

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
March 7, 2016**

Present: Chairman Tom LaPerch; Boardmembers Paul Jonke, Phil Wissel, Eric Cyprus, David Rush and Dan Armstrong; Town Planner Ashley Ley; Town Attorney Willis Stephens; Secretary Victoria Desidero. Absent & Excused: Boardmember Michael Hecht

PUBLIC HEARINGS:

- 1. GLICKENHAUS PRIVATE ACADEMY, 291 Deans Corner Road** – This was a continued Public Hearing to review an application for a Site Plan, Special Permit and Wetland Permit. The motion to open the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed all in favor. Attorney Richard O'Rourke of Keane & Beane, Engineer Brian Hildebrand of Kellard Sessions and Chris Munch of Fortune Ridge Home Builders appeared before the Board. Mr. O'Rourke said this is a continued Public Hearing and we need to address some outstanding items. He said as of two hours ago we finally got our lighting plan finalized and we can address that. We also have other outstanding items we still need to address, for instance, we found out we had a memo from the Wetland Consultant that we didn't know we had through no fault of the Town, he said. Mr. O'Rourke said we respectfully request that this be put over until the second meeting in April so that two weeks prior to that we can have everything we need to the consultants for review. We can answer some things now, he said, but would the Board prefer we do one comprehensive submission and do it all at once or piecemeal? Chairman LaPerch said let's do it all at once because there is a laundry list on that Wetland memo. Town Planner Ashley Ley asked if they are working on the traffic study and Mr. O'Rourke said yes, we had a meeting last week and we are preparing to get all of that information in to you as well. There were no comments or questions from the Board or the public. Chairman LaPerch said we should address it all at once: when will you be ready to come back? Mr. O'Rourke said the second meeting in April. The motion to continue the Public Hearing to April 25, 2016 was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor.

REGULAR SESSION:

- 1. BRAVCOR, 65 Fields Lane** – This was a review of an Application for Final Approval of a Site Plan and Wetland Permit and a Request for a Performance Bond. Chairman LaPerch said he is recusing himself as the record shows he has done on this application in previous meetings and he left the dais. Acting Chairman Rush asked Engineer Tim Allen of Bibbo Associates to recap the application for the Board. Mr. Allen said just to give a brief recap, this is a plan that was previously approved and this is the same plan except the building was extended at the back and driveway went through and we eliminated that. He said DEC (Department of Environmental Conservation), DEP (Department of Environmental Protection) approvals are in place and the Health Department approval will be done immediately. Essentially it is the same plan you approved except that one area that was here and is no longer there, Mr. Allen said. It has been approved by the ARB (Architectural Review Board) and the Town Board, he said, while showing elevations of the structure. Acting Chairman Rush said so you are here for the final site plan and wetland permit approvals and a recommendation of a bond to the Town Board. He asked if there were questions from the Board and there were none. The motion to Grant Final Approval of the Site Plan and Wetland Permit was introduced by Acting Chairman Rush,

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
March 7, 2016**

seconded by Boardmember Armstrong and passed by a roll call vote of 5 to 0 with 1 absent and Chairman LaPerch recused. The motion to Recommend a Performance Bond of \$42,000.00 to the Town Board was introduced by Acting Chairman Rush, seconded by Boardmember Jonke and passed all in favor.

2. **LAS MANANITAS COOLER, 1248-1250 Route 22** – This was a review of an Application for Final Approval of a Site Plan. Engineer John Folchetti of JR Folchetti & Associates appeared before the Board. Chairman LaPerch said this is the application for the cooler? Mr. Folchetti said yes. He said you referred us to the ZBA (Zoning Board of Appeals) and the ARB. He said originally this was a 10 by 20 ft. walk-in cooler on the east side of the woodshed. Subsequently, there were issues with NYSEG regarding access to the pole and etc., etc. so Mr. Sanchez made a change and we then went to the ARB with a 25 by 20 ft. cooler by the rock pile on the west side. He said the ARB requested eight (8) 6 ft. high Red Cedars be installed to screen the cooler. Mr. Folchetti said I just want to be sure the Board understands this change was made but everything else was the same. Boardmember Jonke said it is almost less visible now because of the trees. Mr. Folchetti said it is because the orientation out of the parking lot is to the southeast and now you only see this when exiting the restaurant but what you will see is the trees. Boardmember Wissel said I recall this was taken off an agenda due to an outstanding violation: what is the status? Chairman LaPerch said that is being handled. Town Attorney Will Stephens said the violation has been resolved. The motion to Grant Final Site Plan Approval for the Las Mananitas Cooler was introduced by Chairman LaPerch, seconded by Boardmember Jonke and passed by a roll call vote of 6 to 0 with 1 absent.

3. **BREWSTER CORPORATE PARK, 1920 Old Route 22** – This was a review of an Application for Final Approval of a Site Plan and Request for a Performance Bond. Engineer Terri Hahn of LADA, P.C., appeared before the Board. Chairman LaPerch said you have had a long journey and, hopefully, we can end it for you here tonight. Ms. Hahn said at the last meeting we were directed to go to the ARB with the updated lighting, planting and grading plan, which we did, and those plans are all integrated into the drawing set at this point as was requested. Boardmember Armstrong asked if the neighbors ever saw the cross section that was discussed at the Public Hearing. Ms. Hahn said it was here the night they were here but they never asked to see it. Boardmember Armstrong said I think it is sad that they are going to be impacted this way. He said I think that street ultimately probably will never be improved. He asked if Old Route 22 is a Town road or a State road. She said it is maintained by the Town. Boardmember Armstrong said I suggested abandonment, to which the Town Attorney said no, but what if only a section was abandoned, so it wouldn't be a through street, because I think we have done that before and it could solve the problems the neighbors have. He said we have had subdivisions that were originally proposed to be connected and we changed that. Ms. Hahn said the only thing is that road is in really bad shape and I don't think anyone would want to have trucks passing along there: it is like taking your life in your hands. She said what I thought I would do is, at some point, when we are doing the work on a portion of the road I would talk to the DOT about some type of STOP sign or "No Left Turn" sign or something like... Boardmember Armstrong said that's good. He then asked about the lighting and said I know you said you didn't want a motion detector because a deer could set it off or

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
March 7, 2016**

something but the lighting of all these commercial sites that are on at night really change the character of the Town. We just had another applicant that came in who agreed to put their lighting out at night and I went to see that site at night, and I can't think of the name right now, but it makes a big difference so I really wish you would have motion activated lighting on at night. The Board determined the site Boardmember Armstrong was referencing was Unilock. Ms. Hahn said what we did do was we noted the two circuits we recommended are so that not all of the lighting is on at night but we are still proposing some light at night. She said I apologize. The motion to Grant Final Site Plan Approval for Brewster Corporate Park was introduced by Chairman LaPerch, seconded by Boardmember Jonke and passed by a roll call vote of 5 to 0 with 1 absent and Boardmember Armstrong abstaining. Boardmember Rush said we did recommend that the neighbors go to the Town Board with some of their concerns, correct? Everyone agreed they did. Boardmember Cyprus said also the traffic they were talking about wasn't from this site, was it? Ms. Hahn said it is hard to know where that was coming from but I think they were referring to this site here (pointing to the aerial) but even so, I find it very difficult to believe someone drove a truck up this way and then across that road but I could be wrong. Chairman LaPerch said I appreciate that but it needs to be addressed by another Board. The motion to Recommend a Performance Bond of \$42,000.00 to the Town Board was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.

The motion to approve the February 22, 2016 Meeting Minutes as written was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed all in favor.

Chairman LaPerch said we have a Staff Review meeting coming up: who is coming in? Ms. Desidero said we have the Ryan Wetland Permit and Steve Coleman is coming for that; and Steve Coleman also invited Stef from Arborscape about that property called Wellington on Route 22; I am not sure about Eight 4 Five Services as there may be an issue with him staying at that location; possibly the gentleman who was supposed to come last time about Salinger's; and someone who is coming to talk about Spy Hill Farm on Enoch Crosby Road and I think they are looking for Ag (District) status. Chairman LaPerch said and the other we just invited is the applicant for the Eagle gas station on Route 22 that John Folchetti is representing. Ms. Desidero asked if anyone knows what Spy Hill Farm is and Resident John Lord said it is the house on the corner of Enoch Crosby Road and Maple Road where Enoch Crosby lived. Ms. Ley said maybe that is the gin distillery.

Ms. Desidero said she just wanted to let the Board know that she went through the Building Department file for Santucci at 5 Shady Lane and pulled out correspondence and photos because the Planning Board didn't really have a file on this and she thought it would be good to have and as background for the Board. She said it is in everyone's packets tonight.

The motion to close the meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

March 18, 2016/VAD