

PLANNING BOARD MEMBERS

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PLANNING BOARD OFFICE
TOWN OF SOUTHOLD

PUBLIC MEETING
MINUTES

August 8, 2016
6:00 p.m.

Present were: Donald Wilcenski, Chairman
James H. Rich III, Vice Chairman
Martin Sidor, Member
William Cremers, Member
Pierce Rafferty, Member
Heather Lanza, Planning Director
Mark Terry, Principal Planner
Brian Cummings, Planner
Alyxandra Sabatino, Planner
Jessica Michaelis, Clerk Typist

SETTING OF THE NEXT PLANNING BOARD MEETING

Chairman Wilcenski: Good evening ladies and gentlemen and welcome to the regularly scheduled Planning Board meeting for August 8, 2016. The first order of business is for the Board to set Monday, **September 12, 2016 at 6:00 p.m.** at the Southold Town Hall, Main Road, Southold, as the time and place for the next regular Planning Board Meeting.

William Cremers: So moved.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Martin. Any discussion? All in favor?

Ayes.

Motion carries.

SITE PLANS

Set Hearings/SEQRA Type Classifications:

Chairman Wilcenski: Country Car Wash Additions - This Amended Site Plan Application is for two roof additions at 24' x 32' and 24' x 28' (1,440 total sq. ft.) to an existing 960 sq. ft. car wash facility on 0.918 acres in the General Business Zoning District. The property is located at 6565 NYS Route 25, ±724' s/w/o Bray Avenue & NYS Route 25, Mattituck. SCTM#1000-125-1-19.5

Pierce Rafferty: Mr. Chairman, I offer the following:

WHEREAS, this proposed Amended Site Plan is for two roof additions at 24' x 32' and 24' x 28' (1,440 total sq. ft.) to an existing 960 sq. ft. car wash facility on 0.918 acres in the General Business Zoning District, Mattituck; and

WHEREAS, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617.5 (c), has determined that the proposed action is a Type II Action as it falls within the following description for 6 NYCRR, Part 617.5(c)(7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a Use Variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; be it therefore

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is a **Type II Action** under SEQRA as described above.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Jim. Any discussion? All in favor?

Ayes.

Motion carries.

Pierce Rafferty: And be it further

RESOLVED, that the Southold Town Planning Board sets **Monday, September 12, 2016 at 6:02 p.m. for a Public Hearing** regarding the Site Plan shown on the survey for SCTM#1000-125.-1-19.5, prepared by Nathan Taft Corwin III, dated November 30, 2015 and last revised June 7, 2016.

William Cremers: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Bill. Any discussion? All in favor?

Ayes.

Motion carries.

Chairman Wilcenski: Hudson City Amended - This Amended Site Plan Application is for the proposed use change of an approved two story medical office building to a first floor consisting of a 1,200 sq. ft. restaurant & 3,550 sq. ft. of retail space and the second floor containing three (3) medical offices on 1.9 acres in the B/R-40 Zoning Districts. The property is located at 11600 Route 25, s/e/o Pacific Street & NYS Route 25, Mattituck. SCTM# 1000-122-3-17.1

James H. Rich III: Mr. Chairman, I offer the following:

WHEREAS, this proposed Amended Site Plan is for the proposed use change of an approved two story medical office building to a first floor consisting of a 1,200 sq. ft. restaurant & 3,550 sq. ft. of retail space and the second floor containing three (3) medical offices on 1.9 acres in the B/R-40 Zoning Districts; and

WHEREAS, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617.5 (c), has determined that the proposed action is a Type II Action as it falls within the following description for 6 NYCRR, Part 617.5(c)(7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a Use Variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; be it therefore

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is a **Type II Action** under SEQRA as described above.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Martin. Any discussion? All in favor?

Ayes.

Motion carries.

James H. Rich III: And be it further

RESOLVED, that the Southold Town Planning Board sets **Monday, September 12, 2016 at 6:03 p.m. for a Public Hearing** regarding the Site Plan entitled "Hudson City Savings Bank", prepared by L. K. McLean Associates, P.C., dated July 12, 2006 and last revised February 3, 2016.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Motion carries.

Chairman Wilcenski: Threes Brewing East - This Site Plan Application is for the proposed construction of a 100' x 65' (6,500 sq. ft.) steel building for production (brewery with no retail), office and storage with 21 parking stalls on 0.96 acres in the Light Industrial Zoning District, Cutchogue. The property is located at 12820 Oregon Road, the south corner of Cox Lane & Oregon Road, Cutchogue. SCTM#1000-83-3-4.6.

William Cremers:

WHEREAS, this Site Plan Application is for the proposed construction of a 100' x 65' (6,500 sq. ft.) steel building for production (brewery with no retail), office and storage with 21 parking stalls on 0.96 acres in the Light Industrial Zoning District, Cutchogue; and

WHEREAS, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, has determined that the proposed action is an Unlisted Action as it does not meet any of the thresholds of a Type I Action, nor does it meet any of the criteria on the Type II list of actions; be it therefore

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is an **Unlisted Action** under SEQRA as described above.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Jim. Any discussion? All in favor?

Ayes.

Motion carries.

William Cremers: And be it further

RESOLVED, that the Southold Town Planning Board sets **Monday, September 12, 2016 at 6:04 p.m. for a Public Hearing** regarding the Site Plan entitled "Threes Brewing East", prepared by Eric Nicosia, dated July 18, 2016.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Martin. Any discussion? All in favor?

Ayes.

Motion carries.

OTHER

Amend July 11, 2016 Set Hearing Resolution:

Chairman Wilcenski: Verizon Wireless @ MGH Enterprises - This Amended Wireless Communications Application is for a proposed 20 ft. pole extension to an approved 70 ft. high concealment pole for a Verizon Wireless co-location of an interior mounted antenna between 70' and 90' above ground level, a 10 kw diesel generator with sound enclosure, associated ground equipment and additional landscaping. There are ±3,924 sq. ft. of existing buildings including a restaurant, marina and associated accessory structures, all on 4.7 acres in the Marine II Zoning District. The property is located at 40200 NYS Route 25, ±345' s/w/o Lands End Road & NYS Route 25, Orient. SCTM#1000-15-9-8.1

Chairman Wilcenski: Please note Member Cremers is recused from this project.

Martin Sidor:

WHEREAS, on July 11, 2016, the Southold Town Planning Board set Monday, August 8, 2016 at 6:01 p.m. for a Public Hearing regarding the Site Plan entitled "Verizon Wireless Communications at Orient Point", prepared by Neil Alexander Macdonald, R.A, dated March 1, 2016 and last revised May 23, 2016; and

WHEREAS, in a letter dated July 13, 2016, the agent, Denise Vista, Esq., requested that the public hearing date be rescheduled to September 12, 2016 due to unavailability; therefore, be it

RESOLVED, that the Southold Town Planning Board sets **Monday, September 12, 2016 at 6:01 p.m. for a Public Hearing** regarding the Site Plan entitled "Verizon Wireless Communications at Orient Point", prepared by Neil Alexander Macdonald, R.A, dated March 1, 2016 and last revised May 23, 2016.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Martin, seconded by Jim. Any discussion? All in favor?

Ayes.

Motion carries.

PUBLIC HEARINGS

Chairman Wilcenski: 6:02 p.m. - Terp Retail - This proposed Site Plan is for the demolition of an existing 2,108 sq. ft. building and the construction of an 81' x 68' (5,537 sq. ft.) building with five (5) retail stores where there exists a ±10,000 sq. ft. retail building on 1.35 acres in the Hamlet Business Zoning District. The property is located at 28145, 28195 & 28205 NYS Route 25, ±130' n/e/o Griffing Street & NYS Route 25, Cutchogue. SCTM#1000-102-5-3, 4 & 9.6

Chairman Wilcenski: At this time I would like to open the podiums up to anyone that would like to address the Board on Terp Retail. Please direct your comments to the Board, state your name and write your name for the record.

Patricia Moore: Good evening Board, my name is Pat Moore, I'm the attorney for the Mr. Terp, I also have Mr. Pinzino who has been the lifelong attorney for Mr. Terp, and we are working here as co-counsel. Just to start out, to make it very clear, we have this application for 5 units, 2 units which are the existing building right now, has the pharmacy and the dentist office, and we hope that they will continue to be tenants in the new building. So we are really just looking at just 3 additional retail spaces, since we already have 2. The new building will be in more conformity with the setbacks. As you know, the Code requires a 15 foot setback. The existing building is at 2 feet from the property line. We did go to the Zoning Board because in order to have the 2 buildings connect and begin at the same line, due to the overhang, we needed a setback variance. The Zoning Board heard our application; they decided to leave it open so that there would be coordinated review with the Planning Board. So, we hope that in the long run, that this will expedite the review process and bring two agencies into conformity and benefit the applicant. So, as I said, the existing building is at 2 feet of the property line and the proposed building will be set back. Many of the Town, the Town as well as residents, participated in what was called the Hamlet Studies that studied existing commercial development in the HALO Zone. What is being proposed here is in conformity of the Hamlet Study and the discussion at the Hamlet Studies, which was to encourage a walkable hamlet. The way that this project has been designed is to continue the interchange and the connection between the parking area, the storefronts on the existing building, the deli and the beauty shop and so-on with the new retail space. So we want to promote the continued walking of the Cutchogue Hamlet area. Also, in the Hamlet Study, there was a suggestion of building design to include traditional and compatible building materials and color that has been done here, roof

design to include dormers and pitches to compliment the adjacent property. Again, that's being proposed here. With respect to the parking lot, I know you've received some commentary regarding the parking. For the record, I'm sure the Board knows, but for the audience that may not know, the municipal parking lot here is actually the Terp property. When the original building was proposed, the Town wanted to lease for a parking area to benefit the entire hamlet and Mr. Terp, for \$1.00 a year, leased the property to the Town. So, in fact, the whole community has benefited from a municipal parking field for \$1.00 a year. That is to continue until the lease expires in the year 2023, possibly beyond that if negotiations again continue. At the time that the lease was negotiated, it was anticipated that this development would occur. In fact, when the original proposal was made for the corner building, there were discussions about this Phase 2, but at the time, it seemed appropriate and actually in hindsight was a correct thought because here we are many years later and just now Mr. Terp is pursuing the development of the second phase. As you know, there is going to be development by a condominium complex should it actually be built out, The Heritage, and that will certainly support and encourage additional development within the hamlet area. Cutchogue has stayed, for the most part, pretty much the same. This will remove an existing retail building and the new building, again, we hope will add to the services within the hamlet as well as add to the character of the hamlet. Mr. Terp believes that he's provided a very good design and the architects are also proud of their design to make for a comprehensive, well thought out development plan. I know that you received comments from the Fire Department and they have raised no firematic concerns and I would reserve the right to respond to any comments that may be brought up. I'll wait to hear what those comments are. Thank you.

Chairman Wilcenski: Thank you. Would anybody else like to address the Board on the Terp Retail proposal?

Adelaide Amend: Good evening, my name is Adelaide Amend and I am-

Chairman Wilcenski: Excuse me. I'm sorry, could you just pull the microphone down so you can be heard a little better?

Adelaide Amend: I'm sorry, I am a resident of Cutchogue. I have been a resident of Cutchogue since 1947. I am the Vice-President of the Board of Directors at The Old Town Arts & Crafts Guild, commonly known as the Guild. The Old Town Arts & Crafts Guild is a non-profit, community oriented, arts promoting, volunteer 501c3 organization that began in Cutchogue in 1948. The Guild's first home was in a historic cape-style house at 28230 Main Street; its second and present home is another historic building across the street at 28265 Main Street. Both of the Guild's homes have been in centuries old buildings whose colonial architecture is emblematic of the Cutchogue Hamlet. In its testimony before the Zoning Board of Appeals, The Guild opposed the variance required to construct the proposed extension of the existing building in the Terp Retail Center. The Old Town Arts & Crafts Guild, Inc. is appearing today to register its concerns about the commercial development proposed in the heart of Cutchogue, known as the Terp Retail Center, as it has done before the Zoning Board of Appeals to

oppose the variance this Site Plan requires and before the Architectural Review Committee to address issues related to the architectural review standards in the Southold Zoning Code. While the Guild has come today to discuss many issues of the Terp Retail Center Site Plan that are brought forth in the plan, let there be no confusion about the Guild's intention. The Guild does not oppose development of the 3 Terp properties, what the Guild opposed is the character, size, height and proximity, traffic, parking, environmental impact, elimination of the municipal parking lot and the impact of the combined buildings on Cutchogue's landscape and scenic corridor along Route 25. The Guild's western property line is the eastern boundary of the Terp properties, so we will be discussing the repercussions of this expansion, as presently conceived, will have on the Guild as well.

Our local government is in the process of finalizing a Comprehensive Plan that will guide future development of the ten hamlets comprised in the Town of Southold. These overarching principles in the Comprehensive Plan must drive the Planning Board's analysis of the Terp Retail Site Plan. Will construction of the Terp Retail Center preserve the community's character and small town charm? Is construction of the Terp Retail Center consistent with the equally important goal that commercial development should proceed at a fairly small scale at keeping with the small town character of Southold, and will construction of the Terp Retail Center help to maintain a high quality of life, protect the environment, particularly ground water and surface water quality and quantity and the unique character of the community? In each of these respects, the answer is a resounding no, yet in a letter dated March 23, 2016, the Planning Board informed the Zoning Board of Appeals that it supported the variance being requested because the building location would maintain the street walk. Two: the location of the building will support the community character of the Cutchogue Hamlets historic buildout. The placement of the building close to the roadway, with adequate sidewalks, achieves pedestrian flow and building form indicative of the historic build out of the hamlets. Three: the building location will not impede pedestrian flow over existing sidewalks.

The Planning Board owes our community more than a terse form letter. Quite clearly the Planning Board's March 23rd opinion was premature and issued without regard to the principals referenced in the Comprehensive Town Plan mentioned above. Considering the description of the Hamlet of Cutchogue in the Comprehensive Plan, there is no way the Planning Board could have concluded that the expansion proposed for the existing building at the corner of Griffing Avenue and Main Road supports the community character of Cutchogue. Extension of the existing building will permanently alter the character of Cutchogue Hamlet.

Let's begin with character of the proposed extension. The plans described this as an extension of the existing retail building, designed in the same 1980's architectural style and connected by a roof overhang and a covered walkaway. We have a drawing which you will see, this drawing of the Terp Retail Site Plan Application for the Main Street side of the proposed extension, because the visual similarity of the 2 buildings, the new construction is being marketed as harmonious and in keeping with the community. On

the contrary, by removing the distinctive small retail building and replacing it with 5 uniform stores having matching facades, windows and doors spanning the length of 180 feet, the symmetry transforms the appearance significantly. There is no diversity in the design elements for the 5 new retail stores, notably the size and arrangement of the doors and windows of the second floor dormers and the overhang, the faux brick veneer and the tiny prefab windows and doors to be used in the extension do not harmonize with, and are inferior to, the real brick used on the existing structure and the large, wooden frame, big pane windows in the existing building. The overall monotony to the proposed structure lacks character and individuation. In short, the extension transforms a 6 unit retail center into an 11 unit mini mall.

Character of the community with half of its acreage in agriculture and 1/3 of its acreage in residential housing, the Cutchogue Hamlet is a small town with small buildings but for the commercial area at its eastern end that is disconnected from the Hamlet Center and the industrial part north of County Road 48. Cutchogue is predominately scenic and rural and these views of the western entrance show - you will see those in a minute - driving eastward, down the hill into the hamlet of Cutchogue past the designer show house, the Village Green, Cutchogue New Suffolk Library - it is simply antithetical to the nature and the character of Cutchogue's community to be greeted by a massive 14,280 square foot strip mall like complex. Located at the intersection of Main Road and New Suffolk Road, the Terp Retail Center stands in the heart of Cutchogue. To refer to this expansion merely as an extension of the building at Griffing Avenue, purposely deflects from the reality that the combined building will consume the space between Griffing Avenue and the intersection of Main and New Suffolk Road's, which is the heart center of the hamlet. The Comprehensive Plan states that preserving farmland and farming are important to the future of Cutchogue, as is historic preservation and making sure new commercial development is at a scale consistent with the small town character of the Hamlet Center. A strip mall is not in keeping with the small town nature of this community or any of the other commercial frontages on the Main Road. Recall that the Comprehensive Plan notes that Cutchogue has retained its small town charm because its businesses have repurposed existing buildings, rather than tearing them down and building anew, which is evidence in the enclosed photographs. Thank you for your time and your patience.

Chairman Wilcenski: Thank you. Did you sign your name? If you'd like to speak, you can go to the other podium or wait there; that's fine.

Benja Schwartz: Is this hearing for the Site Plan or for SEQRA?

Chairman Wilcenski: Excuse me, you have to be heard from the microphone. If you'd like to speak, you can go to a podium.

Benja Schwartz: It's just a point of order, there are a lot of people presenting and I want to make sure they know the topic.

Chairman Wilcenski: This is not for SEQRA. We have a young lady that is ready to speak. You can get up to the podium next.

Marion Wipf: The young lady must have left, but thank you. Good evening, my name is Marion Wipf, I am a resident of Cutchogue, I've lived here for over 30 years. I am the treasurer of the Guild and a member of the Guild's Board of Directors. I am deeply troubled and very disappointed that the proposed extension of the Terp Retail Center would destroy the character of the Cutchogue Hamlet because it is so vastly out of proportion to the small buildings, small town nature of our hamlet.

I would like to address two aspects of the proposed construction. First its size: Care must be taken when evaluating the impact of the existing retail building consisting of 6 stores, in combination with the proposed extension consisting of 5 stores, because the combined buildings will appear much less overwhelming when viewed from a perspective perpendicular to the Main Road than it does when viewed from a perspective parallel to the Main Road. When viewed perpendicular, the length of the existing building along Main Street is moderated by the length of the Griffing Avenue side, giving the existing building some degree of proportion in an "L" shaped configuration. Adding 81 feet in length to the 68.8 feet in length of the existing building will elongate the existing building to an extreme. The 149.8 feet combined expansion will nearly equal the length of the King Kullen Grocery Store which exceeds the Terp Retail Center by about only 40 feet with the proposed extension more than doubling the size of the building that is presently on the corner of Griffing Avenue and Main Road.

It is inexplicable how the Planning Board could justify its support of this Site Plan by saying that the building will maintain the street wall, and that the construction of this building will support community character of the Cutchogue Hamlet Center historic build out. Cutchogue's Main Street is not made up of walls, as the buildings directly across the street from it reveal. This Site Plan urges the construction of this additional retail space because it will be an extension of the existing building, designed to be in harmony with what is there already. Construction of the existing structure was so out of character with the small town, small buildings nature of our community when it was built in 1985, that to pedal this as a justification for making it even more gigantic some 30 years later, is simply retrograde thinking.

Next I would like to speak about the extension's height and proximity to the Guild. We have a drawing that we've submitted of the east side of the proposed extension of the Terp Retail Center. A significant design feature that should not be overlooked is the solid brick wall and excessively high roofline that will stare west bound travelers in the face as they drive from Depot Lane to New Suffolk Road. The proposed 68.7 feet solid wall of faux brick veneer without windows, without doors, or other design elements will be a serious blemish on Cutchogue's landscape. The Site Plan shows a second floor to the proposed extension, yet the plan says nothing about what its function will be. For now it is referred to as an attic. In the existing building, at least one tenant uses the second floor as office space. If there is no plan to utilize the second floor as additional

commercial space for rent, then certainly the height of the extension can be lowered to bring it more in line with the other buildings surrounding it.

The proximity of this 5,573 square foot, plus 30 foot tall, two-story commercial building with a 68.7 foot solid blank eastern wall, a mere 12 feet from the Guild's western boundary, will impede the visibility of the Guild to travelers coming east on Main Road and block off the Guild's light and air. The building the Guild owns has a 35 foot setback from Main Road, the Guild has signage in front of its building to call attention to the Guild's gallery and shop. Without drawings on the survey or Site Plan of the buildings on the adjacent properties, the proposed extension cannot be evaluated in context. With the proposed building ending a mere 12 feet from the Guild's western property line, both the visibility of the Guild and its signage will be seriously impeded. The lack of sightlines to the Guild will discourage potential customers, and as a result, sales will plummet, jeopardizing the continued existence of The Guild, plus my volunteer job as the Treasurer. Thank you.

Chairman Wilcenski: Thank you for your comments. Yes.

Paula Heppner: Good evening, my name is Paula Heppner. I am a resident of Cutchogue. I've lived here for the past 6 years and have been a resident of the North Fork for the past 19 years. I am a member of the Board of Directors of The Old Town Arts & Crafts Guild. I am speaking in opposition to the Terp Retail Application because it is so inconsistent with the nature of the Cutchogue Hamlet and will result in an undesirable change in its landscape and a loss of services to its residents.

Let me begin by speaking about the traffic. The Terp Retail Center provides more than commerce to a hamlet. It provides seriously needed parking as a result of the lease that the Town negotiated with Terp. The municipal lot is heavily used throughout the year. As the next door neighbor to the municipal lot, the Guild can speak about how important preservation of the municipal lot is for this community. The municipal parking lot serves as a variety of users and the fluctuation in the lot usage is evident seasonally and at peak hours of the day. Until a 12 month traffic study is done, the Planning Board cannot determine, in any meaningful way, what number of spaces are needed for the customers in the 11 Terp retail stores and the people who use the municipal lot to visit the Guild and other nearby business, or to park and take mass transit. The Planning Board must undertake a traffic study of the municipal lot's usage by all of its patrons in order to determine how much parking is available for these dual uses.

Turning to the matter of traffic congestion, demolishing the existing store, containing a pharmacy and a dental office, which totals 2,079 square feet, and replacing it with 5 retail stores, now we've heard that 2 are already there so it's only an increase of 3, however, that increase will double, double the square footage of the space and will substantially increase traffic entering and leaving the municipal lot from Griffing Avenue as well as at the intersection of Griffing Avenue and Main Road. Entering and maneuvering within the entrance lane to the municipal lot, and it is the only entrance

lane I point out, is already compromised by the reduction of the minimal isle width from 22 feet to 16.5 feet due to a previously approved, non-conforming use exception.

The present plan provides for four parking spaces on the east side of the existing building, which will leave insufficient room for that building's loading dock, without protruding out into the 16 ½ foot entrance and exit lane. In the sections of the Comprehensive Town Plan that our Cutchogue specific residents and stakeholders pointed out, that in the Hamlet of Cutchogue, the "most pressing issue is with traffic congestion on Route 25, traffic safety at intersections and pedestrian safety, particularly along Route 25", the parking lot for the Retail Center, as I said, has one point of access and that is on Griffing Avenue through that 16.5 foot isle. The traffic generated by the addition of the retail stores will only contribute to this problem, not alleviate it.

One consequence of approving this Site Plan will result in the elimination of the municipal lot. As a result of the 20 year lease negotiated in 2003 between the owners of the Terp properties and the Town of Southold, the 38,250 foot, unimproved parking area became a paved, public parking lot. While the Town may have paid a dollar in rent, the Town also paid for paving to the tune of several hundred thousand dollars and also there are tax benefits going to Mr. Terp as a consequence, so it is not just a gift in generosity that we are talking about here. The private parking lot once reserved for customers of the Terp retail business was no more. The municipal lot provides year round parking for neighboring businesses with no on street parking, such as the Guild. We have no on street parking. We are right at the traffic light. It provides overflow parking for the post office's customers and employees. It provides access for commercial trucks making deliveries and picking up garbage and two hour, all day and overnight parking for commuters, car poolers and day trippers who ride the Jitney or the County bus. The commuters and day trippers are not short term, transient parkers, like shoppers. They cannot buy a space for a whole day or overnight. In fact, under the terms of the Town's lease spaces, 48-53 in the northwest corner of the property are specifically designated for overnight parking, so how will the municipal lot disappear?

This is how - the current municipal lot has 70 parking spaces allocated, according to the statutorily required intervals of 9 feet. Based on the representation that these 5 new units will be only rented to retail businesses, the Town Code requires 1 parking space for 200 square feet of gross floor area, with gross floor space of 14,290 square feet for the combined buildings. 72 parking spaces are needed to accommodate these 11 retail stores; that is 2 more spaces than are presently available. The calculation of the 72 spaces does not take into account the use of the lot by municipal patrons, or if the second floor of the extension is rented, the parking needs of those occupants. If all of the available parking is allocated to customers of the retail businesses, the municipal lot will effectively be converted for private use 7 years before the end of the lease. If the municipal lot is eliminated, the clear message to the surrounding businesses, including the Guild, and the residents of Cutchogue and New Suffolk, will be that the municipal lot was simply expendable.

Now let's look at the parking situation. There is insufficient available parking to accommodate a retail center of this size. As presently configured, the municipal lot contains 15 spaces that will be eliminated if the Site Plan is approved. These are the 3 handicapped parking spaces behind the building to be demolished, and 12 spaces of the southeast quadrant of the property between the Guild and the pharmacy, south to the bus stop on Main Road. You'll see them in the photographs. Without these 15 spaces, the number of parking spaces decreases from 70 to 55. These 15 spaces are critical to meeting the municipal parking needs of the neighboring businesses and the overnight and day parkers using the public transportation and they should not be eliminated.

As the North Fork becomes more populated and a destination for weekend getaways, the Planning Board should be expanding parking for mass transit users, not reducing it. I might add, that in that lease, you will look at Section 5.01 and discover that Mr. Terp did reserve the right to expand his building as his attorney said, however, if you look at the addendum, the attachment, the drawing, you will see that the amount of extension that was theoretically agreed to in that lease, does not expand as far as this document, and this drawing, and in fact retains the 12 spaces that I'm talking about, and the 3 spaces that I'm talking about. Those are the ones that are now being wiped out by this extension and replaced by some grass and some bushes. These spaces are critical to the Guild's operations. Let me tell you why. The Guild's gallery and shop are open daily and on weekends. It hosts both indoor and outdoor fundraising events and shows several times during the year. Unlike the other stores in the Cutchogue Hamlet, the Guild does not have on street parking in front of its building on Main Road, or across the street at the former bank. These spaces are used for customers and volunteers who staff the Guild. They are used by artists and craftspeople to load and unload their display racks, tables and items for sale. They cannot do this out in front of the building on Main Road. If they were forced to do so, by using the Guild's miniscule parking lot which can only accommodate 2 vehicles entering and leaving at the same time, the traffic would be backed up along Main Road and the resulting bottleneck would be insufferable. If parking is not allocated to the municipal lot, patrons - people will park at their own risk in the spaces reserved for the retail stores and possibly get ticketed.

In order to meet the required number of parking spaces, I would also say that 72, that magic number, 2 spaces were obtained by closing off egress from the Guild's parking lot into the municipal lot and cutting off access to its handicapped ramp. There is a photograph in our papers of that and one space was obtained by counting an area that is actually clearance for the carting company to empty the dumpster. It also appears that several new spaces were created by drawing the parking intervals in an 8 foot width, instead of the mandatory 9 foot width. This I think would be an ADA violation. The Planning Board should not permit the deviation from the minimum parking stall width in order to achieve the required number of parking spaces for this expansion.

Next, I'd like to speak about parking egress, and that brings us back to the lease again. For 30 years, the Guild has had an easement allowing cars to exit from the Guild's parking lot into the municipal lot. There is a photo of that in your papers. The existence

of this easement is memorialized in Section 3.01a of the 2000 lease between the Town of Southold and the owners of the Terp properties. It specifically prohibits the installation of any permanent parking curbs that would inhibit or impede passage along this easement on the eastern boundary of the Terp property line for a distance of 12 feet. Nonetheless, the Site Plan shows a solid curb running the length of the eastern boundary along the Terp property line. The accessible entrance to the Guild's gallery and shop is located just inside this point of egress. Neither the survey nor the Site Plan acknowledge or honor the existence of the Guild's easement. The Site Plan and the survey calculating 25 parking spaces along the eastern boundary of the Terp property include the 2 spaces that would block the Guild's egress to the parking lot. The Guild asks that the Planning Board uphold the terms of the Town's lease in granting the Guild access to the municipal lot. Thank you.

Chairman Wilcenski: Thank you. Would anyone else like to speak? You can step to the podium, state your name and write your name for the record and direct your comments to the Board.

Bob Kuhne: Good evening, my name is Bob Kuhne. I am a full time resident of New Suffolk for the past 30 years, I am the President of the Board of Directors of The Old Town Arts & Crafts Guild. I want to discuss with you some of the environmental impacts associated with this Site Plan. First, signage. The photo in your packet, in Section 4, documents that the Guild's signage in front of its building is 17 feet from the Main Road, which complies with the required setback in the Zoning Code. With the proposed extension of the Terp Retail Center ending a mere 12 feet from the Guild's western property line, its length, height and proximity will seriously compromise the visibility of the Guild's sign and impair its ability to advertise itself. The lack of sightlines to the Guild will be deterrent to potential customers in finding the Guild and, as a result, will have a negative impact on sales.

Though, at no fault of its own, should this plan become approved and this variance granted, the Guild would be forced to incur significant expenses for a survey, lawyer and architect, to apply for a variance to move its sign closer to the road in order to be seen. This expense should not be forced upon the Guild; it should be borne by the Terp Retail Center and should be made a requirement of any approval of the Site Plan. The Site Plan is silent about how these 5 additional stores will be advertised, what size and where the signage for advertising these 5 new retail stores will be located. With only 6 stores in the existing building, as shown on one of the photos in your packet, the Zoning Board of Appeals in 1968 gave permission to erect a 23 foot sign, "with insignificant setback", to advertise those businesses. The ZBA's decision on May 28, 1967, the sign was characterized as being of excessive height. The justification given by the ZBA for approving a sign exceeding the limits of the Zoning Code was, "so that it would be visible to passing traffic". The Guild's sign deserves to be no less visible. With this precedent for erecting a non-conforming sign, it is not unreasonable to anticipate a similar request will be made to advertise the 5 new retail stores. Where the new signage will be located is another serious concern of the Guild. Surely authorization cannot be given to erect a sign of compatible size and height on the east boundary of the Terp

Retail Center adjoining the Guild's property. The Guild takes no position, the Guild takes position that no additional signage should be permitted because the current 23 foot sign at the corner of Griffing Avenue and Main Road, if reconfigured, would offer significant space to advertise all 11 stores.

Next, I'd like to address issues related to water quality and waste management. In Section 4 of the Addendum, entitled Area Variance Reasons, it states, "the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood because the proposed development would be connected to public water". This addresses only one aspect of the area of concern. That is where the water will come from, not where it will go. The Site Plan indicates the proposed extension will be hooked up to the existing waste water system and drain field. The Guild does not believe the existing waste water system on the Terp Retail Center's property is situated at the required distance, 150 feet, from the Guild's well which is located 20 feet from the Guild's western property and is directly east of the existing waste water system in use on the Terp Retail property. The Guild is concerned about whether the sanitation, sewer disposal systems, waste water management and water supply connections are safe, satisfactory and capable of handling the increased demand located significantly far from an existing well to avoid contamination and in compliance with all health codes. How the second floor of this extension will be used is another factor that will have an impact on what the waste water management needs of this proposal are.

The Guild has serious concerns about what the destruction to the Guild's operations will be. The Guild is open for business 7 days a week for 9 months of the year and soon hopes to be open year round. The Guild's outdoor space is used for arts & crafts shows during weekends throughout the summer.

Two conditions will render the Guild's outdoor space undesirable and is likely to reduce the number of artists and craftspeople willing to take space at the Guild's shows. They are first the stockpiling. The Site Plan indicates that topsoil shall be stripped and stockpiled for use in the final landscaping, the materials to be reused during the construction will be deposited in a topsoil stockpile, some 8-10 feet in length and up to 35 feet in height, approximately 16 feet from the Guild's front property line. This topsoil stockpile must be relocated away from the Guild's property. Second, riprap behind the stockpile. The Site Plan indicates a 24 foot by 50 foot riprap construction entrance will be installed immediately adjacent to the Guild's property line. Routing demolition trucks and construction vehicles along this property will block the Guild's egress from the parking lot. Exhaust fumes spewing from idling cement trucks, demolition vehicles will impair the air quality and create unacceptable health hazards. Plugging the Guild's egress from its parking lot with trucks during the construction creates a fire hazard and runs afoul of the fire department requirements for access. The lane for construction vehicle access must be rerouted.

Again, the Guild does not want to stand in the way of the owners of the Terp properties from undertaking construction that will increase the profitability of their property; however, the Guild does not want to become a casualty in this process. However, we

urge the Planning Board to send this back to the drawing board for creation of the building more appropriate in size and in keeping with the character and design of the community, one that does not require a front yard variance. One that the existing parking lot will support, one that provides sufficient parking for its patrons of the municipal lot as well as the patrons of the retail stores. One that does not impair or impede the visibility of the Guild, one that preserves the Guild's egress from its parking lot into the municipal lot and protects the safety of the Guild's well and water quality. Finally, because construction of the extension of the building will involve, of necessity, reconstruction of a substantial portion of the existing buildings roof in order to connect these two structures. Under New York State Fire Prevention and Building Code, would that not require the Building Department to commence an investigation to determine whether any aspects of the existing structure, built in 1985, should be brought into compliance with the current building code?

Again, thank you for the opportunity to address this Board and submit these remarks for the record.

Chairman Wilcenski: Thank you. Would anybody else like to address the Board on Terp Retail? Yes?

Nancy Mueller: I am a resident of Cutchogue. My name is Nancy Mueller and I've lived in Cutchogue for about 25 years. I just wanted to point out that Cutchogue is really a little hamlet, made of little individual buildings and that the Guild has pointed out that it doesn't really fit at all to have something that is more in the character of a Tanger Mall sort of like structure. And when we take charm out of a little town, it doesn't ever come back and I'd like to point out Mattituck. It's an unfortunate example of that. Love Lane was not bulldozed when the rest of the town was sort of made into a large modern sort of whatever and as a result people go to Love Lane and it's extremely charming and there are lots of very viable stores. People don't go to Tanger Mall because it's charming, they don't congregate there; they don't spend time there. They go there because there's a deal to be had or something. They go there quickly; they leave right away. And in the past, Cutchogue has been really wonderful about keeping the charm of the town. I think the library that's been converted from an old church was brilliant. I think the Cutchogue Diner is unique and completely with its own charm. I think that the use of the buildings, the architect who bought the building and refurbished it and made it into an office did a just beautiful job. I think, Bob, when he built his hardware store made it completely an integral part of the town. And as much as Karen's - we've gotten used to it; there's some nice plantings, but to double that kind of construction, I think, would be a shame. Thank you.

Chairman Wilcenski: Thank you. Would anybody else like to address the Board?

Lauren Grant: My name is Lauren Grant. I'm a resident of New Suffolk. Thank you for the opportunity to speak; my statement is brief. Please say no. We are going to have enough additional traffic in the small village of Cutchogue resulting from the Heritage. The number of stores in the village is fine as it is; there is a 7-11 in Cutchogue and a

large supermarket in the form of King Kullen. We have 2 drug stores, too many real estate offices and plenty of sundry stores. We do not need more stores to create more traffic. The reduction in available parking in a parking lot leased to the Town at a generous rate of \$1, but at what cost? The Town has spent hundreds of thousands of dollars repaving the lot that was in risky condition to begin with and at no cost to Mr. Terp.

I would also be interested to know what other deals were worked out, such as the future green light to enlarge the existing building and have more unoccupied stores, which no one needs, and with no place for cars to park in order to enter them. Many of us came to speak to the Planning Board about the Heritage and poured our hearts out thinking that we might be able to make a difference only to find out that a deal had been made and all of our words were for naught. This is a horrible feeling in a town like Southold. This is another bad deal for Cutchogue. Please say no to Mr. Terp.

Chairman Wilcenski: Thank you. I would just like to comment on one of your comments, that everyone's input is not falling on deaf ears. Would anybody else like to address the Board, please?

Barbara Schnitzler: Hi, Barbara Schnitzler, Old Harbor Road New Suffolk. Good evening, there are many regulatory issues that have already been discussed very well by speakers here and I believe that Planning Staff and the Planning Board and the County Health Department will make sure that this project meets all the regulatory criteria. The property owner clearly has the right to build stores on his property. The problem with this proposal is that it's just too big. 15,000 square feet is a really big building in a small hamlet. We also note the attic space will, could potentially be, just like the existing part of the building. This is the same roof line, same space, clearance, windows. We know that the potential for developing the second floor exists and is in effect here in the existing building.

So, the proposal should be amended to reflect that additional square footage, to honestly describe how big this project really is and the required parking and septic loading should be changed to accurately reflect the actual square footage and the additional uses on the second floor. If the second floor is eliminated, the building could look smaller, its roof ridge could be lower and there could be a lot less roof. This is important because we can see what the proposed roof looks like. We don't have to guess; it's in existence already. The roof on the Griffing side of the building, they're proposing this to match the materials and the height is the same, a huge brown asphalt shingled roof. The arcade, the proposed 180 foot long arcade, is too long, except maybe if you are at a mall. The plan shows 14 brick veneer columns in a line along our Main Road. It's hard to imagine these dimensions, except as a tunnel that one walks through, but this arcade will not be used for strolling. Sorry it will not add to the walkability of the town because this is how it's being used.

This photograph is from the Main Road and this photograph is on the Griffing Street side, showing how the arcade is being used, not for walking. The east elevation, people

have spoken about it already, too big, too blank, 65 foot long wall with not one window in it. Because it sits so close to the road and adjacent buildings are set back, it will be the most prominent view as you drive west along the Main Road, what the town has designated a scenic corridor. The proposed materials, brown asphalt roof, aluminum windows, brick veneer, all to match existing – so, again, there is no guessing about what this building will look like. You can see it already built; it won't look anything like the rest of Cutchogue or any other hamlet. The Southold Town Comprehensive Plan which has been written by your staff in house over the course of years and "was written in collaboration with the residents and other stakeholders through an unprecedented number of public input meetings", it lists as a goal, "to ensure future development in the Cutchogue Hamlet Center is at a scale consistent with the historic hamlet's character." A town wide goal of the Comprehensive Plan is #7, protect the character of the town. It's up to you, with professional input from the Architectural Review Committee and your Planning Staff, to determine if this proposal for the Main Road is the right fit for our community and I thank you for your consideration.

Chairman Wilcenski: Thank you. Would anybody else like to address the Board? Yes, sir?

Joe Polashock: My name is Joe Polashock, I am a resident of New Suffolk and have been since 1948. I am not going to beat on everything that has been said here. A lot of people have made really good comments and remarks. The only thing that I'd like to say, again, this is all going to become a quality of life issue - traffic, noise, pollution. As a representative and Vice-President of the New Suffolk Civic Association, I don't think, I can say with surety that we are not in favor of any further traffic, noise or pollution, which I feel this is going to probably generate. I think there has to be a lot more thought in to how these things, this area and others, have developed - not just this one in particular. Thank you for your time.

Chairman Wilcenski: Thank you, anybody else?

Linda Auriemma: Good evening, my name is Linda Auriemma. I am a resident, a full time resident, of New Suffolk for the past 4 years, part time for 30 years. I am not affiliated with the Guild, but I am a very dedicated member of the Cutchogue-New Suffolk Historical Council. What bothers me the most about this project is that, as we said, Cutchogue is a small town, small buildings and we already have something that really was a mistake and they want to expand upon that. It's mind boggling to me. I'd like to give you a flyer, which I have other copies if any would like to see it. At the bottom is shows all the nice, quaint, small, simple buildings that we have in Cutchogue already and, at the top, is the Terp building which now wants to be expanded even further. Nancy Mueller, whom I don't know, mentioned the Cutchogue Hardware Store. When that was built in the 1990's, I thought, gee, what a great thing to build a building that looks like it's been here over 100 years, but you know, I never really appreciated what they did until I learned about this project. I actually went into the store and I said, you know, I really have to thank you for doing what you did. You could've done

something horrible and ugly and cheap and you didn't, and thank you; I thank you for doing it.

So, please make this right. Two rights don't make a wrong here. Don't let them expand it and make, what everybody says and its true, is a mall. It looks like a mall. Tourists don't come to our town to drive through the North Fork to look at a Tanger Mall type view; they are here to see small, quaint little towns and villages. By expanding this, it will be ruining Cutchogue. Thank you.

Chairman Wilcenski: Thank you. Would anybody else from the floor like to address the Board?

Patricia McIntyre: Hi, I'm Patricia McIntyre. I live in New Suffolk. I'm a full time resident of New Suffolk. I am speaking very briefly as a member of the Scenic Byways Advisory Committee and also a past member of the Hamlet Stakeholders. Yes, I was on Stakeholders for New Suffolk but we did talk across groups and we met with each other frequently. One of the things that New York State lists all of Route 25 in Southold is as a part of the scenic byway. It's listed on the New York State Department of Transportation site and it's called the North Fork Trail. That's a very important part of our tourism aspect, a friendly tourism aspect of Southold Town. From the Hamlet Study, what they wrote in there was that the Cutchogue Hamlet's most important, pressing issue was congestion on Route 25 and also pedestrian safety. I know in recent years of at least 2 fatalities right there, one right in front of the old pet store; a woman got hit, was right by her car, got hit and died several days later. Another man, I want to say just last year, a man crossing right by Griffing Street also got killed. That's two I personally know about; I probably missed a few. I think it's a serious traffic and pedestrian safety issue. Thank you.

Chairman Wilcenski: Thank you. Would anybody else like to address the Board? Step to the microphone.

Benja Schwartz: Good evening, Benja Schwartz, Cutchogue. Still not sure exactly what this public hearing is about. There's at least, you're playing two roles here. You are the lead agency, I believe for the SEQRA. Is that correct?

Chairman Wilcenski: The SEQRA has not been done yet, but yes, we are the Lead Agency.

Benja Schwartz: I would hope that the SEQRA was done at the beginning of the process not after everything else. So, this is about the Site Plan then. We've heard a lot about the character and, as a preliminary comment, I'd just like to agree that the historic nature of Cutchogue and Southold Town on the North Fork, the anchor industries of farming and fishing, really depend on a perception and a reality of open space and the proposed building would close the entire length of the north side of the Main Road in Cutchogue. It seems like he is basically proposing to build every square inch of his property, other than the parts which he's already leased to the Town.

Speaking of the lease to the Town, I believe there was an issue that came up about a lease to some of the tenants in the existing two store building that is proposed to be demolished. I believe one of those tenants has a 10 year lease with an option to renew for another 10 years, hasn't exercised the option yet; there's something like 14 years left on that. I believe, as a tenant, he has property rights that should be respected and I hope that this Board will recognize those property rights as a tenant and not permit demolition of a building that is already leased out. That may be a decision that this Board has to make, but I would like to see that that decision is considered and that a decision with reasoning is put into writing and made express, that's regarding the lease to the tenants in the building.

The other lease that we've heard something about already this evening is the lease to the Town. Contrary to some of the implications, especially by the attorney for the proposed developer, that this was a gift to the Town in exchange for \$1 a year; that's not what happened. Are you familiar with the other parking area that's involved in this situation? The one on the west side of the northwest building, mini mall- that existing, the current building? Well, I went on Google Earth and you can see the park after the property was, the ownership of the property transferred to the Town. I don't know exactly how that happened but the Town put a park along Griffing Street, from the Main Road to the back of the existing building; there was a nice long park. Mr. Terp sued Southold Town and it was only in connection with the settlement of that suit that Mr. Terp offered a lease to the parking on the rest of the property, behind the buildings. The park was reduced to about 1/3 of the original size, just up on the Main Road, a little tiny pocket park and then the diagonal parking along Griffing Street, which kind of makes it a little frightening just to go to the post office.

In negotiating the lease, I have a memorandum here from the then Town Attorney's Office to the Town, that Mr. Terp wanted to negotiate this lease, that he was hopeful that negation of this lease could be a positive step towards resolution of the issues to permit settlement of the litigation regarding that park. By the way, what he sued for is he wanted that park to revert back to parking, instead of to be a park for people to enjoy and have a little bit of nature in the heart of Cutchogue Hamlet. He wanted it to have parking, so he could have people parking right in front of his store. Now that is a public parking lot. The parking lot that is being leased behind his stores is a public parking lot but the only signage that I could see is a sign that says "P". Maybe its restrooms, I don't know. Then there is a sign that says "P" with the word "Parking" under it on the north side of the Main Road, but there is no sign at all at the entrance to the parking lot and, in fact - well, we'll get into that a little bit later - the settlement proposal from Mr. Terp included the language A. J. Terp to have easement rights to extend present new building to east border of property line, so that's what he wanted, but then we have to look at what he got. The lease says that the lease is agreed pursuant to the plan annexed here to as Exhibit A, which each party hereto has signed and dated, proved upon plan in Exhibit A is hereby incorporated by reference into the lease. Never mind that Mr. Horton was the only one that signed Exhibit A. Mr. Terp never got around to signing it. There's a provision in Section 5 of the lease, notwithstanding this lease or

anything to the contrary herein, owner reserves the absolute right to extend the existing buildings on his real property as depicted by the shaded area in Exhibit A. So, we look at the shaded area in Exhibit A, and it extends to approximately 24 feet from the east property line.

Now we look at the proposed new building and it expands to 12 feet from the east property line, so he is proposing to build on property which is currently being leased to the Town. We shouldn't be here today. This application should've been denied when it was reviewed by the Building Department. I've spoken with the Building Department on this and they didn't know anything about the lease and they didn't know where you could get a copy of it, but I found it in the Town's Laserfiche system. It wasn't easy to find it there but I found it. Town Attorney's Office also told me they didn't know where the lease was or anything about the lease. That was maybe a month or two ago. Yesterday, I spoke with the Town Attorney and he confirmed that there was a lease, but he told me that the lease permitted the proposed expansion and I told him I would review the lease further and that I wasn't sure that was true. In reviewing the lease, it's clear that at least one corner of this building is being built on property that doesn't belong to the applicant. The occupancy of that property is - the public is entitled to that.

Also, on Exhibit A, we see the entrance to the Crafts Guild - the exit from this parking lot into the Crafts Guild - and also we see that the entrance behind the current building, existing, it's supposed to be an enter only, so maybe we need another sign there because I see people going in and out all the time. The Town hasn't put up one sign. I don't think we need a lot of signs but you would think that Josh Horton would've wanted to take credit for providing a public parking lot, but maybe he didn't deserve it. The original proposal from Terp was for a 10 year lease with 10 year extensions renewable at the option of the Town, presumably for as long as the Town wanted to, although there was something there about how much it would cost the Town when it came up for renewal. What ended up happening, the Town improved and paved the entire property and now with 7 years left in the lease, the 20 year lease, we're 13 years in to the 20 year lease, so we got to use the parking lot for 13 years but now they plan on tearing half of it up and putting this building there. They are not just tearing up the part where the new building is going to go, but also behind the new building to a considerable distance and none of that is in the shaded area.

So, I would ask that this Board consider dismissing this application and if the applicant sees fit to submit another application, I would like to return at that point and speak about some of the issues that previous people have presented to you already here tonight.

Chairman Wilcenski: Thank you very much. Anyone else? Would anybody else like to speak to the Board with regard to Terp?

Nancy Sawastynowicz: Good evening. Nancy Sawastynowicz. My family has been in Cutchogue for 100 years. I remember the Cutchogue Variety Store which fit into Cutchogue town, which Mr. Terp tore down. It was a quaint little village. Now I don't even go there because I am afraid of being either run over or I can't get out of the

streets. It's horrendous now. To add this shopping mall is so out of character with our town. I look at this and I can't believe that we even have to go this far. You should just say no, it doesn't fit, like OJ Simpson. Its beyond, beyond what we can put into Cutchogue Village. It has no character; it's really horrendous. t's a shopping mall with no character. I love our town, I would like you to say no to this project and on the form, before the ZBA, they didn't even fill out Number 7, "is the parcel within 500 feet of a farm operation?" It wasn't even completed and when applications aren't completed they are usually corrupt and I would like you to take a serious look at this project and say no. Thank you.

Chairman Wilcenski: Thank you. Would anybody else like to address the Board? If no one else is willing or wants to speak to the Board, can I have a motion to close the hearing?

James H. Rich III: I make a motion to close the hearing.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Martin. Any discussion? All in favor?

Ayes.

Motion carries.

Chairman Wilcenski: Thank you all. Your comments are recorded and they will all be taken into account and they are on record. The second public hearing we have tonight is the Estates at Royalton and I am recusing myself from this application. I will turn it over to Vice-Chairman, Jim Rich.

Vice-Chairman Rich: 6:03 p.m. - The Estates at Royalton - This proposal is for a Standard Subdivision of a 36.9 acre parcel into 12 lots where Lots 1-11 equal 0.7 acres, and Lot 12 equals 12 acres, located in the A-C Zoning District. This subdivision includes 15.2 acres of open space and 1.7 acres for a proposed road. The property is located at 55 Cox Neck Road, approximately 490 feet north of Sound Avenue, Mattituck. SCTM#1000-113-7-19.23

Vice-Chairman Rich: Anybody wishing to address the Planning Board on this project please step forward, state and sign your name.

Steve Libretto: Steve Libretto for the applicant. How are you tonight? Just real quick - as you know, we've had the public hearing in the preliminary stage and nothing has really changed to our plan. As far as we are aware, we don't have any contention to our plan at this point and we would ask the Board to move forward with the approval and close the hearing tonight.

Vice-Chairman Rich: Thank you. Anybody wish to address the Planning Board on the Estates at Royalton, please step forward, state and sign your name.

William Cremers: I make a motion to close the hearing.

Martin Sidor: Second.

Vice-Chairman Rich: Motion made by Bill, seconded by Martin. Any discussion? Opposed? All in favor?

Ayes.

Hearing is closed.

APPROVAL OF PLANNING BOARD MINUTES

Vice-Chairman Rich: The last order of business is for the Board to approve the minutes of: **July 11, 2016.**

Martin Sidor: So moved.

William Cremers: Second.

Vice-Chairman Rich: Motion made by Martin, seconded by Bill. Any discussion? Opposed? All in favor?

Ayes.

Motion carries.

Vice-Chairman Rich: I need a motion for adjournment.

William Cremers: So moved.

Martin Sidor: Second.

Vice-Chairman Rich: Motion made by Bill, seconded by Martin. Any discussion? All in favor?

Ayes.

Motion carries. Good evening.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,



Jessica Michaelis
Transcribing Secretary



Donald Wilcenski, Chairman