

October 13, 2022

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on October 13, 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  
Larry Jones

Brad Hammond, Building & Zoning Administrator

Ron Hill, Village Engineer  
Britton Bistran, Village Planner

Anthony C. Pasca, Esq., Village Attorney

Maeghan Mackie, Board Secretary

**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.

Richard T. Hafeli, Esq., submitted a written request to holdover the application.

Motion was made by Mr. Neubauer to holdover the application of **Marios Nikolaidis, 36 Hazelwood Avenue (905-6-1-11.1)** to October 27, 2022; seconded by Mr. Reilly 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.

No one appeared on behalf of the application.

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 October 27, 2022; seconded by Mr. Reilly 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.

*Status:* **HELDOVER UNTIL October 27, 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.

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Ted Galante, Architect submitted a written request to holdover the application to October 27, 2022.

Motion was made by Mr. Neubauer to holdover the application of **Prime Storage, 98 Depot Road (905-002-01-019.10)** to October 27, 2022; seconded by Mr. Jones and unanimously carried 4 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.

Heather A. Wright, Esq., submitted a written request to holdover the application.

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 November 10, 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 October 27, 2022**

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

*SEQRA:* **Adopted on September 8, 2022**  
*SCDHS:* **Needed**

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

**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.

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

*ARB:* **Received**  
*BOT:* **Received**  
*ZBA:* **Granted, March 17, 2022**

*SEQRA:* **Type II Action**  
*SCDHS:* **Needed**

*SCDPW:* **Needed**

*SCPC:* **Referred on March 10, 2022**  
**Received Local Determination**

**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 request to hold the application over to October 27, 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 October 27, 2022; seconded by and unanimously carried 5 ayes, 0 nays, 0 absent.

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**9. 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.

Mr. Reilly said they have a preliminary approval, and are going to send this application to the Board of Trustees so they can proceed with their Special Exception application, it is not a final determination and we deem the site plan sufficient enough to be reviewed by the Board of Trustees.

Mr. Neubauer said he believes they have a consensus regarding a recommendation.

Mr. Pasca said you should deal with the resolution and have that discussion separate.

Motion was made by Mr. Neubauer to adopt the resolution as written; seconded by by Mr. Logozzo.

Mr. Reilly said one of the main issues was the affordable units, and our preference was similar to what was done with Rogers Avenue and that they should be substantially similar to the market rate units.

Mr. Pasca asked if they should do a straw poll?

All Members agreed with that.

Mr. Reilly said the other issue, is the density and there has been a few meeting where ideas were discussed with the SEQRA resolution in terms of specific numerical recommendations and there was feeling when Rogers Avenue recommendation was done, we didn't designate a specific number of units, is there anyone who objects to making a numerical recommendation?

All Members said no.

Mr. Reilly asked if there was a consensus.

Mr. Logozzo asked if they should put a number on the table? The consensus he said is 41 units; Mr. Neubauer agreed; Mr. Schermeyer agreed. Mr. Jones said he's in favor of leaving it at 45 units.

Mr. Schermeyer would like to see more parking

Mr. Reilly said he would like to see a 20% to 25% reduction; he thinks 41 would provide the most beneficial amount of affordable units and taking some units out it creates additional parking and more green space. It's a very tight site plan and I would like to see less dense than 41, but 41 seems to be the consensus.

Mr. Hulme said someone said 45.

Mr. Pasca said it's a majority vote.

Mr. Pasca said we will work on a referral to discuss at the October 27, 2022 meeting; but you have time to do the referral back at the second October meeting.

Mr. Reilly said there is not much we are referring and recommending except for what we discussed. We are working on other things still in general. When this goes to the BOT that is where the decision is made and that's where you should speak about the density and that's the place to say it.

Mr. Hammond said on Rogers Avenue we requested a final site plan application, we should do the same for this.

Mr. Reilly said we will hold it over to October 27, 2022 to discuss the referral.

Mr. Hammond said the original application was 48 units, and that will either be reduced or remain the same so we'll want it to be reflective in the new notice.

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Ms. Smalley said many residents are going South and wants to know if they can do the meetings via Zoom?

Mr. Pasca said no, it's not supposed to happen via Zoom anymore.

Ms. Mackie said it will be recorded and posted on the website and you can write letters.

Ms. Smalley said if it's down to 41 will they be knocking out units with garages?

Mr. Reilly said we have to wait to see what the Trustees say first.

Mr. Hulme thanked the Board for the resolution, and their attention and he doesn't agree with their consensus and he'll return to this Board when he's done with the BOT.

Motion was made by Mr. Neubauer adopt the preliminary approval as written; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer hold the application of **WH Equity Group, LLC., 12, 22, and 80 Monutauk Highway & 11 Old Riverhead Road (905-4-1-22.1, 23, 26.3 and 30.1)** to October 27, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

**10. 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 written request to hold the application over to October 27, 2022.

Motion was made by Mr. Neubauer to holdover the application of **George Vickers, 25 & 27 Hazelwood Ave (905-004-02-020 & -019)** to October 27, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

**11. 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 January 26, 2023**

**ARB:** *Needed*

**BOT:** *Needed*

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

**SEQRA:** *Granted, on May 19, 2022, ZBA, Type II*

**SCDHS:** *Needed*

**SCDPW:** *Needed*

**SCPC:** *Local Determination Received*

**FILL APPLICATION:**

**12. 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 written holdover request to hold the application over to November 10, 2022.

Motion was made by Mr. Neubauer to holdover the application of **213 Dune Road LLC, 213 Dune Road (905-020-02-005)** to November 10, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

**13. 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 October 27, 2022*

**ARB:** *Needed*

**BOT:** *Needed*

**ZBA:** *Needed*

**SEQRA:** *Needed*

**SCDHS:** *Needed*

**SCDPW:** *Needed*

**SCPC:** *Needed*

**14. 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 written request to holdover the application of **10 Mitchell Owner LLC, 10 Mitchell Road (905-011-02-003)** to October 27, 2022.

Motion was made by Mr. Neubauer to holdover the application of **10 Mitchell Owner LLC, 10 Mitchell Road (905-011-02-003)** to October 27, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

**15. 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.

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

**ARB:** *Referred to ARB on August 25, 2022*

**BOT:** *Received*

**ZBA:** *N/A*

**SEQRA:** *Complete – Positive Declaration, FEIS*

**SCDHS:** *Needed*

**SCDPW:** *N/A*

**SCPC:** *Received August 25, 2022*

**16. 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.

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

**ARB:** *N/A*

**BOT:** *N/A*

**ZBA:** *N/A*

**SEQRA:** *Needed*

**SCDHS:** *Needed*

**SCDPW:** *N/A*

**SCPC:** *N/A*

**NEW APPLICATIONS:**

**17. Westhampton Landings, 30 Mitchell Road (905-011-04-051)** Applicant seeks modification of the site plan approval for upgrades to the landscaping, hardscaping & exterior lighting for the existing multi-family development upon the 4.26-acre parcel in the MF-20 zoning district.

Anthony Russo, President of Westhampton Landings Condominium and they are before the Board to complete the transition from the septic leaching field system to the Village sanitary system. The transition necessitates the removal of hardscapes, softscapes, and the electric supply. It is a 50 year old complex with no renovations, and they'd like to take the opportunity to update it. The soon to abandon system will be repurposed to collect rain water, the parking lots will be to allow percolation and dark sky compliant lighting, and also to handle emergency generators and the asphalt walkways will be replaced with pavers to reduce runoff in to the canal and absorb the runoff by the docks.

Mr. Neubauer asked Mr. Hill if he reviewed it?

Mr. Hill said yes, my concern was the runoff, in particularly in the parking lot. The north lot sheds in to the canal, and the two lots to the South of it shed on to Mitchell Road and I am not sure what happens to the water in the one off of Stevens Lane and I thought it was a leaching pool, but I don't think they can be reused they usually want them filled in.

Antonio Martins, Board said a condition they went to the Town of Southampton and requested for grant monies to be used for the sanitary system and part of that was repurposing the cesspools as part of the drainage.

Mr. Hill said you have to get approval from Board of Health.

Mr. Martins said we hired H2M to prepare that and calculate that and we had discussions with the Village to further that and it's a viable option and existing and as far as I know it's been approved for that use. We have a huge capacity not being utilized; with regard to the parking lot they were gravel lots and over the last 50 years they've used recycled concrete and they have been compacted and wet and become impervious and our want to restore them is to remove the pervious layer and disposing it and putting in a filter fabric and retrain it; we have hired Fox Land Surveying to survey the property and all of the hard and softscapes to better understand the drainage. In working with H2M and the landscape architect, I believe the condition was made better. I would like to take a few minutes to share the renderings, and show to you because it's powerful and helpful and our goal is to change out the hardscapes and put pervious walkways in. It's to change the lighting to LED and dark sky compliant lighting that will be 42" at max or lower in height except for the parking lots and compliant with the Code. Everything, including the sanitary is to allow us to better the condition for us and the community and the canal which we live adjacent to.

Mr. Reilly said when it comes to sanitary, and storm water runoff it is an older community and part of this process we will want a minimum compliant with the Code requirements and if you can do better, that's better. If this gets to that point, you will be required to maintain your runoff, we will want everything compliant with todays code.

Mr. Martins said he doesn't know enough to speak to that, but they reached out to H2M who is working on it for the Village so we can work in partnership with the Village.

Mr. Reilly said our expectation is that you are at least compliant with the Code.

Mr. Martins said right now, as it exists needs to be addressed. I don't believe we have the run off in to Mitchell or Stevens; Stevens runs off into the parking lot.

Mr. Hill said it seems to end up more in the bay.

Mr. Martins said one of the things we did, we looked at the cesspool locations relative to the parking lots and most are in the parking lot areas and our thought is that we have the capacity in that current system, and by removing the hard covers off of them and changing them to a graded cover with a filter fabric to prevent the stone from filling we will take a majority, if not all of the rainfall.

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Mr. Hill said we will need approval from Suffolk County Health Department; capacity it may be doable, but every system I've seen has been filled and if you can get it from them that's great, but we can't give an approval without that.

Mr. Martins said he will ask H2M to speak to it. And I believe, they are viewing the property as a residential property and not subject to the commercial requirements.

Mr. Neubauer said we want to be clear on that.

Mr. Martins said the system itself, that sewage is decomposing back into the ground and once it stops the health risk that you are referencing is eliminated. We will have the ability to have the County weigh in.

James Erleng, H2M said they prepared the sewer plans and the cesspool repurposing; the County has been involved and with them they are not only allowing it they are in favoring of reusing the cesspools throughout the Phase I sewer collection. They are delegating authority on to the local municipality to whether they allow it. This was done in Patchogue and it was the same thing there; they deferred to the Village to make the decision. They are required to be pumped out and cleaned before they are complete, and the tanks which are ahead of the cesspools have to be abandon as well and not reused and that's where most of the solids are. They will be abandon and the holes are punched but its our understanding that its favorable to reuse it in this way especially in sites with existing systems; it's a way to use existing infrastructure to bring things up to the current Code.

Mr. Hill said we will need documentation from the Board of Health. There may be more to deal with if they don't have septic tanks.

Mr. Erleng said we will get documentation and submit that.

Mr. Hammond said as you all know we are in Phase I of the sewer hook up and there was over 60 properties and the idea was not to have them all before the PB to switch over; the SCBOHWWM is viewing them as in district and the aspect of their application of hooking up and providing drainage is normally a function of this board, not within your purview. I have to check for drainage, and I rely on Mr. Hill for that and the scope of this application before the Board is more aesthetic is the landscaping, the lighting and the sewer hook up and drainage is a separate application.

Mr. Reilly said for each property, the planning board has no jurisdiction?

Mr. Hammond said yes.

Mr. Pasca said if Mr. Hammond can't agree with the applicants as to how the hook up is done, it's a right it gets sent to this Board. It's trying to make it an administrative process. I will say, we have been talking about this for a year or more that in the downtown area where there isn't sufficient drainage it seemed like the logical solution so that's why its' been given discretion to explore as an option.

Mr. Hammond said things may change, and if they are amendable to putting in a new ring or putting in rock and filter fabric.

Mr. Reilly said it's no different than a building permit.

Mr. Hill said the grading will need more detail if they are repurposed based on the plans.

Mr. Pasca said it doesn't remove it but it removes a site plan process, but there is a review for you to do.

Mr. Hammond said there won't be a Board of Health approval stamp that you're used to seeing

Mr. Reilly asked about storm water?

Mr. Hammond said there's storm water that discharges into the bay and that was approved through our storm water connection and I've asked them to look at and repurpose it and get it out of the bay and into the parking lot and if they want to discuss the other aspects.

Mr. Hill said I would be less worried about roof run off versus parking lot runoff and the better solution is repurposing. There's a connection to the Village leaching basin on Mitchell Road that runs South of Building One and that's not shown and I believe the roof drains go into that pipe and comes out and the

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roof drains go into that. 12 years ago, that burst and it blew out the wall and flooded the units and it was repaired and I don't know how that was done and the Village doesn't want to abandon that so we have to work with the DPW to figure out how to handle that and before you hit the retaining wall there is a drop and it levels out and your plans show that retaining wall back.

Mr. Martins said the retaining wall is on the North side; and the way you spoke it was the South. That's the lanais and the proposed retaining wall is on the North.

Mr. Hull said this is a landscaping retaining wall, on the South side.

Mr. Martins said there are 3 or 4 steps off of Mitchell Road that lead toward the Canal and the primary entrance is on the North of that building. The grading of the parking lots that you referenced and we can provide the information we intend to not have the grading, we intend to remove the impervious impacted and have an impervious parking and all of the residual being used in the cesspools and the way its set up is to dig down and take the hard part out so the waters not guided.

Mr. Hill said that's fine, but I don't want to see the parking lot graded down to Mitchell Road and it should reach a high point.

Mr. Martins said there's no benefit to do that.

Mr. Hammond said this is really outside of the Boards review.

Mr. Martins said to review the hardscape, landscape and electrical. We are removing the asphalt walkways, the light fixtures, the landscaping and redoing the landscaping. In doing the sewer projects they will be removed and the electrical has needed an upgrade. We are removing something that's worse than what we're replacing it with.

Mr. Reilly asked if the buildings are changing?

Mr. Martins said in thinking about this, we have plantings around the perimeter and it's the last line of defense and they feed the plants and don't go into the canal and we're trying to put plantings back but in a way that's better for the community.

Mr. Reilly asked if this was put before the HOA?

Mr. Martins said we have had discussed it and more recently in September we did, and there are a number of residents here.

Mr. Reilly said you are the elected members and was it put to a vote?

Mr. Martins said we prepared and went from a conceptual plan and we are looking for an approval, the costs and that goes to the community with our recommendations and then we have to vote on it. That happens within the next month?

Mr. Reilly said the conceptual process was deliberative?

Mr. Pasca asked if the site plan changes affect the commonly held areas under the Boards control?

Mr. Martins said its the common area.

Mr. Reilly asked if they had anything else to add before I open it to public comment.

Mr. Martins said there is nothing else to present.

Mr. Reilly said he requested the drawings scaled did you do that?

Mr. Martins said the larger the plans are the more detail we add; but we will submit it 1 in 30. And I think we included it and we have the grading and survey by David Fox.

Mr. Hill said you are repurposing structures, and from the plans I can't tell where you're getting the water from and how it'll stay on site, I need more grades.

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Mr. Martins asked the proposed or actual?

Mr. Hill said the proposed. And I also made comments on the lighting.

Mr. Martins said parking lot 1 was dark? Is that current?

Mr. Hill said that's on the proposed.

Mr. Martins said we will revisit it.

Mr. Reilly asked if there were any Members of the public who wish to speak.

Louise Conway, Mitchell Road. I am here to present the Board with issues and concerns that were not addressed by the HOA. I have a written statement on top of the issues raised by residents and submitted to the HOA in July; there are two plans submitted one is the sewer plan and one is the master plan and the sewer plan they applied for a grant to the Town and they told them we'd put up \$250,000.00 to replace concrete; vegetation and lighting damage and that's \$5,000.00 per unit owner and I'm not an expert on sewers but I will say we were told we could live there and I'm a year round resident but then we were told we would not be able to. They couldn't make walkways and I don't know when that'll occur, how long will it take, they suggested 4 days. They can do it as a replacement and I am for it to replace the concrete as is; the master plan does not make it as is and its all altering the walkways and pathways and the lighting and that under the ByLaws requires a vote on additions, alterations, and improvements to elements in excess of \$5,000.00 and that has to be approved by 50% and the plans before this Board could be disapproved by the owners and you're wasting your time; but let's assume it passes and to highlight two of them the first is grading and drainage. There is no drainage and grading study; they want to change the pitch and roots of walkways and the original offering plan says the land is pitched towards the bay and approved by the PB and the runoff goes to the Bay; we don't want to see the runoff going in to the units and we don't want to see that aggravated, we want to see it eradicate and a study has to be done. There is pooling in the parking lots and one person has to get out of their car into a deep pool of water and I hope you require a grading study. The plants along the bulkhead, we were told this was to remove nitrogen and it was a Village request and there's no plantings or irrigation and I've attached pictures so you can see what happens to the edge of bulkheads and they would be under salt water and I don't see any point and we'd like to comply with the Village request, but until the bulkheads are raised it's a waste of money. You will see the other issues raised, we've had no vote and don't know the cost and its all theoretical an we've asked for a vote and it's an alteration.

Mr. Pasca said I will make a statement, this Board cannot be concerned with your bylaws, voting issues and that's an internal political issue you all have to deal with and there is a Board authorized to be here, and whether you vote that down later or not is between you and them. I don't want everyone to get up here to discuss the issue, whatever it costs and whether its something you approve or not cannot be something this board can look at.

Mr. Reilly said the drainage study will be commissioned and it'll be reviewed by Mr. Hill.

Ms. Conway asked whether the existing will be looked at and there are problems with the existing.

Mr. Pasca said the legal requirement is to make it comply, it won't be worse. The only question is whether it makes it better enough.

Ms. Conway said the basement is half in the ground and half out.

Mr. Reilly said we have had expertise and various things, in general with fill throughout the Village we are always told these French Drains don't work; they do and they dry out the property and the neighbors and most of what we do has a wider benefit. Whatever we do will only make it better and I was specific to say that our goal will be at least compliant, I would like to see more than compliant.

Mr. Neubauer said the lighting has to be done; and you have to comply with the dark sky rules and you have to comply with that.

Mr. Reilly said our net result is much better and code compliant property.

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Ms. Conway said we want improvements, and we want to make sure we can afford them and they don't put us in a worse position.

Mr. Reilly said there are covenants that give the Building Inspector the authority to require it to be fixed; there is an obligation that is on going. He asked if there were other questions or comments.

Motion was made by Mr. Neubauer to holdover the application of **Westhampton Landings, 30 Mitchell Road (905-11-4-51)** to October 27, 2022; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer to adjourn the meeting at **5:55 p.m.**; seconded by Mr. Logozzo and unanimously carried 5 ayes, 0 nays, 0 absent.