

**PLANNING COMMISSION  
HYBRID PUBLIC HEARING  
SOUTHAMPTON VILLAGE  
SEPTEMBER 7, 2023**

Due notice having been given the public hearing of the Planning Commission for the Village of Southampton was held on Thursday, September 7, 2023, at 5:30PM as hybrid via video conferencing and in Village Hall, 23 Main Street, Southampton, New York.

The chair opened the meeting. Pledge of allegiance was held.

Present were Co-Chair Marc Chiffert  
Michael Anderson  
Christian Picot

Pamela Gilmartin and Michelangelo Lieberman were absent. Village Planner Alex Wallach was present.

**MINUTES ADOPTION**

MOTION by C. Picot, second M. Anderson  
**To approve the August Planning Commission minutes.**  
On Vote: Chair, M. Anderson, and C. Picot

**PRELIMINARY REPORTS**

Review of Local Law 13-2023 – Modification to Chapter 20-2(A) – The Board of Trustees adopted the reduction of Planning Commission members from eight to five persons. Minor modifications were included as well.

Appointment of Michael Anderson as the Town Liaison for the Village – M. Anderson let residents know that Liberty Gardens has refiled paperwork with the Town and it's under review. The proposal has a reduction in units from 60 to 50. C. Picot asked about how it compares to the past application, M. Anderson noted it is the only change. It was to change the scope of the project from public pressure. They need to understand the population being served.

Improvement of Cell Service in the Village – Update by C. Picot – He has been working with Michel Brogard to work on cellular issues within the Village. The problem lies with coverage for AT&T and T Mobile customers, with primary deficiency in west and southern part of Village. Since the last meeting they have contacted consultants and have been in touch with Advanced Network Services(ANS). One solution is to put an additional tower at location to be determined, whether operated by an independent company, or a cellular operator or the Village. Verizon has contacted the Village many times expressing interest in building the Tower and allowing the other two networks on as well as radio frequency for emergency services. There is a cost-benefit analysis to be performed, they would like to have ANS provide a service agreement before the next Trustee meeting to have their help on a consulting basis. Revenue Share Interest (RSI) would be negotiated with Verizon. Other issues include doing a drive survey to see problem the scope of the service coverage problem. He is not sure if Verizon has done that work or not. The other thing is that while there is an advantage for ownership,

the residents have been pushing for this and that would take more time for a municipal tower. They need a consultant to help and that is the next step. M. Anderson was wondering about looking into Elite Towers, Joyce Scherr from the Town recommended an attorney who worked with the Town and Elite Towers. Currently, the Town of Southampton does not have a plan for cell towers with Town deficiency. M. Brogard feels like the Verizon option is a way to help the problem quickly.

Chair spoke about the desire for the Village to be “Greener”, and having a focus on that, he noted that C. Picot lead the way with TreeUSA membership work. Possible focus now could be making it easier to recycle. Maybe at next meeting they can talk about that more when M. Lieberman is present.

### **UPDATE ON TOWN OF SOUTHAMPTON HOUSING FUND/AFFORDABLE HOUSING INITIATIVE**

Presentation by Kara Bak, Town Attorney is postponed due to illness, will be rescheduled. Commission will put together a report on possibilities for workforce housing. CDC LI has a program called ADU plus, it encourages development of accessory dwelling units for residents to rent. They can qualify for up to \$125,000 grant to construct an apartment. The compliance period is ten years, then can go to market value. There is also a seminar on 9/15 that is organized by CDC LI for landlords who are interested in renting for vouchers or HUD, which guarantees the rent through subsidy.

### **SPECIAL PRESENTATIONS AND DISCUSSIONS**

Update on Proposed Battery Energy Storage Systems (BESS) – On August 8<sup>th</sup> the Town issued a six-month moratorium on review, construction, and application for battery storage. It was resolution published on August 31<sup>st</sup>. Suffolk County Planning Board is supposed to be lead agency, but the resolution doesn’t state that, just states a moratorium is in place.

### **UPDATES ON RECENT EFFORTS OF THE PLANNING COMMISSION TASK FORCES**

New task force to review Local Law 7/2020 to review the penalties for local code violations. Village hired new ordinance enforcement officer, Charles Pelaez beginning September 11<sup>th</sup>. Pamela Gilmartin will lead this task force to review the penalties of local code. A work session can be set up between C. Picot, M. Chiffert, and P. Gilmartin.

Real Estate Task Force to review possible acquisition. M. Anderson doesn’t have any updates on parcels of interest. He would like to remind residents that October 1<sup>st</sup> deer hunting season begins. Suffolk County Deer Management is contracted to start and manage a program. If any resident would like to sign up for Michael to use their property, they have consent forms for interested residents.

Mobility and Transportation Task Force – Implementation of Chapter 4.3 of Master Plan. Update on Grant from the County for study on the Hike Bike Route/Master plan will be held over to next month for M. Lieberman. Contacted County Planning Commission to be more informed of plans with traffic issues.

New Zoning Task force to review following items:

Lot Coverage to high water mark vs. crest of dune vs. Coastal Erosion Hazard Line – right now on ocean front parcel is allowed to consider entire property including under the water, it makes for too large of homes on parcels.

Validity of Certificate of Occupancy during renovation – whether people should be allowed to occupy during renovations.

### **UPDATES FROM VILLAGE PLANNER ALEX WALLACH**

Update on the architectural and historical structures reconnaissance survey – that project is nearing final stages and just needs to send final report to State office, then up to ARB to expand historic districts through intensive local survey. That work will continue over next few months. Chair feels it is an important initiative to save historic homes. There is no specific age for landmarking, some language states less than 50 years it would have to be exceptional to be considered. Under new ordinance there are six criteria, and it is and/or situation.

Other suggestions by Planner to improve land use approval process – they are working with Susan Steinhart to spearhead code changes by Mayor. There may be opportunities that they forward to Planning Commission to implement. Parking laid out on residential properties, side yard calculations, etc. No across the board changes, things are dependent on the lot size. This is a challenge in diverse villages. Form based zoning is size rather than just area is best.

### **UPDATES ON VILLAGE NEWS/DEVELOPMENTS**

Initiative to improve government transparency. Village documents to be available as electronic format and available on website Civic Plus Module for Building Permit Application. C. Picot dropped this because Trustees and Mayor were not interested in pursuing.

C. Picot noted they were asked by Mayor and B of T to look into permeable surfaces and fill on sites, drainage is a problem. Sagaponack has some code legislation on fills, etc. M. Lieberman is looking into this and there needs to be time spent looking at permeable surfaces and fill. Regrading properties and creation of new slopes, stormwater drainage onto properties and streets is a real problem.

C. Picot noted that in the agenda P. Gilmartin is noted term ending 2024 but website says 2025, they need to reconcile. The changes made to code have a problem in that the dates are not properly staggered for Commission members, there was no consideration of this, and he feels it is a problem to be rectified. It was missed and needs to be corrected.

Conversion of tennis courts to pickle ball courts, the problem is that the sound becomes almost like ping pong, there are lots of neighborhood complaints, whether commercial or individual property owners. We need to look into issue, this has been raised in many jurisdictions and they need to investigate. Chair would like to have all Commission members look into it, and also contact Village of EH regarding their new legislation. Contact Pickel Ball Association for ideas as well.

### **PUBLIC COMMENTS AND DISCUSSIONS**

Next meeting is scheduled for October 5th, 2023 at 5:30pm.

MOTION by Chair, second by M. Anderson

**To adjourn the meeting.**

On Vote: Chair Chiffert, M. Anderson, and C. Picot

Respectfully Submitted by:

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JoLee Sanchez

File Date: \_\_\_\_\_

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Village Clerk