

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
APRIL 27, 2009**

Present: Chairman Tom LaPerch; Boardmembers Dennis Sullivan, Edwin Alvarez, Jim DiBella, David Rush, Dan Armstrong; Town Attorney Willis Stephens, Esq.; Town Planner Ashley Ley; Wetland Inspector Stephen Coleman; Secretary Laurie Fricchione. Boardmember Phil Wissel was absent and excused.

PUBLIC HEARINGS:

1. BREWSTER-SOUTHEAST JOINT FIRE DISTRICT SITE PLAN – This project was on the agenda for Site Plan, SEQRA and Wetland Permit public hearing as well as for a Declaration of Lead Agency for purposes of SEQRA. Michael Liguori, Esq., the applicant's attorney, Theresa Ryan of Insite Engineering and James Nixon, the architect, were present. Proposed is the construction of a 4,875 square foot, 3-bay firehouse substation on a 4.5 acre parcel of vacant land just past Mountain Brook Road on Milltown Road. The approximate construction estimate is \$2.9 million expected to go out to bond to be voted upon by the residents of the town. An amortization schedule which was compiled reveals that on a \$3 million bond at 5% interest for 20 years, if your home is assessed at \$300,000, your share would be \$27 the first year and then go down incrementally each year thereafter. In the audience, Roger Mogan asked why that location and stated it's almost in Connecticut and the site is not in the middle of town. He also stated that due to the "wiggly nature" of Milltown Road, he cannot fathom a fire truck negotiating that road in a fire call, especially during the hours of 7-9 a.m. and evening rush traffic. He says he's seen people going 70-80 miles per hour and worries for vehicle safety. He said Route 22 would be a better alternative due to the commercial nature of the application. Mr. Liguori stated that the Milltown site was chosen because of the longer response time to that area from Brewster Village and the Route 312 substation. Mr. Liguori also stated that they looked at other possible sites such as Route 22 and Doansburg Road, but were not suitable. Also, because the buildings in Mt. Ebo Corporate Park are sprinklered, there is less of a need to have a firehouse in that immediate location. Cathy Sloat suggested having a firehouse in Vail's Grove because it is more central to the town and can also service Routes 684 and 84 and homes on the Route 6 corridor. She also stated that Milltown is very close to Patterson and Danbury and doesn't see the need for this particular site on Milltown Road. Paul Vink asked if Mr. Liguori committed to stating that the bond will be put out to a public vote. Mr. Liguori stated that there is a 99% chance it will be. James Ryan (who submitted a letter of questions and concerns which is a part of the Planning Board file) asked the questions contained in his letter. Chairman LaPerch reminded the audience that all concerns raised will be responded to and there is a 10-day comment period within which to submit letters to the Planning Board. Next, Mr. Coleman discussed the site's wetland areas and methods through plantings, detention ponds and grading as ways to mitigate any possible negative environmental impacts. Key is the type of wetland plantings, the position in which they are planted and a deer fence to protect the plants so as to allow them to root properly and perform their intended function. Ms. Ley stated that the proposed lighting plan is crucial so as not to create light pollution for adjoining neighbors. Betty Brosius asked about sirens sounding at all hours of the day and night, traffic flow, fire trucks negotiating the road and cars not having a shoulder on which to pull off to allow the passage of emergency vehicles. Mr. Liguori stated that there will not be sirens; firemen are summoned to the station by way of beepers and other electronic devices. He also stated that lights and sirens will not be engaged if there is no traffic inhibiting their ability to get to a call; they only will be engaged if absolutely necessary. Lynne Eckhardt asked about the

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
APRIL 27, 2009**

landscaping plan and wanted to know the exact amount of per household cost. Chairman LaPerch stated that he will find out how to have an amortization schedule downloaded onto the town website, once it is brought up to date and is a source of current information. Ms. Eckhardt also stated that perhaps to make this project more palatable to neighbors, a report could be issued showing the amount and types of calls and response times within a 3-mile radius. She then asked how the 50,000 gallon water storage tank will be filled. While there is a well proposed at the site, alternative sources of water will fill the tank; the well will not be there strictly for purposes of filling the storage tank. Mr. Ryan asked if the decision to put the proposed station on Milltown Road was driven by the fact that the land was donated to the town or was there some other compelling reason. Again, the area was chosen because of the need for fire protection in the area. Mr. Mogan asked for a comparison of existing firehouses and their square footages as compared to this proposed site. He also asked if there were going to be parties. Michele Burns asked if it was necessary to have a "rec hall". There will be a "ready room" which is similar to a living room in a residential setting. There will be a 300 gallon fuel storage tank on site. Supervisor Rights stated he spoke to neighbors who had concerns about the Milltown Road site, and asked about the feasibility of an alternate site, such as the former Dill's Best Lumber store on Route 22. Mr. Liguori stated that the Dill's Lumber site was considered, but had issues regarding the purchase of the site, which will considerably drive up the cost. The second issue was traffic, ingress and egress to and from the site. Supervisor Rights said that there might be a possibility of taking the Dill's Best property by virtue of eminent domain. Bill Lawrence stated that the people of Milltown Road do not want a substation where it is being proposed and other concerns are traffic, safety and the possible future commercial development on the remaining 70 acres from which the 4.5 acres was subdivided and donated to the town. He was reminded that the remaining 70 acres is zoned residential and therefore cannot be commercially built out. Louise Andres, the historian for the Milltown Association, stated that there are 15 or 16 historic homes along Milltown Road and every time a truck drives by, the plaster walls of these houses crack. Ellen Ryan says she cannot walk her dog on Milltown Road and wonders how a fire truck can maneuver it. Nancy Hack is in the insurance business and has concerns about traffic. Michele Burns asked how long it will take for construction and how will traffic be affected. She also has a concern regarding her young children being bussed on that road. Construction will take approximately 6 months. David Heer asked how long it will take for the volunteers to reach this site to respond to a fire. Julia Von Wittenberg asked the method by which to send comments. Robert Cullen asked whether a project such as this needed Planning Board approval due to the fact that it is for a municipality. The motion to close the public hearing was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent. The resolution for the Declaration of Lead Agency was introduced by Chairman LaPerch, seconded by Boardmember Alvarez and passed 6-0 in favor, 1 absent. Chairman LaPerch reminded everyone that there will be a 10-day comment period within which to submit letters to the Planning Department.

2. CERLICH RE-SUBDIVISION, Lot #5, Pine Ridge Estates – This item was on the agenda for a continuation of the wetland permit portion of the previously continued public hearing. Harry Nichols, the project's engineer and Liz Hudak, Esq., the applicant's attorney were present. The Wetland Inspector walked the site and verified wetland delineations which revealed another wetland area not flagged by the former wetland consultant. As a result of this discovery, the house will be relocated so as to be out of the buffer area, which was reflected in the new drawings

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
APRIL 27, 2009**

recently submitted by Mr. Nichols and reviewed by Mr. Coleman. Ms. Hudak was requested by Ms. Ley to submit a notarized release from the original sponsor of this subdivision for some of the conditions of restrictive covenants allowing this re-subdivision to go through. It was provided to the satisfaction of the Town Attorney. The motion to close the subdivision portion of this project was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent. The motion to close the wetland permit portion of this project was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent. This project will be on the May 11, 2009 agenda for a determination of significance for purposes of SEQRA, referrals to the Town Board for a wetland permit and 280a designation as well as a referral to the ARB.

REGULAR SESSION:

- 1. BERCO SITE PLAN, 2402 Route 6** – This item was on the agenda for continued review. Joe Buschynski of Bibbo & Associates appeared on behalf of his client, Mr. Beresford, who was also present. Proposed is the construction of a 5,000 square foot, 2 story office building. The site is particularly restrained by wetlands and DEP 300 foot buffer from a reservoir stem. Mr. Coleman stated that it is extremely important that the construction, maintenance and planting of the detention basin designed for the front of the property be carefully designed to capture and treat runoff before it makes its way to the Middlebranch Reservoir across the street. The next step would be to address the comments brought up by the Wetland Inspector and then finish the SEQRA process so that this project can be referred to the DEP for the limiting distance buffer waiver.
- 2. PEACH LAKE SEWER DISTRICT SITE PLAN** – This item was on the agenda for a referral to the Town Board for a wetland permit, which was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent.
- 3. SEVEN SUTTON PLACE AMENDED SITE PLAN** – This item was on the agenda for a review of revised landscaping plans. Michael Beyer appeared before the Board on behalf of his client, Sisca Group. This project is in front of both the Planning Board and ARB because there were numerous differences in the exterior appearance of the existing building and what was approved back in 2004. The ARB has seen preliminary drawings of this project's possible improvements to the façade and has made numerous suggestions as alternative design possibilities. This project will be back on our May 11 agenda for a public hearing.
- 4. BREWSTER CORPORATE PARK** – This project was on the agenda to continue the public hearing originally scheduled to be continued on this night, but Terri Ann Hahn, the applicant's representative, requested it to be continued to June 8, 2009 so that some issues could be ironed out with neighbors of this project. The motion for the continuance was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 6-0 in favor, 1 absent.
- 5. BREWSTER ICE ARENA AMENDED SITE PLAN** – This item was on the agenda for Final Amended Site Plan Approval to install temporary, removable batting cages at this site. Steve Santini appeared before the Board on his own behalf. The resolution granting Final Amended Site

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
APRIL 27, 2009**

Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent.

The motion to accept the minutes of the 4/13/09 meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 6-0 in favor, 1 absent.

The motion to close the meeting was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent.

April 30, 2009

L.F.