

November 12, 2020

The Planning Board of the Incorporated Village of Westhampton Beach held its regular meeting on November 12, 2020, at 5:00 P.M. in the Municipal Building, 165 Mill Road, Westhampton Beach.

PRESENT: David Reilly, Chairman
Ralph Neubauer
Jack Lawrence Jones
Rocco Logozzo
Michael Schermeyer

Maeghan Mackie, Board Secretary

Brad Hammond, Building & Zoning Administrator

Kyle Collins, Village Planner
Ron Hill, Village Engineer

Anthony C. Pasca, Esq., Village Attorney

HOLDOVERS:

1. **160 Montauk Highway, 160 Montauk Highway, (905-6-1-19) Westhampton Beach** Applicant requests a Site Plan review to construct an addition to an existing Permitted Retail Beverage Store. The property is located in the B-2 Zoning District.

Status: **HELDOVER until November 12, 2020**

ZBA: *Granted*

ARB: *Received*

SEQRA: *Conditional Neg. Dec. Issued*

SCDHS: **NEEDED**

SCPC: *Approved, Matter of Local Jurisdiction;*

SCDPW: *Approved with no comment;*

2. **Anthony J. Cassano, Jr., and Louis Commisso, (905-5-1-21) 30 Lilac Road** Applicant Requests a minor subdivision review to create two (2) lots on a parcel of land located in the R-2 Zoning District.

Status: **HELDOVER UNTIL November 12, 2020**

Applicant is awaiting a determination from the Suffolk County Dept. of Health Services Board of Review.

ZBA: *N/A*

ARB: *N/A*

SEQRA: *COORDINATED REVIEW; DETERMINATION ISSUED: 6/25/2015*

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: **NEEDED**

3. **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 December 10, 2020**

ZBA: *GRANTED, 12/20/2018*

ARB: *N/A*

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

SCDHS: **NEEDED**

SCDPW: N/A
SCPC: **NEEDED**

4. **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 November 12, 2020**

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

5. **Laurence Verbeke, 167 Oneck Lane, (905-009-01-019).** Applicant requests review to subdivide a 207,984 SF (4.77 ac) lot, improved with a single-family dwelling and accessory structures, into two flag lots of 151,621 SF (3.48 ac) and 56,363 SF (1.29 ac). The subject property is located on the west side of and with access to Oneck Lane, in the R-1 Zoning District.

Status: **HELDOVER UNTIL November 12, 2020**

ZBA: N/A
ARB: N/A

SEQRA: **Granted; October 10, 2019**

SCDHS: **NEEDED**

SCDPW: N/A
SCPC: N/A

6. **Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07).** Applicant seeks site plan approval to construct 52 dwelling units in 13 Buildings (11 townhouse groupings, 2 two-family dwellings) with private community center, pool & tennis court for multifamily development with on-site sewage treatment plant in two development phases.

Frank A. Isler, Esq., appeared on behalf of the application.

Mr. Pasca said the applicants have submitted a proposed Draft DEIS received this week, from the date it was submitted the Board has 45 days to determine whether it's ready for public comment which is something Mr. Collins and Mr. Hill will take the lead in doing. The other new development is that we were told, that an item we asked them to look at is the title and there is a scenic easement recorded as a result of the prior sub division, and the scenic easement created buffers that are different from the standard buffer requirements in the Code so their proposal is to include a request that the Village rescind the scenic easement and that is a decision for the Board of Trustees and it's not part of a declaration of C&R's it was a full scenic easement that ran to the Village so the Board of Trustees will be asked to rescind that. I am not certain whether it's permissible or not, I will not opine yet but in order to determine whether they should, if they have the power to, I mentioned to the applicant's attorney that it will need to be addressed in the DEIS and I am told that was addressed in the DEIS but we just received it and have to review it and it will be reviewed by Mr. Hill and Mr. Collins.

Mr. Hill said to comment on the receipt because Ms. Mackie can verify, the only thing we got one (1) paper copy of the DEIS with no appendices and they have since dropped off the traffic appendix, but we don't have a full copy but I would think we require more to do the completeness so I do not think the 45 days starts.

Mr. Pasca said okay, he has not looked at the document yet.

Mr. Collins said the 45 days runs out on December 17, 2020, which is a Thursday however it is not a date we meet. So if we meet that we have to take action by December 10, 2020 which is a week before the 45 day deadline.

Mr. Neubauer said we are not starting the clock on the 45 days.

Mr. Collins said the digital submission has all of the appendices.

Mr. Pasca asked them to supply the paper copies, if we want and we should not worry about the 45 days until we get close to it.

Mr. Collins said he wants to know how long he has to review it.

Mr. Hill said he wants a full paper copy.

Mr. Collins said they would like two (2) hard copies with the appendices.

Mr. Isler said he is the attorney for the applicant and they will get the two (2) sets to the office and if you need anything else, please contact them and they will provide more copies if needed.

Mr. Reilly said they are going to hold the application over to December 10, 2020.

Motion was made by Mr. Neubauer to holdover the application of **Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07)**. to December 10, 2020; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

7. 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 December 10, 2020**
- ZBA:** **NEEDED**
- ARB:** **Referred to ARB at January 23, 2020 Meeting;**
- SEQRA:** **Planning Board Deemed Lead Agent;**
- SCDHS:** **NEEDED**
- SCDPW:** **N/A**
- SCPC:** **Received SCPC, 2/14/2020 – No objection**

8. 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 appeared on behalf of the application. They sent in the water easement and they are waiting on the Department of Health approval.

Mr. Reilly said they cannot move forward without the Board of Health approval.

Mr. Galante said okay, they will remain heldover to December 10, 2020.

Mr. Reilly said okay. They have been heldover, and there doesn't need to be a motion to do so.

9. **James Traynor, 91 Old Riverhead Rd (905-002-01-007.02)** Applicant requests site plan approval to construct a one-story General & Special Trade (G/ST) Contractors' Office building (9,744 sf) on slab, a two-story G/ST Contractors' Administrative Office building (1,776 sf) over unfinished basement, & convert dwelling to G/ST Contractors' Administrative Office (1,888 sf), with associated site improvements, upon a 63,770 square-foot parcel located in the HD zoning district.

Status: **HELDOVER UNTIL December 10, 2020**
Applicant is before the Suffolk County Department of Health Services Board of Review.

ZBA: *Granted; Received, May 21, 2020*
ARB: *Referred to ARB at January 9, 2020 Meeting;*

SEQRA: *Negative Declaration Issued, February 27, 2020*

SCDHS: **NEEDED** *Applicant is before the Suffolk County Department of Health Services Board of Review.*

SCDPW: **NEEDED**
SCPC: *Received SCPC No objection;*

10. **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., appeared on behalf of the application.

Mr. Neubauer said they have a SEQRA determination to adopt.

Motion was made by Mr. Neubauer to adopt the SEQRA determination for **55 Old Riverhead Road LLC, 55 & 59 Old Riverhead Rd (905-004-01-007, -009.02 & -009.03)** as written; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

Mr. Collins said he reviewed the plans as it relates to the Special Exception Standards, and he thinks there has to be some redesign as proposed he would be happy to sit with the applicant and their design professionals to see if they can come up with a plan to meet the Special Exception Standards if the Board is so inclined to authorize him to do so.

Mr. Reilly said it would be advantageous to move the process along, and there was discussion about the cross access, as well. Would that be part of that meeting?

Mr. Collins said the cross access is shown on the plan, the resolution adopting the negative declaration for the property next door includes the cross access and a finding in the SEQRA to mitigate the traffic impacts on Old Riverhead Road was the provision of that cross access subsequently it was approved by the PB and with the condition, and memorialized in C&R's to make everyone aware that purchased within that property it would be open in the future.

Mr. Reilly said we had some discussion, do we have the cross access and have a removable barrier so they are not connected outside of emergency situation, or should it be open cross access.

Mr. Collins said the question becomes and the reason why I raised the issue of the original SEQRA determination, if its not open the mitigation is not there it is up to the Mr. Pasca as to how that effects the original SEQRA determination. It was offered and put in and the issue is we do cross access to commercial properties and if this was another commercial it wouldn't be compatible trips, but it's Multi Family to Multi Family just like in a residential subdivision you connect the street networks to mitigate the impacts on Old Riverhead Road, the trips are probably delivery trucks which hope to not go back on to Old Riverhead Road; we all know what that road is like during peak times and the traffic backs up past the train tracks and anything to mitigate the turning off of Old Riverhead Road is critical and that's why it was addressed in SEQRA.

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Mr. Pasca said this issue he has with cross access for private property is that there is caselaw that talks about it being unlawful to mandate that their private property be used by anyone else; and it's the reason why when we do a subdivision they can make it a private road. It's different when it's a commercial site open to the public to begin with to ask for cross access between one public site to another, but when it's a private gated community to be kept open to one another community, I don't think that's lawful. As an emergency measure it's doable if there's a mechanism for service vehicles, maybe I don't think each community can be open to the other without running afoul of certain constitutional protections.

Mr. Neubauer asked if when all of the development of that Western border of Old Riverhead Road is done, will they have an opportunity to be dedicate to the Village?

Mr. Hill said no.

Mr. Pasca said they aren't roads.

Mr. Collins said they are designed to handle the traffic as to function as a road. The Village did not mandate anything, Timber Ridge got an approval and they offered the C&R's. I would agree if it was mandated.

Mr. Hill said yes, that's right.

Mr. Pasca said if the present applicant wants to offer it, that's a different story but for us to tell the present applicant that they must open to another community I don't think we can do that.

Mr. Collins said the language say or successors, wouldn't that bind future purchasers of the property. Typical language isn't always of the current owner, it's of future owners as well.

Mr. Pasca said it's recorded against the Timber Ridge property, not against this property unless I'm missing something.

Mr. Collins said the objection is for Timber Ridge to open it up. The current applicant isn't objecting to it. The attorney for the applicant has said they do not care either way.

Ms. Wright said the crash gate is their preference but based on SEQRA and it was brought to our attention, and we'll do what the Village requires but our preference is emergency access only.

Mr. Pasca said we can't require it of this applicant, if they want to offer it that's one thing, Timber Ridge offered it and they put it in their C&R's and they are bound by it, but we can't tell this applicant they must offer it, that would be a problem.

Mr. Collins said we have to back up, and we passed a SEQRA resolution that references cross access like Timber Ridge did. It references it as mitigation of the potential impacts of the traffic.

Ms. Wright said I think a crash gate is access, it's not full access but it is access for emergency access.

Mr. Reilly said the concept of the cross access is to relieve pressure on the main road.

Mr. Collins asked Mr. Hill to comment.

Mr. Hill said to look at the reality of these two (2) properties; emergency access is essential, and Fire and Ambulance need to get around it. Timber Ridge has another emergency access and this community doesn't have alternate access so emergency access becomes critical. Service vehicles moving between the two (2) sites I think is ideal and it really helps, but I can't see where either site because of its nature will have any traffic going back and forth unless there was an accident in a driveway and people needed to get out. Emergency access crash gate won't help because they can't go through it, but if it was open and a regular road they could get through it and there are benefits to having a full cross access, but most people are afraid to have full access and they are afraid of cut through traffic and by the nature of these units that won't happen. I don't see a down side.

Mr. Reilly said at best you may have Timber Ridge traffic trying to move further South but that's not going to be a lot.

Mr. Collins said the ones directly adjacent with garages that back in to the cross access to the West of it they may use it, but I don't think there will be a lot of cross through traffic and we need to reduce the amount of turning on to Old Riverhead Road as much as possible.

Mr. Reilly said unless there is a legal prohibition my gut is to have it open.

Mr. Pasca said there is a legal prohibition unless the applicant offers it. This conversation of what we'd like to see is different from what the applicant is willing to do. Ms. Wright should talk to her client and see what they're willing to offer. If the discussion is emergency and service vehicle, maybe signage saying "No General Through Traffic" will help and there could be an appropriate way to do it without the general population going back and forth, but I think Ms. Wright has to talk to her client to see what they are willing to offer. The legal line is crossed between an offering and an exact and I want to know what they're willing to do.

Mr. Neubauer asked Ms. Wright if she sees the value of the delivery trucks, and postal vehicles having the interaction between the two communities.

Ms. Wright said the concept makes sense, but you want to prevent the cross traffic between the two and finding that balance is what they have to explore.

Mr. Reilly said when you meet with Mr. Collins to go over the Special Exception standards you guys can discuss this too.

Ms. Wright said she thinks that will be a useful meeting.

Mr. Reilly asked if there were any members of the public who wished to comment.

Charles Bonomo, 401 Gettysburg Drive, we sent a letter to Ms. Mackie this week and I understand what was put in the offering plan and we have valid concerns and we would like the Board to consider those concerns.

Mr. Reilly said he received it and its part of the record. They are similar to what you've offered in the past.

Mr. Neubauer asked if they considered delivery trucks and USPS scenario, and seeing the benefit and having them not re-entering Old Riverhead Road.

Mr. Bonomo said a few things came to mind, one thing is that most of that traffic is when there isn't much going on Old Riverhead Road and the traffic back up is on the weekend and anything that introduces more traffic in to the community is a tough sell for the residents. There are a lot of children in that neighborhood in the street.

Mr. Hill said I don't know if it adds traffic, service vehicles are in there they are passing from one to another, it may cut the traffic down because they don't leave and come back.

Mr. Bonomo said the signage is not practicable, once it's open without a crash gate there won't be a way to stop the cars from going through there. There are areas of concerns and confusion about amenities and it may invite challenges into the neighborhood.

Mr. Schermeyer asked if they would be willing to accept a speed bump.

Mr. Bonomo said they'd have to talk it over as a Board. Their road is a private road that they pay to maintain, and extra traffic will be maintenance that costs them money and speed bumps will be a hassle.

Mr. Schermeyer said it's very tight and I went there, and I see what you're saying about the kids but I think if someone did speed and came through it's hard to see. It's a safety issue.

Mr. Bonomo said that his garage backs out on to the road, and there's no apron there.

Mr. Schermeyer said it's very tight so he can see what Mr. Bonomo is saying, and the speed bump will really slow the cars down, but when trucks go over it, it makes a lot of noise.

Mr. Neubauer said in Patchogue Village there are unique speedbumps with larger speedbumps than the usual ones.

Mr. Collins said on Main Street we have them, it's called a table top.

Mr. Hill said they are a speed table, and then there are speed humps.

Mr. Neubauer said they are very effective.

Michael Lerch, Timber Ridge, said he serves on the Board as well and lives in the Timber Ridge Community. One of the main issues is that where that particular easement is it's a very tight spot, it's not a full wide road, there is parking, there's a garage and parking along the side so that will be a one lane for a car, it's not really for a truck. It's a very tight area, and I think if we're talking about the people going to Old Riverhead Road, how many will go through the developments, the only thing you're eliminating are deliveries during the week and I understand the concerns on Old Riverhead Road but I don't see the good between two communities you're opening the door for more accidents than you'll save on Old Riverhead Road. If you look at the area it's very tight.

Mr. Neubauer said it's tight enough to get an ambulance and fire truck so it's really not that small.

Mr. Lerch said for emergencies I agree with you, but to decrease the flow on to Old Riverhead Road.

Mr. Neubauer said it's a Covenant and it was there when you bought your home.

Mr. Lerch said I don't mean to sound naïve, but we bought a townhouse and the lawyer looked at an offering plan 300 pages long, and I mean no disrespect and no one knows anything about it and the other access is a crash gate and grass and we all thought that was the access. We knew there was one for Emergency Access and we all made that assumption that it was the same easement. Of course, we signed it when we bought it, we never thought it would be a road. Since the applicant is not demanding or asking for it, I understand you're trying to reduce traffic.

Mr. Reilly said you summed it up. Until we know what the applicant is willing to do this conversation may be premature.

Mr. Lerch said they are representing the other people in the development.

Mr. Reilly said he understands that. They should revisit the issue after the applicants attorney speaks with the applicant.

Mr. Schermeyer said Timber Ridge has two (2) exits and that's a perk, and this applicant has one (1) exit, could we get two (2) exits on the left and right. Timber Ridge has a single exit with a left turning lane and a right turning lane.

Mr. Bonomo said everyone in the community would rather not have it, and the applicant would not as well and is the juice worth the squeeze opening the access.

Ms. Wright said she will talk to her client, and meet with Mr. Collins and return to this Board to address this issue.

Mr. Reilly said okay.

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 December 10, 2020; seconded by Mr. Schermeyer and unanimously carried 5 ayes, 0 nays, 0 absent.

REFERRAL FROM THE BOARD OF TRUSTEES

11. 804F Realty Corp., Robert Chase 112 Montauk Highway (905-4-2-14.1) Special Exception Application to allow a Convenience Store as Accessory Use to an existing gas station at 112 Montauk Highway, Westhampton Beach

Status: **HELDOVER UNTIL November 12, 2020**

12. Rogers Associates LLC, North Side of Rogers Ave (905-003-01-007.01 through 007.07)
A joint Work Session of the Board of Trustees and the Planning Board will be held to discuss the application of Rogers Avenue Associates, LLC., starting immediately after the Planning Board’s regularly scheduled meeting at 5:00 p.m.

Status: **HELDOVER**

*DRAFT Scoping Documents Received on March 3, 2020
Draft Scope referred to Suffolk County Planning Commission, Suffolk County
Department of Health Services;
Joint Work Session Held, June 25, 2020 with Board of Trustees*

ZBA: *Undetermined*

ARB: **NEEDED**

SEQRA: **POSITIVE DECLARATION ISSUED, 1/9/2020; PLANNING BOARD LEAD AGENT**

Draft DEIS Adopted on July 23, 2020

SCDHS: **NEEDED**

SCDPW: *N/A*

SCPC: **NEEDED**

OTHER: **Special Exception Permit required from Board of Trustees**

13. 804F Realty, 112 Montauk Highway (905-004-02-014.01) Renovate One-Story Building for Accessory Convenience Store & Construct Canopy for Relocated Gas Service Pumps w/ Associated Site Improvements for Valero Service Station, upon a 0.44-acre Parcel in the B-2 Zoning District.

Status: **HELDOVER UNTIL December 10, 2020**

ZBA: **NEEDED**

ARB: **NEEDED**

BOT: **SPECIAL EXCEPTION PERMIT NEEDED**

SEQRA: *August 13, 2020 – Planning Board Accepted Lead Agency Status – Type II Action*

SCDHS: **NEEDED**

SCDPW: **NEEDED**

SCPC: *N/A*

14. Lidl Westhampton, 70 Sunset Avenue (905-012-04-020.01) Applicant requests modification of site plan for façade alterations to the existing grocery store located on a 2.7-acre parcel in the B-1 zoning district.

Status: **HELDOVER UNTIL November 12, 2020**

ZBA: **PENDING – DETERMINATION SCHEDULED FOR 11/19/2020**

ARB: **NEEDED**

BOT: *N/A*

SEQRA: *N/A*

SCDHS: *N/A*

SCDPW: *N/A*

SCPC: *N/A*

15. **WHB Kitchen LLC, 149 Main Street (905-011-03-001)** Applicant requests modification of site plan to erect a seasonal membrane enclosure under the retractable awning for outdoor dining at the existing 16-seat restaurant located upon a 3,610 SF parcel in the B-1 zoning district.

Status: **HELDOVER UNTIL November 12, 2020**

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

SEQRA: **N/A**
SCDHS: **N/A**

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

16. **PGJG Holding Corp, 214 & 238 Montauk Highway (905-006-02-031 & -032.01)** Applicant requests modification of site plan to convert a portion of site parking and access way for a seasonal dining area (40 seats) with façade changes to install accordion doors at the existing standard restaurant “Baby Moon,” upon property totaling 44,650 square feet in the B-2 zoning district.

Status: **HELDOVER UNTIL November 12, 2020**

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

SEQRA: **N/A**
SCDHS: **N/A**

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

NEW APPLICATION:

17. **Westhampton Synagogue, 142 Mill Road (905-012-01-044)** Applicant requests site plan approval to construct a second-story addition over existing first floor, remove mezzanine and convert building for a children’s center with an exhibition hall, community rooms and a youth chapel upon a 16,033 square feet property located at the northwest corner of Mill Road and Sunset Avenue in the B-1 zoning district.

Hermon J. Bishop, Esq., appeared on behalf of the application, together with Rabbi Schneier, Frank Lombardo Architect, and Mona Sterling, Chairperson for design and building, together with Board Members from Synagogue. Mr. Bishop said they are proposing a change of use from a restaurant standard to children’s center called “Jack’s House” and there is a CO for a restaurant standard use and the lot coverage is 17.8% and there are 11 parking spaces provided. The parcel is compliant with the Village Code with respect to lot size, lot width, total side yards and rear yards and even though it is a corner parcel with two front yards it is compliant with the Code with respect to that as well. It is bound by the East by Sunset Avenue and West by Mill Road Corporation, Inc., South by Mill Road and North by the Hampton Synagogue. The structure was constructed in 1909 and used for many years as an assembly hall and was temporarily used as a school during the 1938 Hurricane and it was a USO type use for service men to meet women. The history of it was as a community use and in recent past uses it was a nightclub, and had a CO dated July 30, 1976 as a bar and dance hall; this non-conforming use was converted to a restaurant pursuant to a site plan dated May 6, 1993 approved by the PB and they approved floor plans for all 3 floors based on percentages of use area. A building permit was issued and a CO was issued on February 2, 1994 for a restaurant standard use. Our application seeks to change the use to a religious use as a Synagogue Children’s center called “Jack’s House” and the Children’s center will be open to other children as well. It is a return to a community type use.

Frank Lombardo said the project scope is a children’s center and it is known as Jack’s House and in memory of a holocaust survivor and benefactor and visionary founder of the Hampton Synagogue and to his memory this center is named. The children’s center is a relocation from the Synagogue location to a facility specifically designed for them, this building gives them the opportunity for music, dance and arts both visual and literary. It is not only for the synagogue congregation, but it is open to all denominations.

The preservation of the historic impact and the importance of the historic corner within the Village is part of the scope, visually the work we are doing has no adverse impact on the exterior of the building and it's less compared to the prior use. It proposes to convert the existing first floor to an open exhibition space to display talents to the families and community. Drawing A-106 illustrates what we're envisioning. The existing mezzanine is 695 square feet which will be removed as it is not a useful space and has only a 7' ceiling height. The second floor will be three traditional classrooms to accommodate 14 to 15 children for music, dance and art an open library classroom, a director's office and receptionist area. There is a one-story portion at the North end of the building which will be the new children's chapel 477 square foot structure on top of the existing one-story portion in harmony with the existing building to accommodate 20 children. The second floor design visually will feel open and transparent using glass walls as shown on drawing A107 so the open feel of the existing second floor will be maintained. The landscape designer has proposed softening the existing hardscape on Mill Road by adding grass; we are going to provide perimeter Japanese Holly hedging around the property and ground coverings as accents by the entrance and paths as well. The existing trees are to remain, sight lighting will be building mounted full cut off dark sky compliant and there is a photometric drawing submitted as A115 and that notes all of the illumination levels all in compliance with the Code. The exterior of the building will be to preserve the History of the building; the existing brick exterior will remain and we are going to address any loose mortar joints. The existing cedar siding will remain and repairs to any will be done. All of the existing windows will be replaced, with new energy efficient double hung windows and we will enlarge a few windows on the second floor that face Sunset Avenue and we are merging some windows on the South end of Sunset Avenue and the Mill Road façade, as shown on drawings A111 and A112. There will be a building mounted wall sign on Mill Road as shown on drawing A111. Last, off street parking, I would like to make a recommendation that we hold that over to the next meeting because I have come across another option for the parking requirements for the children's center that supports our presentation a lot more clearly. You have a number of parking analysis that we submitted and I want to eliminate the confusion and I feel if we can discuss that at the next meeting, I can prepare another analysis that explains that.

Mr. Reilly said you stumbled into the main issue, which is parking. The building department wants to review that and make their own analysis to try and determine where it fits in.

Mr. Lombardo said okay.

Mr. Reilly said there will be a lot of people who will miss the restaurant but anything community oriented has a much broad benefit to the Village, but I do think parking will be the main focus just because of its location and how it will be used and we need more information on the types of uses and when it will be used.

Mr. Neubauer asked if it's a catering hall in any way?

Mr. Lombardo said no, there is not.

Mr. Reilly said he does not see any zoning issues, but I don't recall elevations.

Mr. Lombardo said yes, you do have some. The building is being preserved with the exception of more modern windows.

Mr. Reilly asked if they need streetscape views, or is that over kill.

Mr. Neubauer said there is a website you can look at.

Mr. Collins said the elevations, given what is proposed is not necessary. I do have questions, if it's appropriate to raise them.

Mr. Neubauer said they should take time with the application and assemble questions and allow Mr. Hammond to respond to the presentation.

Mr. Collins said he has quick questions. Can you describe the daily operations, and I ask that because in the parking analysis it is mentioned, it is more that it says there will be drop off children and on site circulation and where that will happen and how the daily operation is envisioned for this site would be helpful for the Board to make decision. Are the classes daily, and what hours? What is the daily operation of the site.

Mr. Bishop said the client advised them that it is going to be used during the Summer mostly, and could be used during the Winter and as I said during sabbath they walk to the children's center and during the week they will be dropped off and will be escorted in to the building by the instructors or teachers. The exhibition hall as I understand it, will be used for exhibiting children's work and we are treating it as a place of public assembly parking but it will not be a catering hall. It is a use where there will be 20 to 50 children at most and as Mr. Lombardo said this occurred at the Synagogue before but they did not have a space for the children and young families at that time and that's the purpose that's being filled in this project.

Mr. Reilly said 20 to 50 children for exhibition purposes will have parents there, there will be 20 to 50 children and then the parents and family as well, so it is potentially a large gathering which will drive the parking issues.

Mr. Bishop said with respect to parking, I think the operative provision in the Code which is that if the parking demand for the existing use is greater for the proposed no further parking is established and we feel we can meet that successfully.

Mr. Reilly said he knows Mr. Lombardo wants to present that at the next meeting and then Mr. Hammond will review it.

Mr. Neubauer asked the adjacent property and that's development and how it will impact the usage of this property.

Mr. Bishop said they are looking to develop the Northern property and eliminate the non-conforming structures there and build other facilities for the Synagogue and they are hoping to do so next year. Last year they did an analysis to figure out what could be done and what would be acceptable to the Village and we have done some work. They would like something to work for the Synagogue and the surrounding neighbors.

Mr. Reilly said the website refers to it as a "campus" and that to me infers that the two properties being used in tandem in some respect.

Mr. Bishop said it is a campus.

Mr. Reilly said to that end, I'm concerned that we're doing two site plans for one use. Should we merge them and treat them as a single parcel.

Mr. Bishop said we don't know when we're going to come in with the second project and it may be two years and we want to treat it as two separate and when we're ready to coordinate regarding that northern parcel then it will coincide with this project as well.

Mr. Reilly said okay. He asked if there were other questions.

Mr. Hill said there's an inconsistency with the landscape plan and site plan; there's a driveway in front of the site and that shows on the site plan but on the landscaping plan that seems to be a walkway to the front door and because of the angle on the East side we have to keep that open for circulation. I think Mr. Collins talked about the operation, and I don't think parking will be that big of an issue but drop offs is a nightmare with facilities and schools and we have to give proper attention to that because it cannot spill out on to the local roads and there is a circular pattern to the site and there needs to be attention given to that and it's important we know how you're going to operate. I haven't seen the lighting plan, but I want to look at it. In the back there's existing parking and one of Mr. Hammond's comments what is the distance between the curb and around the building and the staircase and stairways and that back curb line where the parking is. We need to maintain a 24' aisle and if you go to 19' spaces it is fine, we still need a 24' aisle behind it. Another issue is the dumpsters on the pad now, and I don't see a location for them in the new site plan.

Mr. Hammond said I did not give the applicant my comments yet but I will furnish them to him tomorrow.

Mr. Lombardo said they will address them.

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Mr. Jones said he gives them a lot of credit for retaining the structure and a lot of historic structures have been lost and its an important structure, and I think it's refreshing and it's a nice addition that is sympathetic to the overall massing.

Mr. Hill said the parking on the East side is angled and if people can't use the driveway they have to back out and that won't work.

Mr. Bishop said you are talking about a pass through on the East.

Mr. Hill said it's how the site works now. The landscape plan removes it and makes a walkway and that will not work.

Mr. Lombardo said there was a discussion about another curb cut on Sunset Avenue so that the existing on the North end when you make the left turn and head South you won't have to back out, if we cut the curb towards the front of the building, we can make it an Exit Only on to Sunset Avenue, is that an option?

Mr. Hill said he will look at it, but you have to look at how you will drop kids off. With a site like this, the dropping off of the kids is the most critical element and I have done a number of schools and it's an issue for all.

Michael Nobiletti, appeared on the application. He said regarding the campus, are there advantages to doing it as one site plan that may afford mitigations on the Northern property.

Mr. Reilly said ideally, it's a good idea I don't know that we can compel that.

Mr. Nobiletti said it's publicly known and it should be on the table as consideration for the Board.

Mr. Reilly said are you talking about one site plan for both properties? I don't know if you can do it.

Mr. Bishop said we don't know when they will be doing Phase II we would like to hope it's in the future, but it could be longer than next year so we didn't want to wait to come up with a massive plan and doing all of the work which may not happen. Instead we want to go ahead with this project. What we will be doing once the second site plan is agreed upon is to remove all of the non conformities and clean that up and I think that's something the Village is interested in and that's the goal but when it will occur we don't know.

Mr. Reilly said the campus in the brochure is conceptual as opposed to this which is shovel ready.

Mr. Bishop said yes.

Mr. Nobiletti asked if this building is a candidate for multiple uses, a public assembly and school use.

Mr. Lombardo said on drawing A101 there's an analysis for construction class, it's important to know it's fully sprinklered and the area and height we comply with even if it were unsprinklered. To answer your question, we can provide the uses in this building.

Mr. Nobiletti asked if a school is permitted on the second floor?

Mr. Reilly said Mr. Hammond said the uses proposed are permitted.

Mr. Nobiletti asked if that's zoning or state building code?

Mr. Hammond said under the Zoning, but Mr. Lombardo has demonstrated its doable and there's nothing that will limit them and there are questions about the uses and site circulation. We don't have a use problem under Local zoning or state building code that I can see at this time.

Mr. Reilly asked if there is anything else anyone would like to add.

Rabbi Schneier said he is at a loss for words. He wanted to thank the Board for affording them the opportunity and there has been a term of usage of "school" and they are not building a school it's primarily a religious use and the second floors signature facility is the Chapel which is built for the children on a typical Sabbath and there is a parallel service for the children so said I don't want anyone to

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get the impression we are building a school, we are not. I see the Hampton Synagogue season in Westhampton Beach is a tale of two seasons so I wouldn't even feel comfortable that it will be used intensely for 6 months; most of our congregation is present in the Summer, weekends, and needless to say if there is a need on the greater community to use the facility on a year round basis we would love to be of assistance to the community and benefit children outside of the Synagogue community and I do believe it will be a wonderful addition to the community. I do hear voices of support and encouragement in terms of our commitment in maintaining our historical integrity and we'd like to make this available to the children as soon as possible, but I am listening carefully and I want to thank you all.

Motion was made by Mr. Neubauer to holdover the application of **Westhampton Synagogue, 142 Mill Road (905-012-01-044)**; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.

Motion was made by Mr. Neubauer to adjourn the public hearing at **6:30 p.m.**; seconded by Mr. Jones and unanimously carried 5 ayes, 0 nays, 0 absent.