

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
JULY 23, 2007**

Present: Chairman George Rohrman; Boardmembers Dan Armstrong, David Rush, Mike Manteo, Phil Wissel, Tom LaPerch; Wetlands Consultant Don Cuomo; Town Planner Siobhan O’Kane; Town Counsel Willis H. Stephens, Esq.; Secretary Laurie Fricchione

Before the meeting commenced, Chairman Rohrman announced that this meeting was his last as Planning Board Chairman effective August 4, 2007. Boardmember Tom LaPerch will be the new Chairman. Chairman Rohrman wished to thank the Board and Siobhan for all their hard work and dedication.

PUBLIC HEARINGS:

1. SUTTON CORPORATE PARK LOT #1 – This public hearing was for Amended Site Plan & SEQRA. This project had been approved in the past, but the approval lapsed. The only change between the previously approved plan and this plan is that the building elevation has been raised by four feet. Michael Beyer appeared before the Board. Proposed is a two-story, 40,000 square foot office building on the last lot of Sutton Corporate Park off Fields Lane. The ARB approval and the Special Use Permit previously granted are in force. In the audience, Melanie Ancin asked about the stormwater management system. Lynne Eckhardt asked what was different from the previously approved plan. James Amato from the Hardscrabble Club asked about signage and truck traffic along the entrance road. The motion to close the meeting was introduced by Boardmember LaPerch, seconded by Chairman Rohrman and passed 6-0 in favor.

2. SOUTHEAST MEMORIAL PARK, North Main Street – This public hearing was for Subdivision, Site Plan, Wetlands & SEQRA. Paul Lynch of Putnam Engineering appeared before the Board on behalf of his client. Proposed is the subdivision of an approximate 6 acre parcel of property into two lots; the first of which is 3.2 acres in size and the second being 2.8 acres in size. The smaller lot will have batting cages on it and will be privately owned; the larger lot will be donated to the Town of Southeast for a Little League field. There will be bathroom facilities tied into the existing septic system which will eventually be connected to the village sewer system. In the audience, Lynne Eckhardt asked about any possible site contamination due to the fact that Metro North washes off their train cars and was concerned regarding the runoff of the water. Soil samples will be taken and a report will be submitted to the Planning Board as to whether there is any contaminated soil and if there is, further steps will need to be taken as far as remediation is concerned. Mr. Cuomo stated that wetland delineations should be on the site plan and until such time as they are, the wetland permit portion of this public hearing should remain open. Chairman Rohrman agreed. Cathy Croft asked which lot was to be used for what purpose. A motion to close the subdivision, site plan and SEQRA portion of this public hearing but continue the wetlands portion to September 10, 2007 was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 6-0 in favor.

3. BUONADONNA GRADING & FILL PLAN, 58 Indian Wells – This item was on the agenda for a Special Permit & SEQRA public hearing. Melanie Ancin of P.W. Scott’s office

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appeared before the Board on behalf of her client, Mr. Buonadonna. According to the Town of Southeast Chapter 69 (Grading & Excavation) Regulations, one can fill in 100 cubic yards per acre of land without the necessity of any permission. In this instance, approximately 1600 cubic yards were placed on the site; which is approximately 1300 yards too much as Mr. Buonadonna's property is 3.16 acres in size. There was no one on the Board or in the audience who had a question or comment, so a motion to close the public hearing was introduced by Boardmember Manteo, seconded by Chairman Rohrman and passed 6-0 in favor. This item was placed on the August 13, 2007 agenda for approval of this project.

REGULAR SESSION:

1. PEGASUS THERAPEUTIC RIDING, Route 124 – This project was on the agenda for Final Site Plan Approval and a referral to the Town Board for the establishment of a performance bond. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. No action could be taken on the approval as the Health Department has not yet signed off on this project granting their approval for the well that will supply additional water to the site. The motion for the referral to the Town Board for the establishment of a performance bond was introduced by Boardmember Armstrong, seconded by Boardmember LaPerch and passed 6-0 in favor.

2. D'UVA SITE PLAN, Fields Lane – This item was on the agenda for a continued review, wetland permit application review as well as to set a public hearing date for the wetlands permit. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. Mr. Cuomo stated that he visited the site and that it is highly disturbed. The motion to set September 10, 2007 for the public hearing was introduced by Chairman Rohrman, seconded by Boardmember Wissel and passed 6-0 in favor.

3. MILLENNIUM REALTY, Route 6 – This item was on the agenda for continued review, wetland permit application review as well as to set a public hearing date for the wetlands permit. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. Chairman Rohrman stated that this project's Statement of Use must be modified to reflect the intended use of this site as far as the parking requirements are concerned. Ms. Ryan stated that a new Statement of Use will be submitted to reflect a retail use and that the parking requirements for retail are the same as for the proposed Country Store. Mr. Cuomo stated that he re-visited the site with the applicant and was awaiting the results of wetlands flagging that were not shown on the site plan. The motion to set September 10, 2007 for the public hearing was introduced by Chairman Rohrman, seconded by Boardmember Rush and passed 6-0 in favor.

4. WESTCHESTER TRACTOR, Terravest International Corporate Park – This item was on the agenda for a discussion regarding outside storage. Terri-Ann Hahn of LADA appeared before the Board on behalf of her client. A new plan proposing outside storage underneath the NYSEG power lines was presented. This property is in possession of an access and use easement from NYSEG due to the unique shape of Westchester Tractor's property. Planting material will be relocated to create a buffer so as not to allow the storage area to grow

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larger and maintain the area to the approved amount of storage as per the site plan. Chairman Rohrman stated that if a new plan could be drawn to reflect a more defined area through plantings with enough time for it to be reviewed, this project will be placed on the August 13, 2007 agenda for continued review and or possible approval so that the applicant could be referred to the Town Board for an amendment to their Special Use Permit.

5. ROOT AVENUE SUBDIVISION, Root Avenue – This item was on the agenda for review for Final Subdivision Approval as well as a referral to the Town Board for the establishment of a performance bond. The resolution granting Final Subdivision Approval was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 6-0 in favor. The referral to the Town Board for the establishment of a performance bond was not acted on as the applicant needed to submit an updated opinion of probable costs according to the final review letter from the Town Engineer.

6. NEW CINGULAR WIRELESS TELECOMMUNICATIONS FACILITY, Vail's Grove Golf Course – This project was on the agenda for Final Conditional Use Permit approval as well as a referral to the Town Board for the establishment of a performance bond. Lucia Chiocchio, Esq. of Cuddy & Feder appeared before the Board on behalf of her client. A new plan was submitted indicating the placement of the new tower to be in compliance with the zoning regulations so as not to require any setback variances. The resolution granting approval was introduced by Boardmember LaPerch, seconded by Chairman Rohrman and passed 6-0 in favor. The motion for the referral to the Town Board for the establishment of a performance bond was introduced by Boardmember Manteo, seconded by Boardmember Wissel and passed 6-0 in favor.

7. BREWSTER PLAZA LLC, Route 22 – This item was on the agenda for Final Amended Site Plan Approval as well as for a referral to the Town Board for the establishment of a performance bond. Melanie Ancin of P.W. Scott's office appeared before the Board on behalf of her client. The resolution granting the approval was introduced by Boardmember Armstrong, seconded by Boardmember Rush and passed 6-0 in favor. The motion for the referral was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 6-0 in favor.

8. DODGE GRADING & FILL PLAN, 15 Peter Road – This item was on the agenda for sketch review, but no one appeared before the Board. This item was placed on the August 13, 2007 agenda for sketch review.

A motion to accept the minutes of the June 25, 2007 meeting was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 5-0 in favor, 1 abstention.

A motion to close the meeting was introduced by Boardmember Rush, seconded by Chairman Rohrman and passed 6-0 in favor.

**August 3, 2007
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