

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
MAY 12, 2008**

Present: Chairman Tom LaPerch; Boardmembers Dan Armstrong, David Rush, Phil Wissel, Jim DiBella, Edwin Alvarez, Dennis Sullivan; Town Planner Ashley Ley; Town Counsel Willis Stephens, Esq.; Wetlands Consultant Don Cuomo; Secretary Laurie Fricchione

REGULAR SESSION:

1. SOUTHEAST MEMORIAL PARK SUBDIVISION & SITE PLAN, North Main Street – This item was on the agenda for a Determination of Significance, Final Subdivision Approval and referral to the Zoning Board of Appeals. Rob Cameron appeared before the Board on behalf of his client, Mr. Petrillo, who was also present. The planting plan indicating the species of wetlands plantings proposed to be planted could not be submitted in a timely fashion, but that submission pertains more to the site plan approval as opposed to the subdivision approval. The resolution for the Negative Declaration for purposes of SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 abstention [DiBella]. The resolution for Final Subdivision Approval was introduced by Boardmember Wissel, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 abstention [DiBella]. The motion for the referral to the ZBA for a front yard setback and side yard setback variance (for the site plan portion of this project which has not yet been approved) was introduced by Chairman LaPerch, seconded by Boardmember Alvarez and passed 6-0 in favor, 1 abstention [DiBella].

2. DREWVILLE HEIGHTS REALTY, LLC. - This item was on the agenda for sketch review. Rob Cameron appeared before the Board on behalf of his clients. Proposed is the demolition of the existing gas station building and garage bays [which is presently not in operation] into a gas dispensing station with a convenience store. The footprint of the proposed building will be almost double what exists due to the necessity of the placement of the refrigeration equipment. This amounts to the expansion of a non-conforming use, which would require a variance from the Zoning Board of Appeals. The convenience store is classified as retail which would require a Special Use Permit Approval from the Town Board. Because the underground gas tanks and above ground pumps were not removed, the applicant in essence has preserved their right to maintain this as a gas dispensing station, even though it has not been in operation for over two years. Chairman LaPerch suggested that Charles Tessmer, the Zoning Enforcement Officer speak with both the Town Planner and Town Counsel regarding the service station portion of this application and how best to proceed.

3. DYKES LUMBER, Fields Lane – This project was on the agenda for preliminary review and to commence the SEQRA process with the Intent to Declare Lead Agency. Joe Buschynski of Bibbo & Associates appeared before the Board on behalf of his clients as did their attorney, Rick O'Rourke, Esq. Proposed is the construction of a warehouse/showroom for high end decorative mouldings, windows and doors used in residential and commercial construction. The parking issue raised in the engineering review letter has been reduced by 16 spaces. Two easement issues are expected to be resolved shortly. There will be some "green" aspects integrated into the architectural design of this building. The resolution for the Intent to Declare Lead Agency was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor.

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4. BERESFORD OFFICE BUILDING, Route 6 – This project was on the agenda for continued review and to commence the SEQRA process with the Intent to Declare Lead Agency. Proposed is the construction of a 5,400 square foot office building on a 2.5 acre site across from the Middle Branch Reservoir which makes development of this site challenging due to the environmental constraints of the NYCDEP. Presently, the applicant has made an application for a variance from the DEP’s regulations regarding activity in the 300 foot limiting distance of a reservoir stem. Joe Buschynski of Bibbo & Associates appeared before the Board on behalf of his client. The resolution for the Intent to Declare Lead Agency was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor.

5. ALCON, LLC, Fields Lane – This item was on the agenda for final site plan approval review. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client as did his attorney, Rick O’Rourke, Esq. Proposed is the construction of an office/warehouse building for a landscaping contractor, Robert Alfredo on a site behind Hardscrabble Tennis Club. There will be 5,000 square feet of office on the upper level with 1,000 square feet of storage. The lower level to the back will be warehouse with approximately 14,000 square feet of outside storage. This project has received all outside agency approvals, including DEP, DEC, Special Use Permit from the Town Board and expects to receive ARB approval through the Town Board. This project was placed on the June 9, 2008 agenda for Final Site Plan Approval.

6. PEGASUS THERAPEUTIC RIDING, INC, Peach Lake Road – This project was on the agenda for final site plan approval. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. The resolution granting final site plan approval was introduced by Boardmember Rush, seconded by Boardmember Sullivan and passed 7-0 in favor.

A motion to accept the minutes of the 4/28/08 meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 6-0 in favor, 1 abstention [Armstrong].

A motion to close the meeting was introduced by Boardmember Rush, seconded by Boardmember Wissel and passed 7-0 in favor.

**May 16, 2008
L.F.**