

June 8, 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

**DECISIONS:** None

**PUBLIC HEARING AGENDA:**

**SITE PLAN REVIEW:**

1. WESTHAMPTON INN, LLC., 43 MAIN STREET (905-11-1-15)
  - a. Continued work session on Site Plan approval for a three-story motel building and accessory structures.

No one appeared on behalf of the application. Ms. Mackie said she does not expect him to attend.

Ms. Bistran said they wrote memos in March of 2023 that need to be addressed, we should send that to him.

Mr. Reilly said until the inconsistencies are rectified, they won't be back on the agenda. And we don't have to hold him over.

**SUBDIVISION REVIEW:**

1. **RICHARD OLIVIO – 72 SOUTH ROAD (905-8-1-27)**
  - a. Initial work session on Subdivision approval to subdivide a 49,823sf parcel into two equal lots of 24,912sf for single-family dwelling use.

Richard Olivio appeared on behalf of the application, together with Daniel Olivo. Daniel Olivo said they are looking to do a minor subdivision that meets the lot square footage and setback requirements of the Village Code. With the intention to build two single family homes on this lot.

Mr. Reilly asked if access will be off of South Road?

Daniel Olivo said yes, at the moment unless there's discretion to having it off of Oneck Road.

Mr. Reilly said we try to combine access maybe a common driveway unless Mr. Hill says differently.

Mr. Hill said these are two standard square lots, the one on the corner and Oneck has more traffic than South Road he's pulling it back to the property line we don't need to combine the access.

Mr. Reilly said there are two curb cuts now because of the driveway.

Mr. Hill said this improves it because it's pulling one away from the corner.

Mr. Hammond, Mr. Hill and Ms. Bistran had no comments.

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Mr. Pasca said I don't know the proposed structures belong on the plans, they may change. The problem is and we go forward its an implied approval of what's shown so for further maps we need the structures removed from the map. You don't need the building envelopes on the map.

Mr. Hammond said I like to show that they can fit the house, but for the actual map there should be no proposed envelopes.

Mr. Pasca asked if the swimming pool on Lot 1 is conforming.

Mr. Hammond said yes, it would be when they choose the front yard.

Mr. Pasca said to take them off of the map please.

Mr. Hammond said there are processes and we have to send this to the Planning Commission, it also needs SEQRA and Department of Health; but the ultimate map needs to have no proposed envelopes or structures.

Mr. Logozzo said for review purposes it's a good indicator of what we can build.

Mr. Reilly said it looks straightforward subdivision, and he understands there are neighbors who would like to comment.

Margaret Heffernen, 110 Oneck Lane and she abuts this property to the North. I have a petition from some neighbors who object to the subdivision of this property. It has signatures from two of the three corners at Oneck Lane and South Road. I only received the application on Tuesday, and no one refused to sign the petition.

Mr. Reilly said the public hearing will stay open, so you can submit the petition and more material as you wish.

Ms. Heffernen said okay. When you drive through the Village you can tell the different zoning districts by the look at what you're passing, and on South Road it looks like R1 Zoning, but South Road has to be dividing line between R2 and R1; R2 is on the North side of South Road and it's the basis that the applicant thinks he can he subdivide this lot. But basically, when you look at the section of South Road between Oneck Lane and Liberty Street it's all one acre lots and the opposite corner on the South Side of South Road it's over 2 acres and the North side may be R2 officially it identifies as R1 and a subdivision will adversely affect and change the character of the intersection and the stretch of South between Oneck and Liberty Street; they are 1 acre lots; 73 is over 2 acres, and the smallest lot is 56 South Road and it's nestled between two one acre lots and it doesn't look dense. I examined the home sizes in the area and I have two exhibits and one is for South Road and Oneck Lane and the other is for the subject property; and I want to ask the Board to consider the result in density if you are to approve this proposed subdivision . Assuming this house was 2,700 square feet before demolished, the ratio of land to house was over 18 and my own ratio is over 10 and the proposed subdivision would result in a ratio of 5.5. It wouldn't be a single lot, but two tiny lots relative to the neighborhood. This is also known as the Estate area. This is more dense than the majority of the homes in the R2 Zoning District. The optimal use in order to preserve the character of the area is for a large, bespoke home fitting of South Road and this portion of the Village. This is a prime piece of property, it used to be the showcase in Westhampton Beach 20 years ago. I am fearful that the applicant is only interested in maximizing his profit and build two large white boxes as inexpensively as possible. If there's a financial problem for the applicant it is self-created. I don't think that's a reason to approve the application. But more importantly is how to enjoy our property as well as having an adverse affect on our value; I've lived at 110 Oneck Lane for 20 years and I love it, and I enjoy living next door to the previous house and the prospect of having two houses South of me is sickening It will decrease the value of my home; and the previous home was situated was centered by our detached garage and hidden by the foliage and its how they rest on their lots as such we didn't see one another and the proposal will have two houses and the privacy will be lost. I don't want someone's lights shining in my bedroom windows. I haven't spoken to 64 South Road and they should not be happy about it being constructed so close to their Westerly lot so the distance is going to be very tight relative to what they've enjoyed. I have signatures from people who have been home in the area. I noticed on the application there was a question about trees and there are many tall old trees and some have

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flanked the old home and why does it say its 100 % grassland there are a lot of trees there, so that statement is false. Many trees are where the houses will be constructed and we'll tear them down and I don't know what consideration you give for trees. I look forward to a big beautiful home gracing the corner of Oneck and South Road and one is greater than two; one is better than two.

Mr. Reilly appreciates her comments, and it was a great house and showcase of the Village. But, the Village has been under assault by development and there's nothing wrong with investments and making money but our goal has been trying to balance the competing interests as best we can. As far as being able to stop this we cannot, but I assure you there are code provisions dealing with lighting, landscaping and other issues to help your concerns. Are there transition yard issues? The line for the properties is what it is.

Mr. Logozzo asked if it's a by right subdivision?

Mr. Hammond said it does not require any variances. Both lots are conforming to the width and area and that's what it is for the zoning district. When it comes to the dwelling units, we expect them to conform to zoning and they should not need variances.

Mr. Reilly said there is not a lot we can do, we can't say no because we don't like it but there are code provisions that can deal with those concerns.

Ms. Heffernan said to go from one house to two doesn't seem right.

Mr. Reilly said there is a lot of building over the years, and they are taking down small houses and we are losing a lot of community character but we are trying to preserve some of it. He asked if there were any other comments or questions.

Mr. Daniel Olivo said the previous structure was condemned and removed.

Mr. Reilly said we didn't want to keep that structure, but the character they'd like to see that replaced. He asked if there were any other questions or comments.

Ms. Bistran said we can put them on the agenda for June 22, 2023 for SEQRA.

Mr. Hammond said it's unlisted, do we need to coordinate the review? The SEQRA would allow them to go to the Department of Health. They need to secure density credits.

Mr. Reilly said they have work to do.

Ms. Heffernan said her concern is how the houses will be positioned and that its more than one house.

Mr. Reilly said there are processes so they can't build a box.

Ms. Mackie said that the record will remain open so they can submit their comments and the neighbors comments as they wish. They should try to engage in discussions with their neighbors to try to work out some of their concerns.

#### **FILL APPLICATION REVIEW: NONE**

#### **TRUSTEE REFERRAL AGENDA**

**Sunset West, LLC., 59 Main Street (905-11-2-2.6) One Trick Pony** – Applicant requests 16 café chairs, and 8 tables; and live music Friday, Saturday and Sunday during the hours of 3:00 p.m. to 7:00 p.m.;

No one appeared on behalf of the application. Mr. Reilly said they want 8 tables, with 2 seats and some planters on the corner of Mitchell Road and Main Street. Mr. Logozzo said I would like to see a scaled drawing with curbs, sidewalks, the size of the tables before we address this.

Mr. Reilly said we have asked for that.

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Mr. Hammond said the Code requires it to be to dimension.

Mr. Logozzo said we need to see something to scale so we know how it works.

Mr. Hammond said this is within their property and not within the right of way if it fits as shown as drawn. If they are 6' or less from the building it's within their property.

Mr. Logozzo said I would like to see a marked up survey.

Mr. Hill asked if they are moving the foundation plantings?

Mr. Hammond said he thinks it's North of that.

Mr. Logozzo asked if we're allowing encroachment on the right of way?

Mr. Hammond said yes, some may be in the right of way.

Mr. Logozzo said this is a corner, and I'd like to see a to scale survey.

Mr. Reilly said when Main Street was done, is there a master survey? Anyone can get a copy of that and work off of that? I think that should be the standard going forward. That's what I'd like to see going forward.

Mr. Hammond said yes that survey is done.

Mr. Logozzo said its available they don't have to hire a surveyor.

Mr. Schermeyer said if it's plotted to scale they can see what's there.

Mr. Logozzo said once we have a survey to scale, and we can check it. I want to see the tables scaled also.

Ms. Bistran said they should talk to us about the landscaping, there are trees between the building and the sidewalk.

Mr. Hill said it looks like they were removed and bricked over so I want to make sure it's accurate.

Mr. Logozzo thinks it all needs to be identified on the same drawing.

Mr. Hill said the improved site plan, there were plantings and prior site plans and used for seatings they removed it and put brick down so the foundation plantings are removed. And it may be fine but we need to know what is there to take it all in context.

**WHB 149 Main, LLC., 149 Main Street (905-11-3-1) Flora** – Applicant requests 28 seats and 8 tables in the front of their building; with no seating on the Easterly side; No Music

No one appeared on behalf of the application. Mr. Reilly said he would like to see a scaled drawing.

Mr. Hammond said there is additional seating, and they are in the right of way because of the new Code.

Mr. Reilly said I would like to see that.

Mr. Hammond said they are required to provide 5' clear sidewalk panel, not the pavers it has to be 5' of actual sidewalk.

**Haskell's Seafood, 77A Main Street (905-11-2-9)** Applicant requests three café tables with a privacy barrier; five (2) seat café tables in the back with three (4) seat tables; No Music

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No one appeared on behalf of the application. Mr. Reilly said I would like to see the same information.

Mr. Hammond said it goes down Moneybogue Lane and we have that all on the survey.

Mr. Reilly said they want seating in the front and rear? We have always forced it to the rear because they have it, I'm not passing judgment but I'm leery of having front and rear seating, and I think they need to make a choice. But I'd like to see a survey.

Mr. Schermeyer said the restaurant next door has seating, is that approved?

Mr. Hammond said it is COVID seating, and none has been approved. All of the restaurants, we extended the COVID seating three times and people have forgotten to reapply and applying for it and having it referred to us and as you can see by most, they are not complete or robust.

Mr. Schermeyer said the Mexican restaurant you can't get to the back through the restaurant and now you can't the layout was changed.

Mr. Reilly said I would think the Main Street facing businesses should get the seating on Main Street, but on Moneybogue if they have the ability to seat in the back they should do that.

**Brunetti Pizza Wine Bar, 61 Main Street (905-11-2-9)** Applicant requests 16 seats and eight (8) tables; No Music

Mr. Reilly said he would like to see the same for this establishment as well.

He asked if there were any questions or comments.

There were no other questions or comments.

**WORK SESSION AGENDA:**

**SUBDIVISION REVIEW: NONE**

**SITE PLAN REVIEW: NONE**

**FILL APPLICATION REVIEW: NONE**

**MINUTES:**

1. APRIL 26, 2023
2. MAY 11, 2023
3. MAY 25, 2023

**HOLDOVERS:**

1. 85 & 105 MONTAUK LLC- 85 &105 MONTAUK HWY SCTM#905-5-1-12, 53.1 &52.2
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
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
5. WESTHAMPTON INN, LLC-43 MAIN STREET SCTM#905-11-1-15
6. 55 OLD RIVERHEAD ROAD LLC- 55 &59 OLD RIVERHEAD ROAD  
SCTM#905-4-1-7, 9.2, 9.3
7. FIRST DUNES DEVELOPMENT 496 LLC- 496 DUNE ROAD SCTM#905-16-1-19
8. 10 MITCHELL OWNER LLC- 10 MITCHELL ROAD SCTM#905-11-2-3
9. WESTHAMPTON PROPERTY MANAGEMENT LLC- 141 MONTAUK HWY  
SCTM#905-5-2-6.1
10. DRL IRREVOCABLE TRUST & CAROL SCHECTER- 12 PONTUNK LANE &  
42 STEVEN'S LANE SCTM#905-11-1-3.2 & 7
11. BMB ENTERPRISES INC.- 145 MAIN STREET SCTM#905-11-2-29 (8/10/2023)
12. ROBERT SCHOENTHAL- 22 BAYFIELD LANE SCTM#905-10-6-2 (8/24/2023)

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13. NEW YORK CANCER & BLOOD SPECIALISTS- 40 MAIN STREET  
SCTM#905-12-3-15
14. WESTHAMPTON COUNTRY CLUB- 35 POTUNK LANE SCTM#905-9-3-23.1
15. 87 SUNSET WEST, LLC, 87 SUNSET AVENUE SCTM #: 905-012-01-049.01
16. 161 MONTAUK HWY., LLC 161 MONTAUK HIGHWAY SCTM 905-5-2-12.1

**FUTURE MEETINGS:**

1. **THURSDAY, JUNE 22, 2023**
2. **THURSDAY, JULY 13, 2023**