

Just a few quick comments on the Planning Board minutes (9/13/04) posted. You'll note that the word 'DRAFT' has been scrawled across both pages. This was done by Town Clerk Ruth Mazzei. Because of an error in the Town Board Draft Minutes for August Ms. Mazzei felt the need for a more obvious disclaimer on these. By the way, the Town Board minutes are taken by Ms. Mazzei.

Also note that we will try to publish the corrected portions of the minutes after they are 'approved'. However; since the Town Board does not address 'additions and corrections' publicly it will be difficult for CRSE to know if any changes have been made.

Since the minutes will appear on the new Town Website it will be best to seek approved minutes there.

**SOUTHEAST PLANNING BOARD MINUTES
SEPTEMBER 13, 2004**

Present: Chairman George Rohrman; Boardmembers Dan Armstrong, Mike Mantco, David Rush, Phil Wissel, Chuck Tessmer, Tom LaPerch; Siobhan O'Kane from AKRF, Inc.; Secretary Laurie Fricchione.

REGULAR SESSION:

1. **DURKIN WATER CO. AMENDED SITE PLAN, Field's Lane** – This item was on the agenda for a continued site plan review, a Declaration of Lead Agency for purposes of SEQRA and to set a public hearing date. Theresa Ryan of Insite Engineering as well as Mr. Durkin appeared before the Board. According to Ms. Ryan, outside storage presently existing is 157% of the building coverage. With the proposed installation of the water tank and the addition of outside storage it goes down to 148%. This site is pre-existing, non-conforming. Durkin Water Co. has been in existence far before the 6% of the lot size or 40% of the building coverage parameters for outside storage were instituted in our zoning code. Chairman Rohrman stated that you can not increase a non-conformity, even if it were pre-existing. The total amount of structure square footage presently on this site is 7,070 square feet. 40% of that amount is 2,828 square feet of outside storage. Existing outside storage is 11,100 square feet, which equals 157% outside storage. The proposed addition of the water storage tank involves 1,590 square feet and 40% of that amount is 636 square feet of outside storage. Proposed outside storage for the tank is being increased by 1,710 square feet for the parking of trucks for Boar's Head Provisions and Walter's Tree Service. The question Ms. Ryan posed to the Board is whether they need a variance from the ZBA for outside storage or not, being in her opinion, that there will be a decrease in outside storage. Chairman Rohrman suggested that Insite Engineering draft a letter explaining this situation and seeking guidance as to whether or not they need to be referred to the ZBA. The resolution declaring the Town of Southeast Planning Board as Lead Agency was introduced by Boardmember LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. The motion to set October 25, 2004 for the public hearing was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 7-0 in favor.

2. **J.P. INTERNATIONAL, Old Milltown Road** – This item was on the agenda for a continued sketch review and was represented by Harry Nichols and John Petrillo, the applicant. According to the Town Engineer's review letter, all requirements have been satisfied for sketch plan submission and the applicant was informed that he might now submit a formal application for this subdivision so that the SEQRA process may commence.

3. **LANDAU SUBDIVISION, Joe's Hill Road** – This item was on the agenda for continued sketch review and was represented by Theresa Ryan of Insite Engineering. A letter from Graham Trelstad, our Town Planner, suggested that perhaps it would be better to approach this project as a planned subdivision plat rather than a regular subdivision because the planned subdivision parameters gives the Planning Board more latitude to allow for a lack of required frontage and lot width parameters and the applicant does not need to go to the ZBA for variances. However, the applicant must petition the Town Board to be allowed to submit this subdivision to the Planning Board for a Planned Subdivision. With Planned Subdivisions, there

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are more requirements, such as, among other guidelines, the preservation of natural features and a management plan. There was a discussion as to why the shape of the proposed lots was so irregular. It was to preserve the existing row of trees fronting the Landau's home as well as the pond remaining on their property. The other lots are shaped the way they are because it follows other existing natural features and are geared towards the potential for having horses on the property. After a lively discussion, the consensus of the Board was the sketch showing a subdivision that conforms to Town Regulations was preferable to the project being proposed.

4. **CAMPUS AT FIELDS CORNERS, Pugsley Road & Route 312** - This item was on the agenda for a 180-day extension of this project's Conditional Final Approval granted on April 12, 2004. Michael Zarin, Esq., the attorney representing this project, explained to the Board that they were diligently pursuing outside agency approvals and expected them to be received within this 180-day period. The resolution granting the extension was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 7-0 in favor.

5. **GARDEN HOMES MANAGEMENT** - As in the last meeting where this applicant was on the agenda for a waiver to the Commercial Moratorium, a representative from Garden Homes Management did not appear before the Board and as such, this item was not discussed.

A motion to accept the minutes from the last meeting was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 abstention.

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

September 17, 2004
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