

**TOWN OF SOUTHEAST PLANNING BOARD MINUTES
SEPTEMBER 25, 2006**

Present: Vice Chairman David Rush; Boardmembers Dan Armstrong, Mike Manteo, Phil Wissel, Chuck Tessmer, Tom LaPerch; Town Planner Siobhan O’Kane; Town Counsel Tom Jacobellis, Esq.; Secretary Laurie Fricchione. Chairman Rohrman was absent and excused.

WORK SESSION:

1. ENERGY MANAGEMENT OF FACILITIES, INC., 2442 Route 6 – This item was on the agenda for a discussion regarding the potential purchase and use of existing structures. The commercially zoned property (GC-1) is proposed to be expanded to accommodate this computer electronics related business. It was explained to the gentlemen before the Board that a non-conforming building cannot be made more non-conforming by virtue of expanding it. The options here are to make the building conforming, or apply to the Zoning Board of Appeals for variances. It was suggested that a site plan for this proposed project be submitted to address all concerns regarding compliance with the Zoning Regulations.

REGULAR SESSION:

1. MILL FARM SUBDIVISION – This item was on the agenda for a referral to the Town Board for a Wetland Permit and was represented by Henry Keil, the owner of the subject lot of the previously approved Mill Farm Subdivision. The wetland consultant from AKRF submitted a letter indicating that “this proposed activity will not have a substantial adverse effect upon the natural function and benefits of the adjacent wetland; will not result in the degrading or pollution of waters provided the 100’ buffer is left undisturbed as shown on the proposed site plan and would not increase the potential for flooding.” A referral reflecting the Planning Board’s positive recommendation that the Wetland Permit be granted by the Town Board was introduced by Boardmember Armstrong, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent.

2. JOE’S BARBER SHOP, Danbury Road – This item was on the agenda for a sketch review of a proposed change of use at an existing building known as Lighthouse Motors. Renzo Scipioni, the owner, and Mr. Lita, the prospective tenant, appeared before the Board. The engineering review letter revealed that there must be a delineation and clarification of the parking lot requirements which must be shown on a site plan as well as a lighting and landscaping plan.

3. HOME DEPOT AMENDED SITE PLAN – This item was on the agenda for continued review and was represented by Pamela Richardson, Esq. of Cuddy & Feder. There was a discussion regarding the loss of 90 parking spaces which will be used as outside storage, and controlling items for sale that are stacked up against the front façade of the building and how it is not visually pleasing. With this proposed plan, there were questions of how, if and when approved, it will be kept under control and not exceed the delineated areas for outside storage. The applicant’s engineer assured that a laminated poster board of the site will be in the manager’s office who will be responsible for maintaining the site as approved. As far as the lighting plan is concerned, there is no new lighting proposed. The Town Planner was concerned

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about some light spillage on the western edge of the building and suggested the light be re-oriented to reduce it. Ms. O’Kane also questioned the foot candles of the lighting and suggested a site visit at night to get a better idea of the strength of them. The engineer maintains that the foot candle strength (0.5) is the lowest, has the least amount of spillage and still provides security to the area when deliveries are being made from the Home Depot distribution center.

4. HOLLY STREAM CONDO WWTP UPGRADE – This item was on the agenda for amended site plan review as well as to commence the SEQRA process and was represented by Mark Catalano of Milnes Engineering. The resolution for the Intent to Declare Lead Agency was introduced by Boardmember Wissel, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent.

5. PEGASUS THERAPEUTIC RIDING, INC., Route 121 – This item was on the agenda for the Declaration of Lead Agency for purposes of SEQRA as well as to set a public hearing date and was represented by Theresa Ryan of Insite Engineering. The resolution for the Declaration was introduced by Boardmember LaPerch, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent. The motion to set October 23, 2006 for the public hearing was introduced by Boardmember Manteo, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent.

6. MT. EBO CORPORATE PARK LOT #6 – This item was on the agenda to receive Final Site Plan Approval and was represented by Terri-Ann Hahn of LADA. Both the NYCDEP and Putnam County Department of Health had not issued their letters indicating their individual approval of the above project as presented, so the Planning Board did not take a vote to grant Final Approval until such time as they both were received; therefore, this project was placed on the October 23, 2006 agenda. Ms. Hahn respectfully requested the Planning Board, on the night of the 23rd, also refer this project to the Town Board for the establishment of a performance bond, which information has already been provided to the Town Engineer in anticipation of receiving Site Plan Approval. A motion authorizing the Town Engineer to review the Opinion of Probable Costs which is the basis for the establishment of the performance bond was introduced by Boardmember Armstrong, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent.

7. DYKEMAN’S CORPORATE PARK – This project was on the agenda for an update and was represented by Terri-Ann Hahn of LADA. Mr. Lisi of Lisi’s Towing was also present as he is one of the tenants proposed at this two-building site. At this meeting, Ms. Hahn submitted a letter respectfully requesting referrals both to the ARB and to the Town Board for a Special Use Permit to allow a motor vehicle station. The motion for the referral to the ARB was introduced by Boardmember LaPerch, seconded by Boardmember Tessmer and passed 5-0 in favor, 1 abstention, 1 absent. The referral to the Town Board for the Special Use Permit to allow a motor vehicle service station was placed on the October 23, 2006 agenda.

8. SPRINT SPECTRUM TELECOMMUNICATIONS FACILITY, 300-310 Route 22
This item was on the agenda for a resolution to amend this project’s Final Conditional Use Permit Approval recently granted by the Planning Board. There was a condition in the approval stating that the owners of the property, the Nichols, could not park on the State owned DOT

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easement, but the Use and Occupancy Permit issued by the DOT expressly allows them to use 1,720 square feet for access and parking. As such, a resolution to amend this condition was introduced by Boardmember LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent.

9. EAGLES RIDGE CONDO AMENDED SITE PLAN – This item was on the agenda for continued review and was represented by Jenesis Group, the agent/sponsor of the last phase of Eagles Ridge Condominiums. The newly created 12 parking spots and the re-configuration of the trash dumpster is to the satisfaction of the Homeowner’s Association with the addition of a berm.

A motion to close the meeting was introduced by Boardmember Tessmer, seconded by Boardmember Rush and passed 6-0 in favor, 1 absent.