

**PLANNING BOARD
VILLAGE OF SOUTHAMPTON
MAY 16, 2022
PUBLIC MEETING**

Due notice having been given, the Planning Board public meeting held at Village Hall, 23 Main Street, Southampton and via Zoom videoconferencing on May 16, 2022 at 5:30 pm.

Board members Anthony Piazza, Jayne Clare, Alan McFarland and Willa Bernstein were present. Lisa Cowell was present via zoom.

Environmental Planning Consultant Kathy Eiseman and Counsel for the Board Alice Cooley was present. Village Planning Director Alex Wallach was present via zoom.

MOTION by Chair, seconded by A. McFarland

To open tonight's meeting.

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

PUBLIC HEARING

On the application of **ELEGANT AFFAIRS**, 230 Elm Street, David Gilmartin is here to represent the applicant.

MOTION by Chair, seconded by A. McFarland

To **open the public hearing on the application of ELEGANT AFFAIRS.**

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

Chair explained that this is a public hearing for site plan review of the relocation of a handicap ramp. This is for exterior alterations only as shown on the plan. This is not a change of use application.

The landlord to this building was sued due to having a handicap ramp which entered through a service area and the settlement included relocation of the ramp to the main area of the building. This did not involve the applicant. It was brought to our attention that the plan did not match the survey and the new plan submitted this afternoon has been revised to match the areas on the survey. This is a very minor change. There is a letter of support from the neighbor.

Ms. Bernstein wondered why the ramp can't stay where it is and make it work on the interior of the building. Mr. Gilmartin explained that the current access enters people into the kitchen. This would not be ADA compliant. The proposed plan brings those requiring wheelchair access into main room. Ms. Bernstein would like to know if there would be some modifications further coming. Mr. Gilmartin explained that the lawsuit has been settled so this is the plan at this point. There is an existing side entrance that opens up to the room and this is where the ramp would be. Right now the ramp does work at the rear of the property.

Public comment was limited to 3 mins.

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Vol Davis, finds it unacceptable that mistakes would be made and that public didn't get a chance to review the changes to the plan. Due to the fact that this isn't a full site plan review he questioned whether or not a CO would be issued based on the review of the ramp. It was clarified that the CO would not be issued by the Planning Board as that is the purview of the Building Department.

Anton Borovina, representing neighbors of the area, stated that an appeal to the ZBA was made regarding the use. Due to the fact that the appeal is pending, the Planning Board would not be able to make a determination according to the statute. Ms. Cooley stated that there is no automatic stay upon appeal by third parties and the stay is designed to prevent enforcement during the pendency of an appeal.

AM Guarnieri, lives on Pelletreau Street, is concerned since the plans have changed and she didn't get a chance to understand them.

Jay Fitzpatrick, 243 Elm Street, is concerned about the rest of the plan. The neighbors have no idea what will happen once this opens, ie: drainage, parking. There is no screening, there will be congregating out front. Due to the previous tenant there is concern. ADA access is important but this plan is not compliant.

Charles Dobrowski, 230 Elm Street, stated that the ramp doesn't enter the kitchen, it enters the great room #2. He used it once. There is another door that goes thru the kitchen. He disagrees with the location of the ADA ramp. They were denied the deck, this ramp will be for congregating outside in his opinion. His father was a bartender there, the ramp didn't go into the kitchen according to him.

Michael Zender, Pulaski Street, concerned about the handicap ramp being changed in the future to a deck. Mr. Zender feels that the Board is being "played" and that this is just a cover for what they plan in the future.

Susan Hoftszen, Post Crossing, wants clarity on health department requirements when something goes from a club to a catering club, and why the rules for residential properties are held to a different standard when a bedroom is added. She feels that the same standard that is used for residents for requirement of an I/A system should be used here.

Mark Antoletti, representing Polish Hall, there were some missteps, but tonight is about an ADA ramp. There is a word on the street that there are future plans. He doesn't understand what the issue is. The ramp is not to congregate on or party on, it is to get ADA access. This is a piece of Southampton History, it represents 80 years of the

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community. The ramp has always gone into the kitchen. It never went into a public space.

Michael Zender, stated that there are no goals by the neighbors for the building to be taken down. It is the way the building would be used that is the issue.

John Bennett, stated that there is a schism between people with a short history in the area and the people who have been here for a long time. The Polish Hall has always been used for events. The CO regulates the building's use and that runs with the property, so even if a wedding could be booked every day, it would not be a change of use. It has always been used as a catering hall.

Valerie Ireland, the use is a concern for her. She thinks it is a beautiful building. She would like to see the plan, she objects to the fact that she was unable to view it.

Another neighbor spoke that it is straightforward, it is a ramp.

Patricia McGuire, will speak to the other issues when it is time to speak regarding those issues.

Mr. McGuire, when his band played at the Polish Hall they had to bring the equipment down on dollies using the ramp and it went through the kitchen. He did the work himself.

Andrea Coreli, she heard the community concerns about congregation outside and they abided – they changed the plans and removed the proposed outdoor use. She understands. That idea was abandoned. A building permit was issued, and then they were stopped. They want to beautify the building. She feels that the neighbors need to understand that she will be a good neighbor. There are a lot of misconceptions. The ramp needs to go thru the main entrance to comply with ADA standards.

Mr. Gilmartin, explained that the plan that was submitted due to the fact that he got an email at 2:20pm today in response to a question from Mr. Fitzpatrick at 11:41am and he worked quickly, he was not trying to do something underhanded. The roof is falling in and needs to be repaired, it won't result in an expansion. There is a letter from Building Inspector, Tien, in review of the ADA ramp.

Chair reviewed the plan with the people in the Board room and on zoom, so there is clarity. He delineated it on the plan.

The access ramp plan was determined to be ADA compliant by the Building Inspector.

MOTION by A. McFarland, seconded by Chair

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To approve the application of ELEGANT AFFAIRS as written for the construction of an ADA ramp with the conditions noted.

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

EXTENSION REQUEST

On the application of **HAMPTONS HDA, LLC**, 116 North Sea Road, there is a request for an extension for one year to June 2023.

MOTION by Chair, seconded by W. Bernstein

To approve the application of HAMPTONS HDA, LLC.

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

SUBDIVISION

On the application of **550 & 554 HILL ST, LP**, 550 & 554 Hill Street and 62 Captains Neck Lane, there is a request for adjournment to June 20, 2022. Progress is being made.

John Bennett, stated that this is being worked on and he will try to get it all done prior to the next meeting. There is a full planting plan by Aryis Design. Mr. Bennett believed that the concern about the driveway to gain access to the beach is not possible since it would go across private property. However under the Master Plan and the Village code do not contemplate 2 separate driveways, therefore the access to Hill St should be screened over with landscaping. Mr. Bennett stated that the easement was granted on Captains Neck. If the landscaping is not put in the Board is concerned that it will be used as a cut through, therefore the exit to Hill Street is in question. Mr. Bennett stated if this was done it would be unsightly but that the conditions will be met. Ms. Eiseman asked that more notice might be given, if they will not be able to meet the requests. Another adjournment might be required since she will need at least a couple of weeks to review the resubmission when it is made. Chair suggested that they adjourn to the July 18, 2022 meeting.

MOTION by Chair, seconded by A. McFarland

To approve the applicant's request for adjournment to July 18, 2022 on the application of 550 & 554 HILL ST, LP.

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

On the application of **99 SANFORD LLC**, 99 Sanford Place, the public hearing is closed. A decision will be ready for the next meeting.

On the application of **HARRY THEODORACOPULOS**, 689 Halsey Neck Lane, this is for a final subdivision plan and is scheduled for a public hearing on June 6, 2022.

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SITE PLAN REVIEW**

On the application of the **TOWN OF SOUTHAMPTON**, 51 Pond Lane, the application has been adjourned to July 5, 2022.

On the application of **71 HILL LLC**, 71 Hill Street, Linda Riley is here to represent the application. A public hearing is scheduled for June 6, 2022. Details were asked to be shown and the applicant will comply do it is as quickly as it can be done. Under the additional comments, Ms. Riley had some questions. The zero lot line was asked to be reconsidered, but Ms. Riley explained that they do not plan to change this. An access agreement may be needed from the property owner next door. The property is for sale and who is there at this time will not be the end user. It is unsure whether use of the neighboring property may be needed. It may be a good idea, but at this time is not needed. The Southampton Inn and the applicant have common interests but they will be two separate entities. The “check in” was supposed to be at Southampton Inn. This has now changed to be a fully automated check in. There will be no employees on site, no concierge. There will be occasional joint housekeeping. This is for extended stays. Permission will need to be asked to modify the pavement for guest drop off, if denied, they will not do it. A small circular drive was suggested by Ms. Bernstein, however this can’t be done; due to the septic line, and there is not enough room. Parking for the hotel is a concern for Ms. Eiseman. Since they qualified for the reduction in their permitting, it is important to provide parking for the residents overnight at least. One would not want those residents having to find parking on the street. The applicant will be working out with BOT on the work force housing. They have asked for a meeting already. Ms. Riley feels that having two boards involved in this aspect will be challenging. Chair asked if this would be worked out prior to requesting action of the Board and Ms. Riley thought so. Dede Goethelf does not feel that the mechanism for managing work force housing should in a condition of the approval. Ms. Cooley stated that the Board would like to see it in place not necessarily a condition of the approval.

On the application of **SOUTHAMPTON SHOPPING CENTER**, 111 Main Street, the Board is awaiting information. The application is incomplete.

On the application of **HEART OF THE HAMPTONS**, 44 Meeting House Lane, Ms. Riley is here to represent the applicant. New revised plans were submitted last week. The generator is to be removed and there is no plan to replace it. There is a sign shown now in the building; that is the only proposed signage. The leases were submitted back in 1954 that the parking lot is accessed by the public from the Village. The Village pays for it. A site plan that has been thoroughly vetted doesn’t need further review in Ms. Riley’s opinion. Ms. Bernstein questioned if the church was supportive of this and Ms. Riley stated yes.

Molly Bishop, executive director of Heart of the Hamptons, stated that there was a blessing from the BOT and the Presbyterian Church. Accommodations are made for

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each other. The lease is up at Sacred Hearts and they need the room. They have been good tenants and they plan on being continuing good tenants. Volunteers are stationed throughout. They use verbal cues to keep things moving. They share a parking lot with a fulltime school currently. There is not a huge queue. They can accommodate this in the new lot. It will be proposed to be run as a drive through. Egress is only in from the right and then they pull out. They will be onsite for less than a minute. They will have liability insurance as well. This would only be running during the pick up window. The refrigerator has been moved to the rear due to the neighbor adjacent. They are currently reviewing remote compressors. They are limited on space so it has to be outside. Chair stated that this straddles two properties. Ms. Cooley stated that the Building Inspector referred the application to the Planning Board for site plan review. A. Wallach stated that this would follow the same procedure as a special exception which requires site plan review. The BOT approved the special exception use. The Board doesn't determine its own jurisdiction, site plan review is needed since this is a special exemption use.

Charlene Kagel-Betts, stated that there has been several meetings and that the BOT is in fully support. At the last BOT meeting, Tien SoHO recommended that this need site plan review. A traffic study was received. NPV did a full EAF. The use was not much different in activity from the COVID testing unit that is there. This is a narrow window of time with this applicant and they are in full support of this.

There is one garage door proposed in the front. One garage bay will be left and it will have garage doors. The other will be bricked over with a narrow high window. There are no personnel doors on the front but there is one on the side. The deliveries get loaded on a palette, which would take less than 4 mins. The delivery trucks will utilize the same area that the clients use.

Benjamin Chaleff, shared the site plan. The renderings were also reviewed. The space between the garage door and the property line is 50'. There is a proper curb on the east side. There is a sidewalk in the front. The dumpster will be on the west of the building. The dumpster would be enclosed. There is very little waste generated. It is cardboard that is the main waste. None of the food is thrown away. The location of the dumpster was due to the request of the neighbors. A window will be swapped for a door on the west elevation. On the south west elevation they are debating doing the same thing, swapping a window for a door. That has not been determined yet. A new landing will be added on the west elevation where the door was removed.

There will be no ground signs. The ADA parking space has been shown. The calculations show that 6 parking spaces are required. Ms. Riley stated that the parking is for the staff. The formula used is not specific to a food pantry. There are 4 employees. The special exemption regulates a minimum of 5 spaces on the parcel. Ms. Bernstein would like a rendering of the interior plan where the garage door will be.

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A public hearing will be scheduled for June 20, 2022. Ms. Riley asked if they could waive the public hearing; due to the fact that there has been public hearing at the Trustee level and written.

Anton Borovina, traffic access needs to be considered. Mr. Borovina stated that the Mayor said that the traffic was a matter for the Planning Board. Mr. Schneider their traffic expert, stated that there can't be delivery at the same time as the queue line. The lease says that the property is to be made available by the public. This cannot be done if the pantry uses it. The use could be changed by Heart of the Hamptons or any other applicant. A verbal representation is not enough according to Mr. Borovina. Mr. Borovina also objected to the refrigerator. The Covid testing is done by appointment and syringes are delivered by a car. This is vastly different. Mr. Borovina urged the Planning Board to look at the minutes from the BOT meeting. April 14, 2022 was the date he wanted the Board to refer to. The circulation plan does not work according to Mr. Schneider. Mr. Borovina would like to have a public hearing and requested it to be in July. Ms. Clare stated that the parking lot is not overly used. It was used for the toy drive at Christmas and it worked well, according to Ms. Bishop. The plan is for Wednesday and Friday, they may shift the day due to the fact that the neighborhood works better on a different day, they will shift it.

Ms. Bernstein feels that there should be a public hearing. Ms. Cooley stated it is up to the Board.

Len Snyder, lives on Lewis Street and Meeting House Lane, this is a non profit that operates for two hours for two days. Argued that the public hearing should be waived. The public comment is the same at each hearing. The Board would like to have a public hearing.

A. Wallach stated that there are 85 parking spaces on the neighboring lot.

MOTION by Chair, seconded by J. Clare

To schedule a public hearing on the application of HEART OF THE HAMPTONS for June 20, 2022.

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

MOTION by Chair, seconded by W. Bernstein

To approve the minutes of the April 18, 2022 and the May 2, 2022 meetings.

On Vote: Chair, J. Clare, L. Cowell, A. McFarland, W. Bernstein

MOTION by Chair, seconded J. Clare

To close tonight's meeting.

On Vote: Chair, A. McFarland, L. Cowell, J. Clare, W. Bernstein

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Respectfully submitted by Antoinette Edwards: May 16, 2022

Village Clerk