

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
SEPTEMBER 24, 2007**

Present: Chairman LaPerch; Boardmembers Rush, Manteo, Wissel; Boardmember Armstrong arrived at 7:40 p.m.; Former Planning Board Chairman Rohrman; Town Planner Siobhan O’Kane; Town Counsel Willis H. Stephens, Jr., Esq.; Secretary Laurie Fricchione

REGULAR SESSION:

- 1. J.P. INTERNATIONAL SUBDIVISION, Old Milltown Road** – This item was on the agenda to request a second 90-day extension within which to file the Final Subdivision Plat for signature and filing with the Putnam County Land Records Division. The reason for the extension is because the applicants have not yet received the Putnam County Board of Health sign off on their approvals. The resolution granting the extension (until January 8, 2008) was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 4-0 in favor, 1 absent.
- 2. SPANNAUS/MOLLOY LOT LINE ADJUSTMENT, Birch Avenue** – This item was on the agenda to commence the SEQRA process as well as to discuss what needs to be done for Final Lot Line Adjustment Approval as per the engineering review letter. Mr. & Mrs. Spannaus appeared before the Board on their own behalf. The engineering review letter indicated that a few points needed to be cleared up before the Planning Board could grant the approval. The comment raised was the status of the paper road running alongside the Spannaus’ property and questioned if the area of the paper road would deduct from the overall square footage of the property if the Town ever exercised its right to make the paper road an actual road. Also, the Town Planner stated that even though it’s a lot line adjustment application, the subdivision rules must be followed, and as such, certain waivers must be asked for in letter form so that they can be voted upon. Town Counsel Stephens indicated that if the paper road were ever to be built, the deduction in the amount of land from the Spannaus’ property would not count against them in terms of their lot being non-conforming as far as minimal lot size is concerned. The resolution for the commencement of the SEQRA process with the Intent to Declare Lead Agency (declaring this project an unlisted and uncoordinated action) was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 5-0 in favor. The resolution for the Determination of Significance with the Negative Declaration was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 5-0 in favor. This project was placed on the October 22, 2007 agenda for review for Final Lot Line Adjustment Approval.
- 3. BREWSTER ELKS LODGE, Route 22** – This item was on the agenda for a referral to the Town Board for a waiver to the Route 22 moratorium. Mr. Hazen and Mr. Chestnut appeared before the Board on their own behalf. The Brewster Elks Lodge is looking to demolish and re-build a portion of their building so as to bring the building into compliance with the Building Code for the safety of their patrons and is looking to commit \$800,000 towards that end. A question was raised whether the applicant will be expanding the footprint of the existing structure. The Board was informed that the Building Inspector had written a letter to the applicant regarding outstanding violations but the Board had not received a copy. Boardmembers asked questions about the generally rundown condition of the site, additional parking needs as a result of any expansion of the building or additional uses and sight lighting.

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At first, they said no, but then said they will be increasing the footprint which would make this project subject to the rules and regulations of Amended Site Plan Zoning Ordinances which would include but not be limited to SEQRA, lighting ordinance, landscaping and Architectural Review Board Approval. The motion for the referral to the Town Board was introduced by Boardmember Manteo, seconded by Boardmember Wissel and passed 4-0 in favor, 1 abstention.

Boardmember Armstrong asked why the Planning Board did not get a referral from the Town Board requesting a Planning Board recommendation regarding the 800 Clocktower Commons application for a waiver to the moratorium similar to the Elks Lodge referral which the town Board granted in July without having gone through the process specified in Town regulations. Mr. LaPerch asked Mr. Stephens if the fact that the Board had not received a referral on the waiver of the moratorium was a problem. Mr. Stephens said it was too late to do anything about it.

A motion to approve the minutes of the September 10, 2007 meeting was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 5-0 in favor.

A motion to close the meeting was introduced by Boardmember Rush, seconded by Boardmember Manteo and passed 5-0 in favor.

**October 10, 2007
L.F.**