



WESTHAMPTON BEACH PLANNING BOARD AGENDA THURSDAY MAY 11TH, 2023 5:00PM

CHAIR OPENS MEETING. SALUTE TO THE FLAG.

Mr. Reilly stated that we will be saluting the flag, and a salute to the flag took place. He went on to say that our Board Member Ralph Neubauer suffered an injury and asked everyone to please keep him in their thoughts and prayers.

Mr. Hammond and Ms. Bistran made a presentation and Mr. Hammond said there have been very busy agendas and we have kicked around ideas to streamline the agendas to make it more obvious to the public, the applicants and the Board what applications will be discussed and make it more clear when people should attend. The changes are accompanied by a memo and if you want a copy you can obtain one and there are some changes to the Code that are required and the Board Members only received it today and won't be ready to speak to it. Everything we're doing is to try and make things more clear and efficient. If you have questions you can reach out to our office.

Ms. Bistran some of the proposed changes are similar to other municipalities and there will be a public hearing and work session format; every meeting will be both so the public hearings in a sense of an application, a new site plan would be a work session first and then once it's ready they will open it to public comments and that is to get the site plan to a point ready for public comment. At that point we will notice the public hearing and move it to that part of the agenda. Modifications and waivers will automatically be public noticed and public hearings. We are going to propose a ten day policy for submissions, and if there is no new submission there is nothing to discuss. All of the pending applications will be on the agenda, and we're proposing to remove the requirement of the dept of health, we're making that a condition of the approval to remove you from our agenda. We are open to comments, I have been here for 9 or 10 months and listening to feedback and watching how things go on, and make things easier for the public to see the agenda on a Friday prior to the meeting. It will make things more open and public and make things easier for everyone. We are open to comments, if you have additional comments.

Mr. Reilly said the department of health has been the bane of our existence for quite some time and I think it's a welcomed development. Was there discussion about removing applications with no new activity or reasonable activity, if nothing goes on for 7 months what do we do?

Ms. Bistran said the board of health component will take that away.

Mr. Reilly said there are a few applications that have been dormant,

Mr. Hammond said it's too hard to enforce that, and we were not closed to that idea but we wanted to get this going to see if that helps and that won't happen.

Ms. Bistran said we'll have in house documents that we can use to track applications, and a policy that doesn't meet the Code but we're not going to take 9 copies of plans, we will reduce the number of copies and make digital submissions a requirement and the 10 day rule, and we can install a dormant application policy.

Mr. Reilly said will that be administrative level?

Ms. Bistran said it will be more apparent when there are so few applications still.

Mr. Reilly asked if it's not submitted within 10 days what do we do?

Mr. Hammond said there will have to be a process, the next available meeting.

Ms. Bistran said on the agenda for tonight, the top 7 are all new submissions.

Mr. LogoZZo said an application says there is an application before the board of health who tracks that?

Ms. Bistran said we render a determination and then they go to the board of health.

Mr. Hammond said yes, and they will have a time frame and have to renew any approval. I check the board of health approval that it matches the site plan which I do now for residential work so there's no reason why commercial is different.

Mr. Reilly asked if we're taking fill off?

Ms. Bistran said no.

Mr. Hammond said fill is important and the neighbors should be noticed and we want people to know about. And it comes with C&R's and typically that comes from a Board Action and if you buy a parcel you need to know what you can or cannot do.

Mr. Reilly asked if there were any questions.

Mr. Hammond said we can talk about this at another meeting if we want.

Mr. Reilly said okay.

PUBLIC HEARING AGENDA:

SUBDIVISION REVIEW:

1. ROBERT SCHOENTHAL- 22 BAYFIELD LANE SCTM#905-10-6-2 (5/25/2023)
 - a. Request to Holdover pending SCDHS approval

SITE PLAN REVIEW:

2. ROGER'S AVENUE ASSOCIATES- ROGER'S AVENUE SCTM#905-3-1-7.1-7.7)
 - a. Request to Holdover pending SCDHS approval
3. NEW YORK CANCER & BLOOD SPECIALISTS- 40 MAIN STREET SCTM#905-12-3-15
 - a. Continued work session on Modification of Site Plan Approval for medical offices

James N. Hulme, Esq., appeared on behalf of the application, he has a representative from New York Cancer, and the Pastor St Mark's Church and more immediately, we had a productive meeting with the Planner and Engineer and identified areas that need to be addressed and one is the interaction between the school and the proposed use and SEQRA discussions and site improvements for the landbanked parking. Pursuant to that meeting we submitted a number of documents, a parking flow narrative, an arrival and departure plan and detailed plans for the improvements. I'm hoping it has been reviewed and we're here to discuss it.

Mr. Reilly said one thing I thought of, and I don't know if it has bearing on this; you're going to propose 25 parking spaces in the playground area?

Mr. Hulme said no the playground is going to remain, it doesn't cover the whole parking area that was landbanked. We're leaving most intact and moving part of it. The playground will remain where it is, and the parking will be on

the other side. The parking will be used by the staff and used before the students get there and there is a plan for the cars to pick up and drop off with the goal of not having the parking for the school mixed with the site.

Mr. Hill said they addressed the concerns we have. The meeting it was represented the gate will go away? That won't be used to close off the parking spaces?

Ms. Bistran said it's shown to be removed.

Mr. Reilly asked if the planner had questions.

Ms. Bistran said we're concerned about queuing, traffic flow, and the submissions addressed the concerns and the school representatives say there is a policy change about how the site operates and that the parents and staff will escort the children from the cars so they do not have to park and the staff will handle that and they would have staggered drop off times which will make an impactful change. We feel our concerns addressed.

Mr. Reilly said was the seasonal aspect addressed? The country club runs a camp too.

Mr. Hulme said the Summer session is not happening this year, but generally less students than in the school year. To the extent it handles the school year, it handles it during the school year.

Mr. Reilly said the country club is busier in the summer. In terms of the policy changes, will that be made part of the resolution. The drop off changes is that part of our resolution?

Mr. Pasca said if there is something the planner thinks we need to put in the resolution we should.

Mr. Hill said you want the flexibility to adjust it, as long as it's part of the record.

Ms. Bistran said a narrative in the decision, it changed our perspective on the parking and ingress and egress issues presented.

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

Chris Javinski, Priest St. Marks Church said he came up with a prepared speech and we want to be a good neighbor and there are a lot of rumors around town that we're a wealthy church and we need to do this to survive and having said that we want to revitalize ourselves to give back to the community and speaking to the traffic flow and we've studied it and we don't feel there is any need for any change. I tape our parking lot and Mr. Hulme was there monitoring it and I think that in the past, when we had the Family Counseling Center there was a larger staff with more clients and there were 11 classes versus the 6 classes we have now and we don't anticipate any problems. As someone who is there I don't see a parking problem and we want to be good neighbors. We would like to maintain the parking as it exists today.

Mr. Reilly asked if there were any other questions.

Mr. Hulme said we have issues to work out, but we were hoping for SEQRA because that's what we need to proceed with Department of Health.

Mr. Pasca said is there a conflict between your proposal and the Church? We need answers on that for SEQRA and that's been a big issue to make sure the traffic works well and isn't going to cause an impact.

Reverend Javinski said our hope is to do what we were doing, but we'll do what we're told to do.

Mr. Pasca said it sounds like the layout is in conflict. How they manage the operation is one thing, but the site plan is another.

Ms. Bistran said we're comfortable with the plan submitted, and if that's not happening we need to get comfortable with the new plan.

Mr. Pasca said why don't you let us know whether there is going to be a change or not?

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

a. Continued work session on Site Plan Approval for 45 dwelling units and accessory structures

James N. Hulme, Esq., appeared on behalf of the application. They appeared before the ARB and they wanted a little more information and wanted more features and will provide that and I wanted to discuss the next step which is the park fee and I want to go over that and the formula. The starting point is the appraisal and having to listen to that I wasn't sure who selects the appraiser and hires them and what date they are appraised.

Mr. Pasca said they changed the code to make sure it's as close to the end of the process as possible. If you get an appraisal but a year goes by, then you have to get it redone. We let you decide if you want to get your own and present it the Board reserves the right to accept it or not.

Mr. Hulme said we would prefer to cut through that part, and I know there is an appraiser that's acceptable to this Board that's our starting point.

Mr. Pasca said Patricia Parsons has done a bunch which have been accepted by this Board.

Mr. Hill said we will need an estimate for bonding purposes so they should start to work on that. The landscaping, hardscaping, roadways, utilities, etc.

Ms. Bistran asked who should hire the appraiser?

Mr. Pasca said it's your option.

Ms. Bistran said in this circumstance he will get an appraisal and when that's submitted to us he'll go back on the agenda on the next available calendar within 10 days.

Mike Kelly, asked about the bond? He said it's a private community.

Mr. Hill said we have to make sure it gets built.

Mr. Kelly said we have never seen that. And who does he work with on the affordable housing?

Mr. Hulme said he will discuss that with his client.

5. 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

Kittric Motz, Esq., appeared on behalf of the application together with Tony Panza. We appeared before this board and we are seeking an expansion of our site plan, and we submitted that on May 3, 2023 to show the sport court, the awning and what's being removed and relocated and that was all this Board was looking for.

Mr. Hill asked if the baseball field is going away?

Ms. Motz said yes.

Mr. Hill asked what has changed and where is the building going?

Mr. Hammond said we need to do SEQRA.

Ms. Bistran said it's good planning to provide staff housing.

Mr. Hammond said it was very jumbled and the entrance is a lot safer now.

There were no questions or comments.

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

a. Initial work session on Modification of Site Plan Approval for phasing approved development

Frank Lombardo, Architect appeared on behalf of the applicant. They are seeking to modify their site plan to phase the project into two phases. The reason were asking for this, is the shortfall of funding for the entire project. The funding is based on a construction loan paid by donations and they are working on securing more funding. We would like to break it into two phases, the initial application was approved on December 8 and the scope of the work is not changing and we're planning to split the parcel so phase I is what is under construction now and 80% of the site will be developed. The second sanitary system for the mizvah and parish house will be part of phase II and we can finish everything under construction now and the area where they will be built won't be a construction site. You see on our site plan it is green we will grade it, irrigate it, seed it and make it a grass area so there's no impact to the neighborhood. You won't see any construction debris or fill.

Mr. Reilly said what's been started will be finished?

Mr. Lombardo said yes.

Mr. Reilly said I want to make sure whatever is started will be complete.

Mr. Lombardo said yes. All of the landscaping, the vehicular ingrees and egress is being constructed under Phase I and SWPPP is in place.

Mr. Reilly said you want to grade it, seed it and make it grass will there be screening from the road?

Mr. Lombardo said the majority of the landscaping with the exception of the foundation plantings will be done. The screening will be there plus we have an obligation to get fencing there for the pool by Code. It will not be a construction site, we want to finish Phase I by the end of June and I see no reason why we can't.

Mr. Reilly asked if they know when they'll finish Phase II?

Mr. Lombardo said I think they are anxious to complete the project and we have a donor for the Mizvah and we're not ready to implement it right now. When we complete this by the end of June, we will file for the necessary documentation with Mr. Hammond and we will start the camp and I don't anticipate any work on the Northern portion until the end of September. I do see them starting it in the Fall.

Mr. Jones asked if the driveway will be completed in Phase I?

Mr. Lombardo said yes.

Mr. Hill said you said it will be a lawn? That will be irrigated?

Mr. Lombardo said yes, we have installed a few lines and we will use them to irrigate the lawn area. There's no reason not to, and its just grass seed and we will maintain it.

Mr. Reilly asked if they need a resolution?

Ms. Bistran said yes, just for the phasing.

Mr. Hammond said they will add the pages for the site plan.

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

- a. Initial work session on Modification of Site Plan Approval for conversion of a coffee shop to a 13 seat luncheonette

Mr. Hammond said the whole property is 65 Main Street and it's the corner lot, which was a coffee shop for many years. In our code the coffee shop and luncheonette are the same use, but there is a commercial kitchen that will be installed and the change goes from 16 seat coffee shop to 13 seat luncheonette.

Mr. Reilly said its internal?

Mr. Hammond said there's an exhaust hood added, and it's a shame they aren't here because the application is great.

FILL APPLICATION REVIEW: NONE

WORK SESSION AGENDA:

SUBDIVISION REVIEW: NONE

SITE PLAN REVIEW: NONE

FILL APPLICATION REVIEW: NONE

DECISIONS:

1. GEORGE VICKERS- 25 & 27 HAZELWOOD AVENUE SCTM#904-11-3-6, 7 &8
2. MICHAEL BRUNETTI- 65 MAIN STREET SCTM#905-11.2-2-5

MINUTES:

1. APRIL 26, 2023

HOLDOVERS:

1. 85 & 105 MONTAUK LLC- 85 &105 MONTAUK HWY SCTM#905-5-1-12, 53.1 &52.2 (TBD)
2. PRIME STORAGE- 98 DEPOT ROAD SCTM#905-2-1-19.1 (TBD)
3. WESTHAMPTON INN, LLC-43 MAIN STREET SCTM#905-11-1-15 (5/25/2023)

4. 55 OLD RIVERHEAD ROAD LLC- 55 &59 OLD RIVERHEAD ROAD SCTM#905-4-1-7, 9.2, 9.3 (5/25/2023)
5. FIRST DUNES DEVELOPMENT 496 LLC- 496 DUNE ROAD SCTM#905-16-1-19 (5/25/2023)
6. 10 MITCHELL OWNER LLC- 10 MITCHELL ROAD SCTM#905-11-2-3 (5/25/2023)
7. WESTHAMPTON PROPERTY MANAGEMENT LLC- 141 MONTAUK HWY SCTM#905-5-2-6.1 (5/25/2023)
8. DRL IRREVOCABLE TRUST & CAROL SCHECTER- 12 PONTUNK LANE & 42 STEVEN'S LANE SCTM#905-11-1-3.2 & 7 (6/8/2023)
9. BMB ENTERPRISES INC.- 145 MAIN STREET SCTM#905-11-2-29 (8/10/2023)

FUTURE MEETINGS:

1. **THURSDAY MAY 25, 2023**
2. **THURSDAY JUNE 8, 2023**