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## CRSE · Concerned Residents of Southeast

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**From:** "Lynne Eckardt" <[midfarm@bestweb.net](mailto:midfarm@bestweb.net)>

**Date:** Fri May 14, 2004 3:45 pm

**Subject:** Southeast Town Board Meeting Recal

Hello All,

Below please find a recap of last night's Public Hearing. The meeting was four hours long (Zzzzzzzzzzz)so I'll only touch on major points. Official minutes of the meeting should be available at Town Hall on May 27th.

As always the comments that follow are my own observations.

HIGHLIGHT/LOWLIGHTS: Proposed Commercial Recourse Protection Plan, the demise of billboards, and no more outdoor container storage, proposed moratorium on major residential subdivision. The Dunford/Rohrman/ARB 'dust up'. Watching engineers and attorneys scramble from our side of the aisle for a change. The big boys whining about sign size and costs.

PUBLIC HEARING:

STORM WATER MANAGEMENT: Phase II

The Town Planner gave a brief overview of this mandated program. The public comments and questions ranged from specific existing problems with erosion control to our now un-leveled Drainage Districts. Answer: The TB, Town engineer and Highway Superintendent are working on both problems.

Other questions raised regarded private 'Drainage District' maintenance, using new products as road de-icers and using the Town Website to promote 'best management practice's at home. Answer: The town can oversee private subdivision drainage maintenance (these are homeowner associations not formal drainage districts) and the highway department does use new lower phosphate products but must put 'safety first'.

ZONING CODE CHANGES:

Again the Planner gave an overview. NB The changes below are only proposed.

- The town will no longer allow outdoor storage in 'containers' i.e. 'shipping containers'.

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- There is a newly designated Lake Tonetta Watershed area. Only single family homes on 10 acres or more will be permitted.
- Gas Stations will no longer be permitted anywhere. They will all become pre-existing, nonconforming.
- A 'Resource Protection Plan' will be used on commercial sites as it is on residential.
- There is a height reduction proposal to 35' in all districts but one (OP-1?)
- Bill boards will be removed
- Upzoning various areas to R160

Comments from the public:

Ann Fanizzi asked that Southeast and Carmel work together on the Route 6 west 'Gateway'.

Doreen Benson asked why property abutting her on Prospect Hill was suddenly zoned commercial- Apparently this is an error that will be rectified.

County Legislator, Tony Hay spoke at length about the new sign regs. as 93% of existing business will not comply. He asked that any and all town fees be waived if business' come into compliance.

He mentioned that there is state grant money available to assist business" with the new sign cost.

Various representatives from Kohls, Value Village, Morning Star Trading, Wings Over Water, True Value Pharmacy and an attorney for the Highlands all spoke out against the new sign ordinances. Signs are much too small and will be extremely costly.

Mr. Siebert (the 'Highlands' attorney) said that the sign cost at the Highlands alone was \$500,000.

County Legislator Dan Birmingham questioned the legality of banning all political signs. NB Political signs can still be placed on private property. Roger Gross (School Board member) said that political signs raised public awareness and got people to the polls.

Teri Hahn, LADA project engineer on Terravest and Tonetta Lake Park in-line skating rink, spoke at length against everything from tree ordinances to the proposed commercial 'Resource Protection Plan'.

Don Rossi, (attorney for Terravest and former partner of Town Attorney Willis Stephens) also spoke at length about his concerns.

He didn't like the 'Resource Protection Plan' on commercial and signage dimensions were too small.

Due to the many changes from the last Public Hearing I asked (as did Teri Hahn) that the Public Hearing remain open so that CRSE could review and comment on the many changes made.

The Public Hearing was closed by a vote of 5-0.

**PUBLIC HEARING ON HISTORIC SITES:**

As a final list of Historic Sites including Tax Map numbers is not yet available so the Public Hearing was left open.

**PUBLIC HEARING JUNKYARDS:**

Not many questions from the public although it appears that Simon's Junk Yard has filed an appeal over the recent court decision limiting the junk yard boundaries to those established in the 1960s.

**ACCESS TO PUBLIC RECORDS:**

No questions on this. Public Hearing closed by a vote of 5-0.

## SUBDIVISION OF LAND:

Public Hearing held open.

ARCHITECTURAL REVIEW BOARD: This item was actually not on the agenda- apparently it was mistakenly left off.

George Rohrman, Chair of the Southeast Planning Board, took issue with new procedure which will now include the TB. The ARB will now report to the Town Board as well as the Planning Board. Mr. Rohrman felt strongly that this was an unnecessary step and that the TB should trust the ARB and the PB. Supervisor Dunford said, 'Since we take the heat for the decisions made we should take some responsibility.' Mr. Dunford was also less than thrilled with some of the approved architecture now.

The Supervisor still feels that there is some confusion on procedure. Mr. Rohrman disagreed. Mr. Dunford then referred to 'Mack's Family Restaurant' which recently went before the ARB without a referral and he had 'read about'.

Both Teri Hahn and Donald Rossi felt that going to the TB as well as the ARB was an unnecessary step and would add weeks onto a developer's timetable.

MOTION FOR A PUBLIC HEARING: May 27th: MORATORIUM: A motion was passed by a vote of 5-0 to hold a public hearing on all proposed Major (5 lots or more) residential subdivisions.

## COMMENTS:

Whew, that took almost as long as the riveting meeting. Actually there are a lot of good things happening.

The Town Board and Town Planner should first be commended for all the work they've done on the new regs. There are some great ideas here but now the trick is to stand up for Southeast residents and not bow to the pressure of a few select developers.

The Resource Protection Plan for commercial development will GREATLY curtail development in Southeast. Even Mr. Rossi pointed out due to 'steep slopes and wetlands' this new regulation will be 'far too restrictive. Earth to Mr. Rossi: Less unsustainable development is the entire point here.

A REAL moratorium on major subdivisions (5 lots and up) would be most welcome. REAL being the operative word.

The Board took some heat last night and the dynamics of the meeting were fascinating. Everyone started getting cranky at about 10:00 PM. Watching attorneys and engineers scramble to plead their case (like we've had to do for the past several years) was almost amusing. Listening to the 'big boys' (Kohls, The Highlands etc.) whine about the cost of new signs was painful.

Dropping big figures sounds impressive but, in point of fact, and proportionally speaking it's the small stores that will probably take the bigger hit. It's the same as griping about the taxes they pay when the large revenues they generate go unmentioned. Suck it up guys, and remember, even with small signs, most of us can recognize the ubiquitous Home Depot or Kohls- especially when it's visible from about 10 miles away.

The proposed smaller sign sizes MAY, indeed, be slightly out of scale with the splendid buildings that they'll grace and there should be some room here for reasonable compromise. Anyhow it's a little late to think that a few smaller signs will magically transform 'The Highlands' into something aesthetically pleasing. For the record, smaller signs will be better- just how much is the question. Getting rid of the Highland's 'Billboard' on Route 312 would be a giant step in the right direction.

The dust up/power struggle between Mr. Dunford and Mr. Rohrman was fairly heated at one point- complete with raised voices and Mr. Dunford asking the Planning Board secretary to identify herself before speaking. As to the new proposal adding 'weeks' to the approval process... Well, we're the ones who will have to look at the building for years thereafter. So really, what's a few extra weeks.

It was great when Supervisor Dunford mentioned that there was still confusion between the Planning Board and the ARB as he had 'read about' Mack's going before the ARB without a proper referral because it was actually a CRSE posting that he must have read. Glad to be of some small service.

As a side note, if the Town Board doesn't like some of the ARB's recent decisions just wait until they get a load of Mack's Family Restaurant. Yikes!

Many of those in attendance voiced their displeasure over the lack of notification re. the proposed zoning changes. Welcome to our world. An updated town website would certainly be a good first step in inexpensively alleviating this problem. Until then might I suggest that local businesses join CRSE. We do blast out meeting notifications (when we're aware of them) and informal recaps.

POLITICAL SIGNS: While I would agree with Dan Birmingham that there might be some legal questions re. banning political signs (and it does favor the incumbents) wouldn't it be nice to have an October free of visual pollution?

Finally, I remain hopeful that the Town Board will enact most of the new zoning regs. And even more importantly ENFORCE them once they're enacted.

As always please feel free to e-mail me with any questions you may have. Have a great weekend.

With Best Regards,  
Lynne Eckardt

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