

August 11, 2022

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

ABSENT: Larry Jones

**HOLDOVERS:**

1. **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 September 8, 2022**

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

*18*

*ARB:* **N/A**

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

*SCDHS:* **Received**

*SCDPW:* **N/A.**

*SCPC:* **Referred August 9, 2022**

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.

*Status:* **HELDOVER UNTIL September 22, 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**

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.

**Status:** **HELDOVER UNTIL August 25, 2022**

**ZBA:** **NEEDED**

**ARB:** *Referred to ARB at January 23, 2020 Meeting;  
Referred for revisions at March 10, 2022 Meeting;*

**SEQRA:** *Planning Board Deemed Lead Agent;*

**SCDHS:** **NEEDED**

**SCDPW:** *N/A*

**SCPC:** *Received SCPC, 2/14/2020 – No objection*

**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.

Ted Galante Architect submitted a written request to holdover the application to August 25, 2022.

Motion was made by Mr. Neubauer to holdover the application of **Prime Storage, 98 Depot Road (905-002-01-019.10)**. to August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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.

Heather A. Wright, Esq., submitted a request to holdover the application to August 25, 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 August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**6. 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.

Richard Hafeli, Esq., appeared on behalf of the application, he said he had a hearing with the Board of Health today and he needs a SEQRA resolution so he can go back to the Board of Health.

Mr. Pasca said we can do that on August 25, 2022.

Mr. Hafeli said he would like to hold the public portion over to October.

Motion was made by Mr. Neubauer to holdover the application of **Firestar Holdings LLC, 14 Rogers Avenue (905-006-02-017)** to August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**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., submitted a request to holdover the application to September 22, 2022.

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 September 22, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

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**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 submitted a written request to holdover the application to August 25, 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 August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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 appeared on behalf together with Carolo Sciortino and Mr. Sudano said they addressed the lighting at the entrance way and added new lighting and back by the dumpster they added additional lighting so the site should be adequately lit.

Mr. Hill said that will work.

Mr. Reilly confirmed that was all that was needed. Can we issue a resolution at the next meeting?

Mr. Pasca said I think its worth going through the plans to make sure its complete.

Mr. Hammond said he is done with it; the last thing was the lighting.

Motion was made by Mr. Neubauer to holdover the application of **PGJG Holding Corp, 214 & 238 Montauk Highway (905-006-02-031 & -032.01)** to August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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. Mr. Hulme said they are hopeful that they are working towards a SEQRA and a preliminary resolution so they can move on to the Board of Trustees where the work of the density can be complete, with the full understanding that the preliminary approval is not a final approval and they have had a lot of discussions about the project and if there are any loose ends that they need to discuss prior to the resolution being adopted they are here to discuss them.

Mr. Hammond said I do the memorandums when the plans come out, and it was noted that we have a density question, my interpretation it is 46 units, and the Board of Trustees Special Exception between affordable and market rate, is it premature if we anticipate a similar outcome

Mr. Hulme said the density is a Trustee issue.

Mr. Pasca said I disagree, and Mr. Hammond’s opinion is that you don’t get credit for the other parcel therefore you need a variance if you want to exceed his interpretation you need to appeal to the ZBA or ask that Board for a variance, because under his interpretation you cannot get approval for 46 as a maximum and you’re proposing 48. If you were going to seek a variance, and they would be an involved agency and we’d have to stop SEQRA. If you’re not the plans need to be adjusted, because a 48 Unit plan could not be sent to the Board of Trustees without a variance in place.

Mr. Hulme said assuming we can get that to you are there any other issues?

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Mr. Reilly said how they BOT dealt with the Rogers Avenue application it's not unusual you will be treated differently.

Mr. Pasca said the main issue is, the Code provision that requires them to be mixed same proportionality and that came up in the Rogers Avenue application as one bedroom as affordable and two or three bedrooms as not affordable.

Mr. Hulme said my client and I have been discussing this and we expect that at the BOT level.

Mr. Pasca said can we send anything that's not compliant with the Code?

Mr. Grogan said isn't the provision, the way its written gives some discretion to this Board? It does say it has to be proportional and the way it set up it gives the PB some discretion and not that you would differ opinions.

Mr. Pasca said in Rogers Avenue it was a condition of the Special Permit that it be in proportion. It doesn't mean it can't be left to the PB, but you go in circles by going to the BOT to determine density. You should decide the mix now.

Mr. Hulme said we don't want to get a variance, or try to and obviously the unit yield is something we will adjust and because there is discretion, we'd like to address that with the BOT and we can't until we get there.

Mr., Reilly said the number of units has to be reduced. Given that the Rogers Avenue went to the BOT recently I don't see how it benefits you to not give us something that they may likely propose.

Mr. Hulme said this is a different case and I don't want to anticipate what they are going to say.

Mr. Pasca said the issue is the 46 units versus the 48 units and there's an order of operation when it comes to the affordable issue and it wasn't looked at until the BOT saw it, and they made a determination. The affordable were eliminated.

Mr. Reilly said the Trustees never got into that before this application, we didn't have the guidance until now.

Mr. Neubauer said their resolution is pretty explicit on their intent on granting a special exception and as you are consistent we expect the BOT to be too.

Mr. Hulme said I'm asking for the opportunity to make a case to them.

Mr. Pasca said you have the PB telling you what they are saying now.

Mr. Hulme said the BOT may say there are other options.

Mr. Reilly said you prefer to return with the right number of units and we send you to the BOT?

Mr. Hulme said yes.

Mr. Reilly said we can't send them now because of the number of units proposed.

Mr. Pasca said yes, and you can do a decision similar to Rogers Avenue and send a note that the affordable units were not discussed.

Mr. Neubauer said we are looking for a consensus. But the applicant isn't willing to hear us.

Mr. Hulme said no I hear you, I'm not ready to concede.

Mr. Reilly said we can't take action until the number of units is down to 46, or they appear before the ZBA.

Mr. Hulme said we will come back with a plan that reduces the number of units to 46.

Mr. Hill said just parking, but nothing really right now.

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Mr. Neubauer said they are concerned about site parking.

Mr. Hulme said this change will allow more parking spaces.

Mr. Hill said the issue is the recently completed project of similar scale had more parking, is seeing parking full quite often. But that may have more bedrooms but the parking is something to look at.

Mr. Reilly said your intent is to return with a compliant number of units?

Mr. Hulme said yes, and resolve the SEQRA.

Mr. Neubauer said we'd like to continue the discussion on the entrance on Old Riverhead Road.

Mr. Hulme said okay, we can discuss that. We understand its an issue.

Mr. Reilly said it was discussed and I raised it as a possible cut through and based on the traffic backing up, another issue I have is traffic getting snarled there and causing problems further down the road, it's another conflict point.

Mr. Neubauer said the way it is depicted now, directly connected to that entrance is a concern.

Mr. Hulme said your Engineer discussed a different opinion but we can look at and once we figure out the density and the mix we can do that in the final planning stages.

Anne Smalley, 27 Brittany Lane. She has a question about the PB and BOT and back to PB; when will the site plan looked at for final approval?

Mr. Reilly said what we're doing now is considering a conceptual plan, then that goes to the BOT and if we find it works we would send it to the BOT who will or will not issue a special permit with conditions that they feel are acceptable, and then it returns to the PB for the site plan review process.

Ms. Smalley if the Special Exception is issued without a final plan?

Mr. Reilly said yes.

Ms. Smalley said its backwards.

Mr. Pasca said the plan they review is a workable plan, it's a full site plan they will evaluate but there's no reason to do the engineering needed for a final site plan until they are approved or not for 46 units. In the case for Rogers Avenue they did not approve the requested number of units and they are returning with a much smaller scaled back plan so you don't know until that process is complete it doesn't make sense to do that much engineering.

Ms. Smalley said there was a promise to widen Depot Road, make a turning lane, and widen the sidewalk. Will that be discussed with the BOT?

Mr. Hulme said they are reflected in the plan and they will be filed with the BOT, they are not a promise they are part of the plan.

Patricia Kenny Williams, 43 Brittany Lane. Since density and traffic are the main issue my question is why and I understand it should be developed, why does it have to 48 units at all. That's 48 cars plus maybe two and the traffic is unbelievable you can barely get in to Westhampton and the morning traffic on Montauk Highway is past Baby Moon in both directions, why do we have to have 48. You could compromise and build 24 bigger, nicer units that would look better and get more money and look more like Westhampton Pines, instead of a barracks type situation in the Village of Westhampton Beach.

Mr. Reilly said I urge you to attend the BOT meeting because they will decide that, not us.

Mr. Hulme said we reject that this is a barracks like installation, it will be a credit beautifully constructed, architectural, and landscaping. I have to reject that. The traffic that everyone has complained about is not our doing, and the analysis that has to be done and has been is what our project will have on the existing level of traffic. Our Engineer and the Village Engineer all agree the mitigation

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we are proposing will more than offset the impact the cars will have on the traffic. We can't do anything about the existing traffic only how we'll impact it and our project is going to improve it. The number of units we are starting with is 46 and we will discuss the same with the BOT. My clients will run the numbers and we'll look at what is allowed and whether its cost effective or not.

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 August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 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.

Heather A. Wright, Esq., submitted a request to holdover the application of **George Vickers, 25 & 27 Hazelwood Ave (905-004-02-020 & -019)** to August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**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.

**Status:** *HELDOVER UNTIL September 8, 2022*

**ARB:** *Needed*

**BOT:** *Needed*

**ZBA:** *Granted, May 19, 2022*

**SEQRA:** *Needed*

**SCDHS:** *Needed*

**SCDPW:** *Needed*

**SCPC:** *Local Determination Received*

**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.

**Status:** *HELDOVER UNTIL October 13, 2022*

**14. Oneck GC LLC, 3 Fiske Avenue (905-009-02-035.03)** Applicant seeks modification of the site plan approval for fill within the floodplain of 285 Oneck LLC, originally approved April 8, 2021, specifically for fill associated with the development of the single-family dwelling property "Lot 3," a 1.31-acre parcel in the R-1 zoning district

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

Motion was made by Mr. Neubauer to adopt the determination of **Oneck GC LLC, 3 Fiske Avenue (905-009-02-035.03)** as written; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**15. First Dunes Development 496 LLC, 496 Dune Road (905-016-01-019)** Applicant seeks approval to subdivide a 28,234 SF parcel in the R-3 zoning district into two lots for single-family dwelling use of 13,211 & 15,022 SF, thereby abandoning the preexisting nonconforming use of eight seasonal cottages for rent.

**Status:** *HELDOVER UNTIL August 25, 2022*

**ARB:** *Needed*

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**BOT:** *Needed*

**ZBA:** *Needed*

**SEQRA:** *Needed*

**SCDHS:** *Needed*

**SCDPW:** *Needed*

**SCPC:** *Needed*

**16. 10 Mitchell Owner LLC, 10 Mitchell Road (905-011-02-003)** Applicant seeks site plan approval to construct a full second-story addition for two two-bedroom apartments & convert first floor to a forty-four (44) seat restaurant with exterior walk-in & associated site improvements upon a 5,290 SF parcel in the B-1 zoning district.

Heather A. Wright, Esq., submitted a request to holdover the application to August 25, 2022.

Motion was made by Mr. Neubauer to holdover the application of **10 Mitchell Owner LLC, 10 Mitchell Road (905-011-02-003)** to August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**17. Rogers Ave Associates, North Side of Rogers Ave (905-003-01-007.01 through -007.07)** Applicant seeks final site plan approval to construct 48 dwelling units in 12 buildings (11 townhouse groupings & 1 two-family dwelling) with private community center, pool & pickleball courts for multifamily development with on-site sewage treatment plant upon a 9.355-acre assemblage of parcels in the MF-20 zoning district.

Bryan Grogan, PW Grosser appeared on behalf of the application. They have revised and resubmitted the plans to show 37 units and no affordable component to it. The decision was made to eliminate the affordable and reduce the density to 37 Units. Our goal was to get the plans to the Village to show we are making the change, and we want to show you the path we're going down.

Mr. Reilly said I wanted to give you an opportunity to make a presentation about what is new and different and we're not going to comment but you can make the presentation.

Mr. Grogan said the overall view is we kept the scenic easement along Rogers Avenue and enhanced with landscaping; we've relocated the entrance sign and sidewalk out of the scenic easement and the sidewalk is eliminated. They can leave or remove the sidewalk on Rogers Avenue, and on the Eastern side of the property there was a 25' easement part of the original subdivision, it was never recorded we depicted it on there and we've moved the majority of the drainage out of the area and there's additional landscaping along the edge and we have a fence shown and a portion of the drainage swale and I'm not sure if that itself will cause a problem in that it will be green area or landscape, but that's maintaining the eastern side. We've increased the caliper of the trees along Rogers Avenue and all of the conditions are met with the exception of the affordable units so they were removed. We reorganized the site and took units off, we maintained two bedrooms per unit, the parking is adequate and the street trees are maintained. There were not a lot of changes to the site just reorganizing the club house and community center and removing the affordable units. We had units reduced from four to two or three and there's more greenspace and it was consistent with Alternative 4 in the SEQRA and I think that's where we got to address the community and it's much less dense and those are the main changes that were made.

Mr. Hill said there are small inconsistencies. Things are not staying in the wheel paths, there's a road that no longer exists; the photometrics didn't match up with the buildings, and I think you're trying to highlight the driveways and some don't match and I didn't see a signing plan. There is detail but I can't see where the stop signs and the internal one-way signs are. Indicate your handicap ramps inside, there is detail but you don't show where they go, the sidewalk towards the front entrance there is stuff on the West which is superfluous and we need a sidewalk out and there needs to be a connected path out.

Mr. Grogan said the sidewalk out, the scenic easement runs to the edge. If I bring it to the other side I have to figure out how to cross the intersection.

Mr. Hill said I stated we need to see the plan of that intersection there's an offset and a kink and that has to be flattened out we need grades because you're bringing in the curve. How are we handling solid waste?

Mr. Grogan said it's all garbage pickup.

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Mr. Hill said how is it on the plan, stored in the garages or where are they shown?

Mr. Grogan said stored in garages and picked up by private carters. The club house has a private dumpster.

Mr. Hill said cars turning off of the alley ways in to the driveways are not contained, in the alley way and driveway they spill off in to adjacent areas. I don't think there's enough room.

Mr. Grogan said he will look at it. They were coming in to the driveway apron.

Mr. Neubauer said now I can say this is the one with a few inconsistencies.

Mr. Grogan said he would like any comments on landscaping and the scenic easement, and is what they are proposing sufficient and can we get referred to the ARB to get that out of the way? They are complete.

Mr. Reilly said I would rather the planner review it before we send it to the ARB, she will be at the next meeting.

Mr. Pasca said yes, and she can review it.

Mr. Grogan said we took a lot of comments into consideration and that was a drastic change to the site.

Mr. Hill said the front page has calculations but that should be updated.

Mr. Pasca asked if they responded to the airport letter?

Mr. Grogan said we responded and it was the same issues, written by the same person in the FEIS.

Mr. Pasca said okay.

Mr. Reilly asked when they want to return?

Mr. Grogan said we would like to come back on August 25.

Mr. Reilly asked if there was any public comments.

There was no further public comment.

Motion was made by Mr. Neubauer to holdover the application of **Rogers Ave Associates, North Side of Rogers Ave (905-003-01-007.01 through -007.07)** to August 25, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

#### **NEW APPLICATIONS:**

**18. DRL Irrevocable Trust & Carol Schecter, 12 Potunk Lane & 42 Stevens Lane (905-011-01-003.02 & -007)** Applicants seek to modify the lot line between adjoining parcels by conveying a 1,125 SF "triangle" of land from 12 Potunk Lane to 42 Stevens Lane.

James N. Hulme, Esq., appeared on behalf of the application and they are seeking a lot line modification and if you take off the 4,600 square feet you are a little over 41,300 square feet and Stevens Lane is undersigned and it will get larger and moving closer to compliance.

Mr. Reilly asked if there's a purpose?

Mr. Hulme said the owner of 42 Stevens requested this and my client agreed; I believe my clients parcel is vacant so there's no issue with existing structures and in short order we're going to return to develop 12 Potunk Lane but it will meet all of the setbacks under the Code so there should not be an issue.

Mr. Reilly said okay.

Mr. Hammond said the lot on Stevens Lane, their pool is oriented so this triangle gives a little land; and in 1986 there was a condition and now there's a violation for 35 years and I think any approval, we should know the plan with the non-conforming buildings or structures because they should have been removed.

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Mr. Hulme said everything on 12 Potunk has been removed.

Mr. Hammond said I have no demo permits, and the aerial has them still there.

Mr. Hull said they have to be removed and there's a cesspool in the conveyance piece so I don't know how that's dealt with; it has to be retired before it's transferred.

Mr. Pasca said the BOH will require the upgrades to be addressed. It should be a Type II action it's a lot line modification.

Mr. Hammond said I can give you a memorandum to go to the BOH.

Motion was made by Mr. Neubauer to holdover the application of **DRL Irrevocable Trust & Carol Schecter, 12 Potunk Lane & 42 Stevens Lane (905-11-1-3.2 and 7)** to September 22, 2022; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.

**EXTENSION REQUEST:**

**Avidor Group, LLC., Jonmor Group, LLC., 133 Montauk Highway, 137 Montauk Highway, 92 Oak Street (905-5-2-4, 905-5-2-5, and 905-5-2-38)** Jefferson Murphree appeared on behalf of the application to request an extension request, and they are seeking a tenant to no avail. They demolished the building since they last appeared before this Board, and the property needs to be mowed and finished graded and needs to be cleaned up to look nicer. It's not in their interest to keep it vacant and they would like to find a tenant, but they have not been successful as of yet. They are seeking a one year extension and would answer any questions.

Mr. Reilly said one year is ambitious, I think a 6 month extension is more realistic so we can keep an eye on the site.

Mr. Murphree understands what the Board is saying.

Motion was made by Mr. Neubauer to adjourn the public hearing at **5:50 p.m.**; seconded by Mr. Logozzo and unanimously carried 4 ayes, 0 nays, 1 absent.