

QUOGUE VILLAGE PLANNING BOARD  
MINUTES OF PUBLIC HEARING  
FRIDAY DECEMBER 2, 2022

**Pursuant to §103-a of the New York State Public Officer's Law and Local Law No. 3 of 2022, the meeting of the Planning Board and aforementioned public hearing was held in as a hybrid meeting in a combination of both in-person and videoconference (i.e. ZOOM).**

**Members Physically Present:** Chairman Stephen Farrell, Clarke Lewis, Lynn Lomas, Bob Levy

**Members Absent:** Paul Mejean,

**Members Present via Videoconference:** Alternate Richmond Gardner

**Others Physically Present:** Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Fire Marshal David Schaffauer, Village Engineer Vincent Gaudiello, Deputy Village Clerk Denise Michalowski, Robert Kelly, Esq.

1. Mr. Farrell called the meeting to order and asked for a motion to approve the minutes of the October 14, 2022 meeting. Mr. Lomas made the motion, Mr. Lewis seconded the motion, and the motion was unanimously carried. Mr. Farrell set the date of the next meeting to Friday, January 27, 2023 at 9:30am, and noted that it will be an in-person meeting.

2. The first matter that was discussed was the **Minor Subdivision Application of Apre Howell LLC at 3 Howell Lane (SCTM# 902-11-2-13.1).**

Attorney Robert Kelly was present at the meeting for the applicant. Village Engineer Vincent Gaudiello reviewed his Subdivision Memo dated 12/1/2022. He noted that the biggest concern was the elevations of the property. Mr. Gaudiello said that in order to develop the property, fill would need to be brought in. He further noted that the first floor of any structure would need to be at a minimum of elevation 10. Mr. Gaudiello explained that changing the grade of the property could affect the surrounding properties and could change water courses. Mr. Gaudiello said that he thought an Environmental Consultant should evaluate the property for freshwater wetlands. He also thought it would be appropriate for a Storm Water Pollution Prevention Plan to be done for each of the lots. There was a discussion of when the SWPPP should be done and the limits of disturbance on the property. Mr. Gaudiello proposed that a SWPPP should be conditional upon issuing a building permit or any disturbance on either lot. Mr. Kelly said the subdivision is for a long range plan, and there is no house design at this time, but the applicant wants to start the process now. Mr. Gaudiello said he thought the Department of Heath would ask for a conceptual site plan because of the elevation issues. Mr. Gaudiello reviewed the two types of SWPPP reports and when they would be required according to the Village Code. Mr. Kelly noted that there is a DEC non-jurisdiction letter for this property, meaning there are no tidal wetlands on the property and there are no mapped wetlands. Mr. Bruyn asked if there is a culvert under the road, as the Southampton Town GIS aerial photos shows some lines which could have been drainage ditches in wetlands. Mr. Bruyn asked if the driveway access on Lot 2 should be on the west side. Mr. Nowak noted that the grade of the road is higher than the grade on the property and on the right of

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way. He thought there should be a “no change in grade” within the first five feet of the property in order to allow for a natural swale as the water table is very high in that area. He also thought there should be a “no fill” area on the east and west sides of the property of 25 feet, as well as in the area in between the properties. Mr. Gaudiello mentioned that it is standard language for the Southampton Town Planning Board that all storm water runoff on residential lots shall be contained onsite based on a two inch storm event, and that he thought this condition would also be appropriate here. He further noted that if the grade was raised on Lot 1, water would likely come sloping down to the right of way. Mr. Gaudiello inquired where the water main for this property is located, and noted that it should be shown on the final subdivision map along with all other utilities. Mr. Gaudiello said that the grade of the driveway needs to be taken into consideration when determining the best location. Mr. Nowak said he thought where the driveway is now would be the best location. Mr. Bruyn suggested this application be adjourned until the next meeting to gather more information.

**3. No new material has been submitted regarding the proposed project for Andrew Oliverio at 164 Jessup Avenue (SCTM# 902-8-1-10).**

**4. The next matter on the agenda was the application of Jonathan T. & Natalie P. Silverstein 37 Bay Road SCTM# 902-6-1-18.11** for an interpretation of the Declaration of Covenants and Restrictions, dated July 24, 2018, and recorded in the Suffolk County Clerk’s office in Liber 12970, page 963, which Declaration was imposed by the Planning Board as a condition of approval of the Subdivision Map of Picheny Property, filed in the Suffolk County Clerk’s Office on March 26, 2019 as Map File No. 12158. Specifically, applicants seek to confirm that the provisions of said Declaration do not preclude the construction of an elevated catwalk/wetland access walkway that extends over a portion of NYSDEC designated wetlands in the center of the property to access the property’s frontage on Shinnecock Bay. The applicants’ property is shown as Lot 6 on said filed subdivision map and is located on the southerly side of Bay Road, approximately 2,623’ easterly of Montauk Highway (SR 27) in the A-8 Residence District.

Mr. Farrell noted that another adjournment has been requested for this application. Mr. Bruyn noted that this property also has an application before the Zoning Board of Appeals that has been adjourned many times. Mr. Bruyn said that the Zoning Board will allow for only one more adjournment. Mr. Nowak will write a similar letter to the applicant to allow for only one more adjournment as well.

There being no more business, Mr. Farrell made a motion to adjourn the meeting. Mr. Lomas seconded the motion, and the motion was unanimously carried.