have to go to the Board of Health and the tennis court issue still too.

Mr. Reilly asked when he wants to come back to this Board?

Mr. Pasca asked if he needs SEQRA?

Mr. Hafeli said the ZBA issued one, that should be fine.

Motion was made by Mr. Neubauer to hold over the application of **Robert Schoenthal, 22 Bayfield Lane (905-10-6-2)** to September 8, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

**FILL APPLICATION:**

**13. 213 Dune Road LLC, 213 Dune Road (905-020-02-005)** Applicant seeks site plan approval to install fill within the floodplain for a sanitary system in conjunction with proposed development of a single-family dwelling on a 55,860 SF parcel in the R-3 zoning district.

Michael Nobiletti submitted a request to holdover the application to June 23, 2022.

Motion was made by Mr. Neubauer to holdover the application of **213 Dune Road LLC, 213 Dune Road (905-020-02-005)** to June 23, 2022; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer to adjourn the public hearing at **6:30 p.m.**; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.