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From: "Lynne Eckardt" <midfarm@bestweb.net>
Date: Sun Jan 23, 2005 3:17 pm
Subject: SE Town Board Recap 1/20/05

Hi All,

Below please find my recap of the Regular Town Board Meeting held last Thursday night. I've edited to what I think might be of interest to CRSE members. In theory the official draft minutes, composed by Town Clerk Ruth Mazzei, will be posted on the Town Website by February 6th but don't hold your breath because the odds of this really happening are never that great.

A word of warning: The commentary here is unofficial, biased, scathing and biting. I figure if our Town Clerk gets to fabricate events and write them into the official minutes then scathing and biting is a small price to pay. Besides, as always, it's only my take on life in Southeast. You want the unvarnished truth- watch the meeting on Suscom. Of course that's only if it was actually recorded...

If the truth be told I'm absolutely dreading shoveling so my poor humor probably accounts for some of the vitriol. Sorry. Oh and from the 'Thank-God-for-small-favors-Department', I do want to report that there was, mercifully, no gum chewing in evidence.

REGULAR MEETING:
Public Hearings:

7:30: Special Permit/Palazetti Warehouse: [The Palazetti Warehouse is on Fields Lane (Office Park 1 Zone). There are wetland incursions (driveway) and the permit requested here is for 20% office to 80% warehouse- the reverse intent of the OP-1 designation.] Mayor Cesar asked how much outdoor storage there would be. Engineer Harry Nichols said there would be 3200 sq. ft. the maximum allowable and that it would be for equipment behind the building. It was added that the building would be 'masonry construction.'

7:31: Moratorium Variance/Garden Homes Management [These are pre-existing buildings in

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front of Value Village on Route 22] Councilman Johnson was concerned about adding building density on Route 22. I asked if financials had been received as this variance hinges on proving financial hardship. The Board said that they had.

7:32: Release of Performance Bond/Crossroads School. No questions asked.

7:33: Special Permit/Terravest 9: [Westshester Tractor is looking to move into this Office Park 2 zone. In Goldens Bridge Westchester Tractor Rents, leases, sells, repairs, maintains and assembles heavy equipment]

I asked how Westchester Tractor would dispose of their waste as no sewage treatment plant has been built. The applicant, Mr. Lepler, assured us that the Sewage Treatment Plant would be built simultaneously with the Westchester Tractor building and that it would be up and running in spring.

I asked if vehicular repair would be done on site. Project attorney and Village Justice Rick O'Rourke said that no repair work is done on site. That only 'assembly' (such as brush cutters etc) will be done at this facility. And that a special permit for Warehouse/Office had already been approved and that this Public Hearing was just to clarify uses.

I asked if there would be equipment rental and was told 'yes' but only to contractors, construction companies and municipalities.

There were no questions or comments from the board.

Review of Minutes:

December 16, 2004: There were changes made under the 'New Business' portion of these minutes. One statement concerning the sheriff's patrol was removed as it hadn't been said at the meeting but apparently, according to Town Clerk Mazzei, later in the evening. And that sometimes it was difficult to keep what-was-said-when straight.

Another portion in dispute stood as the Board agreed that the Supervisor had, in fact, made the statement. This statement concerned a resident's alleged statement at another local Public Hearing.

The minutes were accepted.

4. Motion setting meeting Dates:

February 3, 2005	7:30 Civic Center	Work Session (and Special Meeting re. Moratorium)
February 10, 2005	7:30 Civic Center	Work Session
February 17, 2005	7:30 Civic Center	Regular Meeting

6. Resolution- Extension of Real Property Tax Collection for Persons Deployed by the Military. Passed 5-0

12. Resolution- Road Names-Putnam Seabury

This is 'The Campus' project on Fields Lane. All names are of local historic significance. Some of the names chosen were: Tone, Wooster, Howes, Birdsall, Bradshaw, Briggs, Higgins and Rockwell.

13. Resolution- Roadbed conveyance upon dedication and acceptance of realigned Puglesy Road.

Councilman Bonanno read a long, long document detailing these conveyances. This was passed by a vote of 5-0.

At this point the Board adjourned to Executive Session to discuss litigation. Before reopening the Regular Meeting Town Clerk Mazzei announced that no vote had taken place during Executive Session.

14. Resolution- Stipulation of settlement Fox Ridge Motor Inn v Town of Southeast

The Board voted 4-1 to accept this settlement as there was no adverse impact to the town. (Supervisor Dunford being the dissenting vote).

15. Resolution- Stipulation of settlement Turk Hill Partners v Town of Southeast.

The Board voted 3-2 to accept this settlement as there was no adverse impact to the town. Council members Honeck and Mitts were the dissenting votes.

New Business:

Mayor Cesar announced that Brewster Cheerleaders would be in Hawaii and that there would be a celebration. He also announced that a grant of \$200,000 had been received by the village for Cameo Theater and other Main Street renovations. He also mentioned the money to be provided by the DEP to finish the sewer project.

John Lord asked if there would be a 10 day comment period regarding the Public Hearings. It appeared that this was not the case as the Board had not voted on such but that the Board would read and consider all correspondence received.

I asked to have the last two agenda items involving litigation explained as they were unclear. Town Attorney, Willis Stephens, explained the settlement at Fox Ridge Motel Inn as follows: The railroad tie planting beds at the motel would **not** constitute previous square footage. However, Fox Ridge Motor Inn would now be able to use the old footprint's total square footage but **not** be confined to the exact footprint as the town originally required.

On Turk Hill Partners the compromise reached included scaling the project back from 5 lots to 4 [one lot will not conform to the new 4 acre zoning]. The driveway will use the existing pillars as a driveway entrance and encroachments into the wetland buffer will be allowed. There will be only one driveway off Allview Avenue.

COMMENTS:

Public Hearing: Palazetti Warehouse: Fields Lane

At this point I am so worn down on this I just want this to go away. Never mind that we have another warehouse on Fields Lane, never mind that there are numerous wetland buffer encroachments, let's put this charade behind us and move on to the next non-office use in our Office Park 1 zone. And lord knows there are plenty of them waiting in the wings. Hey, maybe we should be a little more honest in '05 and call our OP areas 'Almost-anything-the-applicant-wants' zones.

Public Hearing: Garden Homes Management: Route 22

Just a quick heads up to Councilman Johnson. There is no increased building 'density' to Route 22 with this project. The square footage remains the same. It's only the applicant's financial hardship that you have to consider. And, if memory serves, the applicant is a co-owner in the entire Value Village shopping center.

Public Hearing: Westchester Tractor:

Wow. Depending on the vote this February this could be the most egregious use yet of 'Special Permitting'. Now, not only would we get 80% warehouse in an Office Park Zone but heavy equipment rental, sales and leasing as well. Super. Hey, what exactly is the mitigating factor here?

That only Joe Contractor with a resale number can rent equipment? That ALL repair and maintenance work is done off site- and presumably this includes 'dealer prep' for any new equipment? Or general maintenance on 'Rental Equipment' after it is returned (and how does that work? Or is all equipment serviced at the 'rental site' before pick-up or drop-off)? Frankly the logistics and subsequent enforcement seem daunting and a teeny bit hard to believe. Remind me again why we want a heavy equipment concern in an Office Park zone? Or is it as simple as being the right applicant, at the right place, at the right time?

I was most impressed that the Sewage Treatment Plant will be up and running by spring. This means that Ace Endico will probably not need that 10,000 gallon sewage holding tank that will need to be pumped and trucked off site on a bi-monthly basis. Wow. A comprehensive Waste Water Treatment Plant built in less than 6 months- and in winter no less. If this really happens perhaps we could get the WWTP contractors to help out with construction on the Route 6/Middle Branch bridge which has been dragging on for over a year.

Finally, I know you're all sick of it but it does bear repeating: Nothing says Office Park quite like a purveyor of Heavy Equipment. And once again if we stuck to the intended code wouldn't actual offices be assessed higher than this swill thus generating more property and school taxes? In turn wouldn't this help to offset rising residential tax burdens? Just asking...

The Minutes/New Business:

Personally invested in this portion of the meeting this was, perhaps, the evening's highlight for me. Apparently when Suscom is unable to provide a tape of the meeting all bets on accuracy are off- and it's 'Let the fabrications begin' ...

Even Town Clerk, Ruth Mazzei, had to admit that one quote attributed to Supervisor Dunford had been made 'after the meeting'. But I suppose it must be difficult to keep it all straight when the entire Board meets afterwards in a 'chance social encounter' at Jack and Jill's Q lounge. If only Suscom were willing to tape that portion of the evening... And I'll bet it's way more fun.

As for the other quote attributed to Supervisor Dunford that made it into the minutes (yet was not heard by five audience members on the evening of December 16th) well, what can I say. What I will say is that thank God for the video tape (when it's working) or Town Clerk Mazzei's minutes might rival J.K. Rowling tales without benefit of correct grammar or spelling. Actually, I would venture a guess that our Town Clerk couldn't spell dog if you spotted her the 'D' and the 'G'. I mean I know that 'Eckardt' isn't easy but for God's sake, I'm not asking her to crack the Rosetta Stone. You'd think that by sheer repetition she could get this right. After all, even rats manage to make it through a maze after only several trys.

12. Road Names- The Campus:

Oh come on, the irony of a 143 house subdivision with road names for historic Brewster families is such fun. Think anyone's turning over in their graves? On the plus side we no longer have to suffer with roads named after developer's wives, girlfriends or daughters. Yahoo. My personal favorite has always been 'Lois Lane' in Cross River.

14. Resolution- Fox Ridge Motor Inn Settlement:

The Boards (in recent years) have always seemed to me to be a tad prejudicial against applicant John Gillen.

Sure, I would have loved that nothing be allowed on this site. Or at least something a little more environmentally friendly. But given the law I never could understand why Mr. Gillen was not allowed the previous square footage albeit in a different configuration. After all, the applicant did deep-six the restaurant portion of this project. And yeah, I never bought into the 'planting beds as footprint' argument. But for this we had to litigate? I can't wait to FOIL for these attorneys fees. I mean, wasn't the compromise here totally obvious from the get-go?

I hear through the grapevine that in this litigated compromise Mr. Gillen will have two less hotel rooms. Town funds well spent on what some consider a personal vendetta? I think not.

15. Resolution: Turk Hill Partners Settlement:

Well, what we have here is the reduction of one lot. Completely co-incidently this subdivision is partially within Councilwoman Mitt's neighborhood (and yeah, she voted against the settlement). Was this expenditure of town funds worth it? Remember we still get buffer encroachment and an undersized lot. I'll FOIL for the attorney's fees, post them and then you can decide.

New Business:

Mayor Cesar once again outdid himself by taking credit for just about anything good happening in the village. I loved when Supervisor Dunford suggested that maybe the village meetings could be televised so that all this 'good news' could be properly showcased. Oh, and while you're at it Mr. Mayor minutes would be nice too.

As far as the grant which was just awarded to the village- I think that much credit needs to be given to County Executive Bondi. He took the time last spring to walk the village, come to several meetings and suggest that this grant be applied for. He set the ball in motion and he deserves recognition for the results. So, although the Honorable Mr. Bondi and I disagree on many issues, for this I am grateful and pass along my thanks.

Whew- I feel better. That's it from my chair this Sunday morning. As always please feel free to e-mail me any comments or questions that you might have.

With Best Regards,
Lynne Eckardt

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