

**PLANNING BOARD  
VILLAGE OF SOUTHAMPTON  
PUBLIC HEARING  
AUGUST 6, 2018**

Due notice having been given, the monthly public hearing of the Planning Board of the Village of Southampton was held in the Board room of the Municipal Building, 23 Main Street, Southampton on Monday, August 6, 2018 at 5:30 pm.

Board members Chair Alan McFarland, Roy Stevenson, Jayne Clare and Pamela Gilmartin were present.

Counsel for the Board Elbert W. Robinson Jr. and Environmental Planning Consultant Kathy Eiseman were present.

MOTION by R. Stevenson, seconded by P. Gilmartin  
To **open tonight's meeting.**  
On Vote: Chair, R. Stevenson, P. Gilmartin, J. Clare

Chair stated that Thursday that he will ask that the BOT change the Board's name since the "Planning Board" does not do planning. Sometimes, concern over traffic is an issue that comes up before the Board. Mr. McFarland explained listening on such topics is what the Planning Board does. It hears the arguments and listen to the neighbors. The Planning Board reviewed the Ambulance Department plans, for instance, and saying it was SEQRA "approved" was because the Board couldn't make it go away. If the BOT can't make a change to a better name for the "Planning Board", then so be it. What the Planning Board does is items like MFPRD's. These are condos. One reviews the problems with parking and ins and out and children attending school. Tennis courts are another thing the Board does. Are they sunken, adequately landscaped, etc., are the things addressed. The Chair stated maybe the Board should be called the tennis planners. Flag pole lots are another concern to be addressed. Width, length, screening - these are reviewed. Lot land sites are something else that is also dealt with under the Village laws. The Planning Board does not deal with either residential buildings or agricultural buildings. That leaves Commercial Buildings as those items under the purview of the Board. That can include items like traffic, landscaping and screening, development under the Village master plan, natural and cultural features, pavement, lighting, facades, drainage, public utilities, and handicap access. The Board even has the power to require neighboring properties to share with the neighbor. The Board role appears to be to guide and help regular development for that which is most appropriate. The Chair noted that he has lived in the Village (with Bull's Head bay in between) for 28 years. Among other things, he has helped to sustain a church for 33 years. With that background, anyone that would like to speak today is welcome.

**INFORMATIONAL HEARING**

On the matter of **SOUTHAMPTON SCHOOL DISTRICT**, 30 Pine Street, Michael Vigliotta is here to represent the Southampton School District. This is not an application before the Planning Board, which has no jurisdiction, but the Planning Board will provide the forum for the presentation, maybe to get resident feedback. A bus egress is proposed. In 1977 the property was purchased by the Town, but the school maintained a deeded ROW over the south portion of the property. Buses will enter where they do now and egress some of the time to the new egress onto Little Plains. Only some of the buses will be diverted to Little Plains. A traffic study was done and there was no detrimental impact indicated. There will be a fence at the egress so that only a few busses would be able to use this as an exit point. It is set back on the property. 5 parking spots were removed from the Town lot but will be replaced east of the gate. Chair

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asked how many students would be on this route. There will be only 2 buses for the upcoming year. The buses will be headed south on Little Plains and these buses currently travel south on Little Plains after needed to access the road from Hampton Road. This should benefit the whole community, J. Clare agrees.

Christine Sullivan Wicker, Pine Street was made one way and now there is such a problem with congestion. There is a gridlock at the light where Pine and Meetinghouse meet.

Frank Sanama, the buses and the school aren't the only problem; as the mothers are all there to pick up the kids. It takes him 3-4 lights to make a left on Hampton Road. The place has become worse than Manhattan. It has become a nightmare living in the Village. Pine Street becoming a two way street again would solve the problem.

Kim McSparon, she is not able to exit from her yard. From 2:30-4 everyday it is impossible for her to leave. It is ridiculous. These are matters that should be before the BOT.

Kim Allan, here as a resident, agrees with all people here in her capacity as a Meetinghouse Lane resident. The buses will be egressing on Pine Street, she asked if the egress could be on Little Plains. It was confirmed that the egress is to Little Plains but that some buses would still utilize Pine Street. The majority of the congestion is on Pine Street since it is a one-way street. The five spots that will be replaced will be where? Ms. Allen questioned. This was explained. The gate that requires a pass to open is where the buses will wait while the gate is opening. Ms. Allan thinks that the egress will be helpful.

**PUBLIC HEARINGS**

On the application of **COWLES ASSOCIATES, LLC**, 477 Little Plains Road, John Bennett is here to represent the applicant. This is for re-approval of a subdivision. These are two lots since 1980. They "merged" by operation of law when the Village up-zoned to 3 acres zoning in that area in the 80's. On Dec. 18, 2014 it was resolved that the owner could un-merge the parcels to create two lots again. The ZBA approved the variance back to the two pre-zoning change two lots. This two lot re-subdivision was approved, subject to the removal of the pool structure upon any sale to another entity of lot 1. The two-lot map needs to be filed in the Suffolk County office. It would be a misc. map since BOH is not needed. Counsel stated that ownership of the two lots being re-created is irrelevant according to the law. Ownership has changed since the ZBA decision in 2013; but that doesn't matter for re-issuance of the prior ZBA division decision. Ms. Eiseman stated that in the decision from Sept 2014 there is a reference to this being a type II, but it is actually an unlisted action. In her files she has a completed EAF Parts I, II and III and a Negative Declaration. Since, however, she has no record of EAF adoption, she recommends that the Board adopt the negative declaration prior to closing the public hearing since there is no record of this.

Thomas Gibbons, representing the owners at 104 Gin Lane, stated that there is no objection to the subdivision. A Sept 26, 2014 agreement between property owners regarding only one new driveway being permitted on Gin Lane was presented. This is a private agreement with the former owner. A covenant should have been filed and according to Mr. Gibbons it was filed with the Zoning board. The Planning Board doesn't recognize the agreement. The 104 Gin Lane's

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owner's mailbox is on the other side of the street. Mr. Robinson stated that this is a problem for the US Government.

MOTION by R. Stevenson, seconded by J. Clare

**To adopt the negative declaration that was previously prepared on the application of COWLES ASSOCIATES, LLC.**

On Vote: Chair, P. Gilmartin, J. Clare, R. Stevenson

MOTION by Chair, seconded by P. Gilmartin

**To close the public hearing on the application of COWLES ASSOCIATES, LLC.**

On Vote: Chair, P. Gilmartin, J. Clare, R. Stevenson

On the application of **EAST END HOLDINGS, LLC**, 38-42 Jobs Lane, Gil Flanagan is here to represent the applicant and wishes to clarify a few items. This is not creation of a mall. There will become two store buildings that will run north/south on the property. There is no interior courtyard. The architect made a larger and simpler site plan for clarification. Six parking spaces will be added as well as a new, innovative septic system. Ground water quality will be improved as well as impact on the quality of Agawam lake. Pervious materials will be used to minimize runoff. The building design will be handicap accessible; however, they are reaching out to the DOS for a waiver of one requirement. The rear elevation is just as attractive as the front facade. The courtyard that currently exists is a private feature, not a "public" feature. Years of experience has shown that the small stores are not marketable, and most of the stores have not been rented. There is a 80 percent vacancy rate. These new proposed stores will be at the street line as required by the code. Two variances will be required, the depth from Jobs Lane is 80' deep. In terms of Job's Lane style, this is similar to the Faulk and Faulk building that is across the street. The north and south elevations of the building were compared with the Faulk and Faulk building elevations, they were similar. There are no off-site parking spots existing.

Evelyn Konrad, gave her credentials as a lawyer. She read into the record her letter. It was then submitted. She feels a rescission is needed of the prior-voted negative declaration.

Jeff Bragman, on behalf of Madonia's (neighbors to the North) , noted that when when she was at the last meeting, she was told to get her counsel together; and that she could come back; and that the Planning Board would listen to her. But the Board had already adopted a negative declaration. How can that be done when she hadn't spoken. He feels this is wrong. The hearing should be open and then the action should be reversed. The significance can't be determined without hearing the public. This plaza is a critical example of historic brickwork in Southampton Village. This is a private lot, it is not public. But regardless, the Board is obligated to suggest whether the project will affect the neighborhood. Vehicle traffic is an issue and not a concern it appears. A signature of existing community character will be removed and replaced with nothing that speaks to this. The existing courtyard suggests the context of how Jobs Lane was developed. There is no discussion in the EAF part II to historic nature. There should be spaces to drink coffee and be a pedestrian. These are encouraged in the Master Plan. The Village should ask to purchase down some of the yield with CPF since this is such an important case. It is not in compliance with the law. It was suggested that the ARB become involved for input. The Village should protect this amenity under the existing law. Landscape screening is needed.

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Sue Madonia, read a letter into the record. She would like the best for the business development. She is concerned about the proposal. There are hardships for her. The proposed location along her property line will make her to relocate her electrical box. This is taking a huge amount of public space away from the community. Two trees will be removed. She has a window that will need to be closed. Her A/C unit will need to be moved. Light will be restricted if a structure moves closer to her building. She would like more space required. Noise issues are a concern as well. All the mechanical equipment will be along their shared property line. She would prefer an alternative plan be proposed. She is concerned about the impacts to her property during and after construction. She would like more time to evaluate this. Adequate consideration has not been given to the neighbors. Ms. Madonia would like the Board to reconsider the plan.

Madeline VanJohn, spoke, representing the Southampton Association. Letters from 27 residents were submitted regarding the plan. They do not feel that this would be in harmony with the neighborhood. There has to be another option.

Roy Stevenson asked what the time limit was in rescinding the negative declaration. Mr. Robinson will get the board a memo on this.

MOTION by R. Stevenson, seconded by P. Gilmartin  
**To approve the applicant's request for adjournment on the application of EAST END HOLDING, LLC.**  
On Vote: Chair, R. Stevenson, P. Gilmartin, J. Clare

**TENNIS COURT**

On the application of **COOPERS NECK, LLC**, 65 Coopers Neck Lane, there is a request from the applicant to adjourn to the next meeting.

MOTION by R. Stevenson, seconded by J. Clare  
**To approve the applicant's request for adjournment on the application of COOPERS NECK, LLC. to the next meeting.**  
On Vote: Chair, R. Stevenson, P. Gilmartin, J. Clare

**LOT LINE MODIFICATION**

On the application of **FHW LIMITED PARTNERSHIP**, 111, 137 & 153 Pond Lane, Gil Flanagan is here to represent the applicant. The curb cuts show on the subdivision map. There is a lot line modification proposed to give more room to Lot #5. This needs a public hearing.

MOTION by R. Stevenson, seconded by P. Gilmartin  
**To schedule a public hearing on the application of FHW LIMITED PARTNERSHIP for Tuesday September 4, 2018 at 5:30**  
On Vote: Chair, R. Stevenson, P. Gilmartin, J. Clare

**SUBDIVISION**

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On the application of **83 FOWLER, LLC**, 83 Fowler Street, there is a decision in the file. There are covenant and wetlands.

MOTION by R. Stevenson, seconded by P. Gilmartin  
To **approve the application of 83 FOWLER, LLC with the condition therein.**  
On Vote: Chair, R. Stevenson, P. Gilmartin, J. Clare

**SITE PLAN**

On the application of **BEECHWOOD LATCH**, 101 & 109 Hill Street, this is adjourned.

On the application go **JOHN DANIELSON**, 30 Sanford Place, this is adjourned to September 4, 2018.

On the application of **HAMPTONS HDA LLC**, 116 North Sea Road, this is adjourned to the work session of August 27, 2018.

On the application of **McDONALDS USA LLC**, 307 North Sea Road, there is no one here to represent the applicant. There are site plan comments from NPV. Comments will be given to the applicant.

MOTION by R. Stevenson, seconded by P. Gilmartin  
To **adjourn the application of McDONALDS USA LLC.**  
On Vote: Chair, R. Stevenson, P. Gilmartin, J. Clare

MOTION by R. Stevenson, seconded by P. Gilmartin  
To **adjourn tonight's meeting.**  
On Vote: Chair, S. Stevenson, P. Gilmartin

Respectfully submitted by : Antoinette Edwards 8-6-18

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Village Clerk