

Hi All,

Last Monday night, August 11th, I attended a Southeast Planning Board meeting. As usual the meeting was extremely well run despite the fact that there were four Public Hearings including Camarda's 'Stateline' project. Ugh. I still so loathe that tacky name... and I have to wonder... since we're going the 'Rural Equestrian' route like the behemoth to our north, Patterson Crossing, why can't we complete the illusion with slightly more upscale names- say, 'Running Fence Retail Center' or the even more snotty and calculated, 'Dressage Commons'. Perhaps something alliterative like 'Running Roan Retail Centre'. So classy- that we could also hark back to the oh-so-affected original spelling of 'Centre'.

Of course Stateline's very own 'Touchy Feely Guy' (copyright: John Dondero) was in full swing touting the 'Rural Equestrian' theme and, my new fave... 'a kit of parts'. Don't ask me to interpret *that* architect-speak as I haven't got a clue other than an unsophisticated 'hodge-podge-lodge' of gables, dormers, hip roofs, weather vanes, park benches, matching planters and even an ersatz silo thrown in for good measure. Touchy Feely Guy had an attractive Carol Merrill sort of gal with him. She was very chic and amazingly adept at handing over the storyboards with a flourish and truly blinding Pepsodent smile.

Overall the night belonged to the Putnam County Land Trust, the always charming Mr. Camarda (in absentia), and the devastatingly natty Mr. Lepler. Mr. Lepler's item, 100 Executive Drive, created quite the dust-up between Southeast Wetland Consultant, Don Cuomo and Mr. Lepler's hired gun... errrrr, wetland consultant, Beth Evans. 100 Executive Drive is definitely the item to watch as I believe it will be a benchmark for our wetlands inspector. This has become a real game of 'Who do you trust' and I'm eager to see how our new and improved Planning Board will vote vis-a-vis the wetlands.

Most of the agenda items have been around for awhile- I'll touch on them briefly.

I apologize in advance for the length of this narrative- but it was a long agenda and I never can resist the snarky comments lodged somewhere in my over active imagination. As always the recap that follows is nothing more than my over-the-top take on developers, attorneys, engineers, consultants of all stripes and, of course, their much beloved projects in Southeast. The opinions expressed are mine, and mine alone. They represent no group unlucky enough to have me as a member.

AGENDA:

Cerlich Subdivision:

New Mailings needed. Public Hearing set for 9/8/08. Passed 4-0

Strazza Lot Line Adjustment: Doansberg Road

Represented by Theresa Ryan of Insite. Site plan approval and wetland permit referral to Town Board.

Both passed 4-0. Tree and forest waiver asked for and approved. 4-0

Arborscape- Fields Lane:

Referred to the Town Board for a Performance Bond of \$15,000. 4-0 in favor.

Drewville Heights: Service Station- corner of Drewville Road and Route 6:

The applicant wants to raze the current structure and build a retail operation. The original building was 1700 sq. ft. while the proposed is 2200. The DEP letter indicates that there is a 'lot of work to do.'

Lead agency declared 4-0

Public Hearing set: 9/8/08 4-0

Cingular Wireless- Route 22 behind Reed Farm:

This is an existing cell tower that will be added to.

Lead Agency passed 4-0

Public Hearing Set 9/8/08 4-0

Ace-Endico- International Blvd. Referral to Town Board for Final Release of Performance Bond:

Terry Hahn Representative

The performance bond was supposed to have been released in '06 but \$20,000 was held back. Chairman LaPerch asked if something could be done about the 'God awful' trees.

Passed 4-0

Dykemans Corporate Park: Route 312:

Represented by Terry Hahn

A Performance Bond of \$1,256,000 was referred to the Town Board. 4-0

PUBLIC HEARINGS:

Dykes Lumber- Fields Lane- SEQRA, Site Plan and Wetlands:

Richard O'Rourke- Attorney for project

This is a 68,000 sq ft building to be located on 9.36 acres. OP-1 Zoning. Warehouse/Storage, limited retail.

This will consist of high end millwork. The showroom and office space will be 12,000 sq. ft. There will be 4 acres of impervious surface.

Land Trust attorney, Victor Grossman, made a case that the Dykes property actually has no deeded right-of-way. Attorney Michael Liguori thought that the property had a chain of title although it was pointed out that there may have been a break in the 1920's.

Mr. Grossman pointed out that all run-off would drain to the Land Trust property and that the driveway could not be paved without the Land trust's permission. Mr. Grossman also pointed out that the EAF estimate of 20 vehicular trips per hour suggested a much higher retail use than the applicant claimed.

Green initiatives were asked about. There will be natural light used in the warehouse- there was some discussion on solar panels but nothing definitive was agreed to.

R.D. Berco Office Building- Route 6: SEQRA, Site Plan and Wetlands:

Attorney: Michael Liguori, Engineer: Joe Buzinsky, Wetlands Consultant: Beth Evans

This is a 5600 sq. ft. office building near Oak Tree Plaza on Route 6 west. The lot is 2.3 acres. The driveway is 600 ft. long with a 10% grade in some sections. There is a reservoir stem and all drainage will end up in the Middle Branch. There will be corrections made to the existing Brewster Heights' drainage which is in bad shape.

Impervious surface is 28%. There will be 25 parking spaces- grass mats will be used. A variance is needed from the DEP- Hardship will be the reason as the original owners bought the piece in 1976 before the more stringent regs took effect. Public Hearing closed.

Borowick Subdivision- Foggintown Road- SEQRA, Subdivision and Wetlands

This involves the merging of tax lots. The lot size is 63 acres and will have one single family home (6840 square feet) built on the old house's footprint overlooking a small lake. There will be a salt water swimming pool. There is one additional lot with enough road frontage so that it may be sold in future.

Public Hearing closed. Referral made to Town Board re wetlands permit. 4-0

Stateline Retail Center, Route 6 East- Continuation of Site Plan Portion of Public Hearing: SEQRA, Subdivision and Wetland Permit Public Hearing

There are two lots to be developed. One 4.7 acre lot with a 14,800 square foot office building the second lot is 39.3 acres with 184,800 square feet retail building.

Questions answered:

The PB had asked that a pedestrian walkway connect the office building to retail center. This will be done.

The closest retail center with a 'common theme' that resembles Stateline is in Exton, Pennsylvania.

A landscaping list has been compiled

New Questions:

Will there be any green initiatives? Ans. Applicant will look into it.

Will there be merchandise allowed on 20' sidewalks?

What guarantees do we have should Mr. Camarda sell the project? Answered by Town Planner Graham, Trelstead- Project will have to adhere to new zoning guidelines.

Encroachments into wetland buffer: 134,000 sq. ft. (over 3 acres)

What's going on at the site now? Ans. Archeological digs.

Will retention basins be 'wet'? Ans. Yes.

A 3-D simulation was requested by the Board and will be forthcoming. I asked that it show the view from Rt. 84 as the roofs will likely be visible.

The Public Hearing will be continued until September 9th. Then applicant's rep asked that the whole team *not* have to attend that meeting. PB agreed.

Regular Meeting (continued):

100 Executive Drive: Continued Review:

Applicant: Harold Lepler Attorney: Rick O'Rourke, Wetlands Consultant: Beth Evans

SE wetlands inspector, Don Cuomo, said that he believes there is a wetland (200' X 20') on the property that has not been accounted for. Ms. Evans contended that the soil is simply poorly drained.

Don said that he had filled in data forms but that Ms. Evans had not. Ms. Evans had sent over a summary of the land in question. Jim Nash from AKRF (Town Planning firm) also walked the piece and felt it had traits consistent with a wetland. Evans disagreed and read from Nash's report. Evans said that there was upland vegetation except for two skunk cabbage which she found. Cuomo said there had been over twenty in spring and he had taken pictures then.

PB Chair Tom LaPerch said that it was now up to the Planning Board to determine which report was more credible.

Carvalho Construction: Route 6 East:

Gateway -2 district (near Brush Hollow Road). Vacant land- Office building (21,600 square feet) with trade shop underneath proposed. No retail.

Two flagged wetlands on site. Don Cuomo will take a look.

Starr Lea Road/North Salem Development:

Property entirely in North Salem drains into Southeast. 60 units housing. AKRF has sent a letter to North Salem (concerned about fill leaving site- 1200 truck loads) Letter was sent past deadline but applicant is looking to minimize fill leaving site.

Comments:

Scheesh you'd never know were in a 'New York Recession' given the number of items on the agenda, so I'll just dive right in beginning with one of my personal favorites:

Drewville Heights: Route 6 (West) and Drewville Road

Okay, what don't we need more of in Southeast? Excluding auto parts, pizzerias and nail salons of course? Ding! Ding! Ding! That's right a Convenience Store!!!! I mean, heaven forbid we try to get through the night without a 12 pack of Twinkies just seconds away.

In this case a convenience store of 1700 square feet just won't cut it. Nah, apparently we need an additional 500 square feet for the finer things in life. Ho-Hos, pork rinds, slimJims, chewing tobacco, assorted cigs, malt liquor et al- well, of course we need these products in triplicate. Whew, thank God Putnam Hospital keeps on expanding.

Honestly, this was a cute little brick building (not so bad for a gas station) that has fallen into disrepair and now we need something almost one third bigger? I really want to blow my brains out or have preventative

angioplasty now. Please, I'm begging the Planning Board... no expansion- it's too close to my house and God knows, I shouldn't be within 10 miles of easily accessed Hagen Das at 2:00 AM.

Ace-Endico:

I'm such a sucker for Mr. LaPerch's 'God awful' tree comment. Seriously, the Norway Spruce in front of this building are straight out of a grade-B haunted house flick. Horrible- but typical of the landscaping we're often saddled with in Southeast.

Dykemans Corporate Park:

Over a million bucks!!! The amount of this performance bond was truly amazing. But I suppose not surprising given the land in question. I still dislike this project and don't feel it's at all valuable in rehabbing Dykemans.

Dykes Lumber:

I have to say it was both relaxing and refreshing to see someone else go after a project tooth and nail. Most interesting to me was the EAF report on number of cars per hour. It does seem like there will be far more retail there than we've been led to believe- well, either that or some really ADD employees.

It will be interesting to see if the chain of title holds up. I may be biased (of course I am) but I thought that Victor Grossman did a terrific job for the Land Trust.

One other note: My new favorite is bandying about the words 'green initiatives'- it's such fun to ask the applicant because here's how this query plays out:

"Will you be incorporating any green initiatives in this project?"

Applicant: Blank stare, head cocks like the RCA dog. Answer: "Sure, we'll look into it."

In this case the applicant will use 'natural light' in their warehouse. I assume that this means we're gonna throw in a few extra windows and skylights. Once I hear 'we're looking into solar panels' my eyes glaze over as I know this means 'we'll google it' and get back to you. In other words... don't hold your breath.

Berco Office Building:

A nearly perfect example of land that shouldn't be built on. Yeah, yeah, yeah, the owner held on to vacant land for so long that the DEP regs changed- still this does not a buildable parcel make... Also the fact that

they will help correct run-off from Brewster Heights does not mitigate a lousy project- Besides, since Brewster Heights run-off may already badly erode their property it makes perfect sense for *someone* to fix the problem.

Borowick Subdivision: Foggintown Road

I have to fess up on this as it was at my expense. Although a tad grandiose this is a pretty great residential project. Seems to respect the land (rain gardens, building on old footprint, native plantings) 63 acres with only two lots. So, unbelievably, I had no comments. Chairman LaPerch couldn't let this one go (and I don't blame him) and said, "What, Lynne- no comments?" To which I said- 'Don't make me say it's nice... don't make me. But it is- it's a pretty good project.' And this is about as good as it gets in Southeast.

Stateline Retail Center: Route 6 East

Well, it was nice to see touchy-feely guy back in action. He really does seem nice, is engaging, excited about this project and wicked with a storyboard. And yeah, it's a step (okay, okay... staircase) up from 'The Highlands' and sure, retail is allowed by permit in our Gateway zone. It's just that... I'd like to see the village stand a chance and this is just one more nail in the coffin. Oh, there's no question that villages can no longer depend solely on traditional retail but rather services, restaurants and (hopefully) the arts. Still retail out on the CT border with more to come on Route 22 (Leplerville!) doesn't bode well for Brewster.

In addition, I hardly think an equestrian 'look' mitigates what applicants should be doing as far as 'green initiatives'. I mean, what happens when box stores have declining profit margins as energy costs soar. Are we to be left with empty buildings that no one can afford to rent?

Another important bone of contention seems to be whether the 20' pedestrian walkways will end up filled with retail crap. These walkways were originally touted as almost recreational areas complete with fountains, seating, outdoor dining etc. Yet, at a previous meeting, when the 'sidewalk sale' or 'outdoor storage' a la Home Depot's cluttered 'sidewalks' reared its ugly head the always charming Mr. C answered that, really, the retailers know 'best' and indicated that it would be best not to interfere. Great answer. Because nothing says 'high end' like the cheesy, oversized merchandise stacked like cordwood at Home Depot. Honestly, why do we even want 20' sidewalks if it means nothing more than extra storage for the retailer and looks like hell for the community?

On the plus side I was really glad that the PB decided to ask for a 3-D rendition of the project as I think that the 'rooftop' view from Route 84 is important and potentially hideous. Further I don't think over 3 acres of wetland buffer encroachment insignificant. If memory serves there was to be no encroachment in the original proposal. Remember, this is less than 1000 feet from the East Branch Reservoir.

100 Executive Drive:(Off Rt. 312 next to the Green Glass Building)

In many ways this was the most interesting project of the evening. Several years ago the SE Conservation Commission was abolished in favor of hiring a town 'Wetlands Consultant'- enter Don Cuomo. I think that this has been a real improvement as far as minimizing wetland and buffer encroachment.

Sure, I've heard through the grapevine about some applicant complaints. But this is to be expected if any inspector doesn't agree, let alone rubberstamp their projects.

It seemed to me that Don Cuomo *did* know what he was talking about as far as finding a uncharted wetland on this property. And it appeared that AKRF, our town planning firm, concurred. Still, Beth Evans from Mr. Lepler's camp disagreed vehemently. Unfortunately she didn't file the same forms as Mr. Cuomo so the Planning Board is left to deal with apples and oranges. I would urge the PB to ask for the same data form as Mr. Cuomo filed so it will be easier for them to make a wetlands determination.

Interestingly, and more importantly, originally Don thought that this project would help mitigate some of the run-off from the green glass building and seemed to like the specs. Still, in the back of my mind I can't help but think this will speak volumes re Mr. Lepler's sway in Southeast.

100 Executive seems to be a real litmus test for this new and improved Planning Board. Do they go with their consultants (Cuomo and AKRF) or with Mr. Lepler's wetland consultant of choice... Scheesh... never a dull moment in Southeast.

Finally, that's it from my desk. As always feel free to e-mail me with any questions or comments that you might have.

With Best Regards,

Lynne Eckardt