

May 25, 2023

PRESENT: David Reilly, Chairman
Rocco LogoZZo
Michael Schermeyer
Larry Jones

Ron Hill, Village Engineer
Britton Bistran, Village Planner
Anthony C. Pasca, Esq., Village Attorney

Brad Hammond, Building & Zoning Administrator

Maeghan Mackie, Board Secretary

ABSENT: Ralph Neubauer

Mr. Reilly stated that the Planning Board is in favor of the new changes that were proposed, and he would like Ms. Mackie to send a memorandum to the Board of Trustees stating that this Board is in favor of the changes. There are comments that will be accepted by the Board of Trustees if anyone has any questions or comments.

DECISIONS:

1. HAMPTONS SYNAGOGUE PARRISH HOUSE- 161 SUNSET AVENUE SCTM#905-12-1-43.2

Motion was made by Mr. LogoZZo to adopt the determination of **Hampton Synagogue Parrish House, 161 Sunset Avenue (905-12-1-43.2)** as written; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

2. J&S-G&S WEST LLC- 59 MAIN STREET SCTM#905-11.2-2-6

Motion was made by Mr. LogoZZo to adopt the determination of **J&S-G&S WEST LLC- 59 MAIN STREET SCTM(905-11.2-2-6)** as written; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent

PUBLIC HEARING AGENDA:

SITE PLAN REVIEW:

1. NEW YORK CANCER & BLOOD SPECIALISTS- 40 MAIN STREET SCTM#905-12-3-15 (5/25/2023)
 - a. Continued work session on Modification of Site Plan Approval for medical offices
 - b. Continued work session on Site Plan Approval for 45 dwelling units and accessory structures

James N. Hulme, Esq., appeared on behalf of the application. He said that there was a queuing and parking plan presented and they had to pause and have a few meetings and they spoke with St. Mark's and then they met with the Village Planner and Village Engineer and the plan they have before them is what they believe is their final plan, and that calls for the build out of the 25 landbanked spaces in the back of the property; the queuing and the plan provides for a plan in the back driveway into the parking area and the parking in the rear will be reserved for staff and for drop off and pick up. Some children will be dropped off at the curb and some are walked into the school so to the extent there is additional parking and they can accommodate all of the uses on the site. The plan preserves the playground in its entirety and to make room for the parking they had to shift the playground towards the road, but not so far it creates issues. There was a garden that will be relocated and the one issue that took discussion is the gate across the driveway and there was concerns about it and how to use it and the compromise we reached is that the default location is open and the time it is closed is during the school day is when they are escorting children from the playground to the school and then it will remain open. I think that summarizes the gist of the meetings we had. We had a productive with the Zoning Board last week, and sufficiently enough they closed the hearing for a determination in June subject to SEQRA from this Board.

Mr. Reilly said we have that for you tonight. He asked if Mr. Hill and Ms. Bistran were okay with he proposal.

Ms. Bistran said yes, and we drafted SEQRA and it's a negative declaration conditioned on the landbanked parking open.

Mr. Hulme said our site plan provides other details about the parking construction and the lighting which I think they have reviewed it.

Mr. Hill said I think it's okay, I don't think there are any changes.

Mr. Pasca asked for an operational narrative, how is that enforceable?

May 25, 2023

Ms. Bistran said there is a submission and minutes from the meeting and were thinking of incorporating that into the decision.

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

There were no further questions and comments.

Ms. Bistran said he has to submit the Zoning Board decision and then he gets on the next agenda, 10 days from that.

Mr. Pasca asked about Department of Health.

Ms. Bistran said you need to submit both.

Motion was made by Mr. Logozzo to adopt the SEQRA determination as written; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

Motion was made to holdover the application of **New York Cancer & Blood Specialists, 40 Main Street (905-12-3-15)** for all purposes; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

2. WESTHAMPTON COUNTRY CLUB- 35 POTUNK LANE SCTM#905-9-3-23.1
 - a. Initial work session on Modification of Site Plan Approval for enlarging staff housing bldg. and associated site improvements
 - b. SEQRA (5/25/2023)

Kittric Motz, Esq., appeared on behalf of the application.

Mr. Reilly stated there was a SEQRA determination.

Ms. Motz said they are waiting for the ZBA at this point.

Ms. Bistran said you have to return with the Department of Health and the Zoning Board of Appeals.

Ms. Motz said okay.

Motion was made by Mr. Logozzo to adopt the SEQRA determination as written; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

Motion was made by Mr. Logozzo to holdover the application of **Westhampton Country Club, 35 Potunk Lane (905-9-3-23.1)** for all purposes; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

3. 161 Montauk Highway LLC, 161 Montauk Highway (905-005-02-012.01)
 - a. Initial work session for site plan to construct two two-story mixed-use buildings (1 Fl: office/wet retail, 2 Fl: one apartment)

Marcus Stinchi appeared on behalf of the application, together with Nicholas A. Vero, Architect. Mr. Stinchi said he has two buildings with apartments on the second floor. I would like to have something consistent with the use of the liquor store and his neighbor to the West.

Mr. Reilly asked if he's discussed anything with his Westerly neighbor. They were here last month and we had a discussion on cross access.

Mr. Stinchi said I made an effort to coordinate cross access, and I reached out to his prior attorney and to Mr. Bennett to start a dialogue about cross access; I understand it needs to be provided and then the use of the Western curb cut to have one curb cut. I am happy to work with the neighbor but I can't with no response.

Mr. Reilly asked if there any comments from Mr. Hill.

Mr. Hill said a lot of it depends on the access and on the East side its workable, but on the Western side we have to decide if it will be a joint access and his proposal will work and if not, we need to see curbing and maybe a buffer or not but that's up to this Board. Because the driveway and joint access is in the middle, I'm not sure the County will be in favor of it because it offsets the intersection at Hazelwood Avenue and you may want to talk to the County, but as a one way driveway it won't be a problem for them but then we have to figure out how to get it along the Western edge, a curb, a planting area and that depends on this Board.

Mr. Stinchi said I made an effort to see less curb cuts.

Mr. Hill said that's what you want to see generally.

May 25, 2023

Mr. Stinchi said I own the property to the East and I'm using that entrance and there would normally be two as it is, I would propose and because I have one curb cut I would like to keep the driveway where it is and forgiving to do landscaping. Let the neighbor landscape it.

Mr. Hill said the Code usually asks for a 10' buffer along the side and that can be waived if there is cross access but the Board has to decide about that. You can accept the cross access in holds and abeyance and we may or may not get. But if there is no cross access there has to be a 10' buffer, you want something there you will need a curb, and it's up to you to decide how much landscaping on the Western piece, if he's not giving cross access he has to provide the 10' buffer so we have some things to decide. But we have to see a plan with curbs along the Western side of the property.

Mr. Stinchi has no issue installing a curb, or putting my driveway in and allowing him to use it. I was going to do the curbing on the East and he could use it but I don't get a response from him. The vision is not to build a big building, in order for it to work the layout is what we need to maximize the profit and I need a Pine Barren Credit and if I have to put a buffer in I have to reduce the building and the parking. I don't want to build a square of rectangle, I want two nice buildings.

Mr. Reilly said absent a receptive audience to the West you proceed as you wish. Unless the County makes a change.

Mr. Hammond said I thought they were under 4,000 square feet so with the apartments they are larger? It's Unlisted so we have to do the coordination, and we can send the shared parking to the County for feedback because if they say it doesn't align up with Hazelwood Avenue that will steer the buildings.

Mr. Hill said its not quite a disaster with he offset intersection, we worry about the left turns on Montauk Highway locking up but the offset is on the right and it may work and it may be dicey but if the guy isn't going to cooperate. The County has to see both sides of the road.

Mr. Vero said he will add that.

Mr. Hill said finish off the site plan and show the curbing so the County gets an idea of what you're doing; it's a one way in and people exit on to Sunset Avenue. I didn't get too deep into the plan because we have to work this out.

Mr. Reilly said the first hurdle will be the County that will dictate what goes on.

Mr. Stinchi said its not joint access; I can't propose anything on his property and I made an effort and I thought it was a good idea and Mr. Hill brought up a point.

Mr. Reilly said the County has to be involved so we should include them sooner than later. The access point will be what drives the site plan.

Ms. Bistran said we should get an updated site plan.

Mr. Vero said I will add that to the site plan; I will show Hazelwood Avenue and Pine Street.

Ms. Bistran asked about the first floor plan?

Mr. Hammond said it was missing, but we have it.

Ms. Bistran said its hard to figure out what's going on with the apartments, it's hard to tell how many there are because its not labeled. We don't have a bedroom count and square footage and it looks like its over what the Code is allowed.

Mr. Hammond said they are two buildings joined by a roofed over structure but its supposed to be an office / wet retail and apartments times two.

Mr. Stinchi said the glass enclosure is in case a tenant wants both spaces.

4. 87 Sunset West LLC, 87 Sunset Avenue (905-012-01-049.01)
 - a. Initial work session for modification to Phase II of site plan approval for single occupancy of the two-story building (6,000 sf) on slab for medical office use.

James N. Hulme, Esq., appeared on behalf of the application. He said in 2016 you approved a phased development of this project, and the first phase exists and is the CVS building among other buildings. The second phase was a 6,000 square foot building in the corner of the property and that building was approved and a building permit was issued for it and the shell and what is being built is what was approved in 2016. The issue is that the intended use has changed, and it was originally contemplated as three retail uses or office uses but because they were less than 3,000 square feet and the use will now be medical in nature and it will take the entire building and it's a change of use; since it exceeds 3,000 square feet it requires a special permit and we applied to the Board of Trustees and they wanted more information about the parking. The proposed use is a permitted use in the B1 but the parking requirement is different than the prior proposed use; as approved in 2016 was 1 space per 250 square feet and for the medical use its 1 space per 175 square feet o building so the requirement was provided

May 25, 2023

in the plan so if you go through the math you will find out we are 11 spaces short so we have to find a location for 11 parking spaces on the site. There is an unfinished building that requires 6 spaces and that's where we found 6 of the 11 his is medical and office and I don't understand if the parking requirement is a melded number or if its in fact just for the medical portion of the interior of the building.

Mr. Reilly said I defer to Mr. Hammond.

Mr. Hammond said medical arts is 1 per 175 gross floor area, but there is another section in the parking requirements and certain scenarios can say the administrative can get one way of being treated; but they could provide a narrative for the use.

Mr. Hill said I would comment when its done by an Engineer we do gross floor area only.

Mr. Pasca asked how its determined, the 1 space per 175 square feet. Is it assumed that every medical use has office space?

Mr. Hulme said that was part of his question too.

Mr. Hill said the areas are not carved out, it's all supported in the medical use, it's necessary for the use to happen.

Ms. Bistran asked what the deficit is?

Mr. Hulme said I have 6, so I am short 5.

Ms. Bistran asked the difference between the 11 and 6?

Mr. Hulme said 5. If the building that's 1,500 square feet doesn't get constructed that's 5 spaces.

Ms. Bistran said if you don't building and you add the spaces where the pad was going to be, then you don't have a problem.

Mr. Hulme said it's 73' wide and that's 7 parking spaces.

Ms. Bistran said if you show that on the site plan then the parking problem goes away.

Mr. Hulme said I will relay this to my client and solve the parking problem.

Mr. Pasca said it's what the Trustees told you a week ago.

Mr. Hulme said okay.

Mr. Hill said he had comments, and there was a missing manhole cover. That conflicts with the department of health; with medical you need a dumpster and we built them into the CVS building but this use will need its own separate dumpster and that may require some of the parking area depending on how you can do it.

Mr. Hulme said most of the medical waste is the boxes outside of the door.

Mr. Hill said there is waste that needs to be accounted for. I'm not sure if there was a dumpster provided; with retail and office it may not need as much as medical arts.

Mr. Hulme said I will look; I wanted to discuss the parking and get guidance on that.

Mr. Hill said you will get seven spaces, but if you only need five you can get a dumpster there.

Mr. Hulme said I don't think we can put it on Sunset Avenue.

Mr. Hill suggested the West side against the fence.

Ms. Bistran said he will submit a site plan with all of the comments tonight and then he goes back on the agenda.

Erica Present asked how long the Lease is that CVS has, or when they are asked to leave so that this medical arts area can move in to that building?

Mr. Reilly said it's two different buildings.

Mr. Hill said it's not going in to the CVS building, it's going in to the new building under construction.

Mr. Hulme said its going in to the new building that's under construction right now.

Ms. Present thought that NYU is going in to the CVS. We looked at the plans incorrectly, we thought it was going to all become medical.

May 25, 2023

Motion was made by Mr. Logozzo to holdover the application of **87 Sunset West, LLC., 87 Sunset West (905-12-1-49.1)** for all purposes; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

5. Seaview Plaza Associates LLP, 102 Old Riverhead Road (905-002-02-005)
 - a. Waiver of site plan to update the exterior of the existing building for “John’s Pools”

No one appeared on behalf of the application. Ms. Mackie said this was a simple application the applicant is proposing to change the existing materials, but keep the colors the same.

There were no questions from the Board, and no one appeared in opposition.

Motion was made by Mr. Logozzo to grant the waiver of site plan for **Seaview Plaza Associates, LLP., 102 Old Riverhead Road (905-2-2-5)**; seconded by Mr. Jones and unanimously carried 4 ayes, 0 nays, 1 absent.

FILL APPLICATION REVIEW: NONE

WORK SESSION AGENDA:

SUBDIVISION REVIEW: NONE

SITE PLAN REVIEW: NONE

FILL APPLICATION REVIEW: NONE

MINUTES:

1. APRIL 26, 2023
2. May 11, 2023

HOLDOVERS:

1. 85 & 105 MONTAUK LLC- 85 &105 MONTAUK HWY SCTM#905-5-1-12, 53.1 &52.2 (TBD)
2. ROGER’S AVENUE ASSOCIATES- ROGER’S AVENUE SCTM#905-3-1-7.1-7.7)
3. PRIME STORAGE- 98 DEPOT ROAD SCTM#905-2-1-19.1 (TBD)
4. WH EQUITY GROUP LLC- 12, 22, 80 MONTAUK HWY & 11 OLD RIVERHEAD ROAD SCTM#905-4-1-22.1, 23, 26.3, 30.1 (TBD)
5. WESTHAMPTON INN, LLC-43 MAIN STREET SCTM#905-11-1-15 **(5/25/2023)**
6. 55 OLD RIVERHEAD ROAD LLC- 55 &59 OLD RIVERHEAD ROAD SCTM#905-4-1-7, 9.2, 9.3 **(5/25/2023)**
7. FIRST DUNES DEVELOPMENT 496 LLC- 496 DUNE ROAD SCTM#905-16-1-19 **(5/25/2023)**
8. 10 MITCHELL OWNER LLC- 10 MITCHELL ROAD SCTM#905-11-2-3 **(5/25/2023)**
9. WESTHAMPTON PROPERTY MANAGEMENT LLC- 141 MONTAUK HWY SCTM#905-5-2-6.1 **(5/25/2023)**
10. DRL IRREVOCABLE TRUST & CAROL SCHECTER- 12 PONTUNK LANE & 42 STEVEN’S LANE SCTM#905-11-1-3.2 & 7 **(6/8/2023)**
11. BMB ENTERPRISES INC.- 145 MAIN STREET SCTM#905-11-2-29 **(8/10/2023)**
11. ROBERT SCHOENTHAL- 22 BAYFIELD LANE SCTM#905-10-6-2 **(8/24/2023)**

FUTURE MEETINGS:

1. **THURSDAY, JUNE 8, 2023**
2. **THURSDAY, JUNE 22, 2023**