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**From:** "Lynne Eckardt" <midfarm@bestweb.net>  
**Date:** Tue Jan 24, 2006 4:18 pm  
**Subject:** SE Planning Board Recap 1/23/06

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Hi All,

Last night I attended the Southeast Planning Board meeting.

Boy, hope really springs eternal because I was really impressed with our Planning Board... that said, there were no important decisions made and therein lies the rub. Every time I get my hopes up with the Planning Board a vote is taken and my hopes are dashed yet again. This is like the really cute guy you had a crush on. He actually called you, several times, but it **really** was only to copy your homework. Still there were some impressive quotes so I'm going to pretend that there'll be either some follow-through or some serious adjustments made by the applicants. I am so gullible it's tragic...

As always the opinions expressed above and below are my own misguided musings and have no basis in reality nor affiliation to any of the groups to which I belong.

On that note I want to register one very specific complaint... and that is: must the Planning Board and ZBA really ever meet on the same night. There was one ZBA item I wanted to hear but unfortunately my evil twin (oh wait, I **am** the evil twin) wasn't in town thus I was forced to choose between the two Boards. The Planning Board drew the short straw thus my appearance there.

**AGENDA:**

**1. Tenth Jam Subdivision: Simpson and Old Barrett Road**

The Planning Board declared themselves Lead Agency by a vote of 6-0. A Public Hearing was set for February 27th.

**2. D'Uva Site Plan: Fields Lane**

Chairman Rohrman began by telling the applicant's engineer, Theresa Ryan, (Insite) that she was really 'pushing it' with this application. There is almost an acre of wetland buffer disturbance on a 2 lot subdivision. There is one 5000 sq. ft. building and one 11,000 sq. ft. building- the slopes are also very steep. Ms. Ryan explained that there was already great disturbance as the property had been mined and had no vegetation in the area to be disturbed Mr. Rorhman did not feel that this was an adequate excuse to further disturb the property. There is not enough frontage for either lot. It was suggested that the applicant make this one lot.

Ms. Ryan suggested that the Board grant a waiver on the driveway grade which would allow the buildings to be placed elsewhere. The Board asked her to try to improve on the site plan design.

### **3. Turk Hill Road East Subdivision- Turk Hill Road.**

A performance bond was set at \$73,400 by a vote of 6-0. Recreation fees will be \$28,000.

### **4. Root Avenue Subdivision, Root Avenue**

Michael Liguori of Hogan and Rossi was the attorney. This is a five lot subdivision which started in the planning process in 1998. Preliminary approval was granted with two conditions. The town will try to secure a drainage easement over the Bellotti property which the applicant will then have to use. Preliminary approval was granted 6-0.

### **5. Brewster Honda, 941 Route 22**

Don Rossi (Hogan and Rossi) was the attorney of record. He explained to the Board that there would be no site improvements made and that they had been granted a 'use variance' (one of only two granted in the last 20 years) by the ZBA. In essence this will serve, as it has, as a parking lot for Brewster Honda. All vehicles have been removed until this project is approved.

Chairman Rohrman felt that Mr. Rossi was playing 'fast and loose' as he believed that this property, despite a variance, should have to comply with SE Town Code. Both the Town Planner and Town Engineer had written and agreed with this finding. Mr. Rossi argued against this as he felt that the ZBA had granted these rights by granting the variance. Chairman Rohrman felt the Board could not do anything until they had an opinion from the Town Attorney.

Chairman Rohrman also mentioned that it seemed to him that storage of so many vehicles in close proximity to the Croton River created an impervious surface. Mr. Rossi argued against this as well. The DEP, DEC and Conservation Commission will all be able to weigh in on this project.

The Board asked how many cars were parked there Mr. Rossi explained that the applicant wanted to use every square inch. When asked again about the number of cars Mr. Rossi did not answer.

### **6. Fox Lane Site Plan, Fields Lane**

Rick O'Rourke was representing the applicant. An amendment was asked for the 'Special Permit' already granted by the Town Board. Cannondale Bikes had approached the owner and asked him to sell their bikes. The 720 sq. ft of the upper level will be used as retail space. Fields Lane zoning does not currently allow retail.

### **7. Mt. Ebo Corporate Park Lot #6, Route 22**

This is the Senior Housing project being developed by Harold Lepler. Terry Hahn is the representative for the project. Both Matt Gianetta (DEP) and the Town Planner wanted to hold off on any determination of significance. Mr. Lepler commented on how busy the DEP is.

Terry Hahn said she had no idea that both Mr. Gianetta and AKRF wanted to hold off on the determination. Thus there were no referrals made to the Town Board or ARB.

David Rush said that he felt the underground parking would be very difficult for seniors to navigate. The Board also discussed back-up generators (for) and mentioned that Councilman Johnson felt that an ambulance on this side of town would now be helpful.

Mr. Lepler suggested that a Senior Center should be built, albeit totally separate from his plans. He also discussed 'Crisis Management' in case of a catastrophic event.

Mr. LaPerch asked if these units would be sold to SE seniors first? No, these will be 'open market' sales otherwise it wouldn't be legal. No referrals were voted on.

#### **COMMENTS:**

##### **1. Tenth Jam:**

Code Name: Mission Impossible. I still challenge anyone suffering from vertigo to walk this site. Take Dramamine and a burro.

##### **2. D'Uva, Fields Lane:**

Ahhhh, where would we be without a Fields Lane application. Oh right, minus one (or in this case two) warehouse(s). Because, can you ever have too many? Still, Chairman Rohrman was simply great on this ill-conceived project. However... Teresa Ryan can never let go and really pumped up the volume or at least the BS as far as why two separate lots really worked. Really...

And are we tired yet of the ATV/Mining defense on 'disturbed land'? I know I am. And Chairman Rohrman seemed a little fatigued with it too. This plan might work on one lot. Kudos to David Rush and Dan Armstrong for having walked the site.

#### **4. Root Avenue Subdivision:**

This subdivision was always a drainage nightmare- convoluted city... And perhaps, despite preliminary approval, it still is as the Town Board has to ask the Bellotti's for a drainage easement. How exactly does this work? Do you suppose the Bellotti's receive a Valentine's Day card that proclaims the Town's undying love in exchange for the easement. And if the Bellottis's decline where does the water go?

By the way, I still really enjoy young attorney Michael Liguori as he is guileless, enthusiastic and not yet ruined by the system.

#### **5. Brewster Honda:**

Yet another 'who's on first'. Attorney Don Rossi seemed to feel that the ZBA granted 'carte blanche' when they approved a rare 'use variance'. Chairman Rorhman argued articulately that town regulations would have to be followed whether it was an accessory or primary use. Makes sense to me. I mean, who died and made the ZBA queen? In fact the ZBA had assured audience members that SE regulations and procedure would have to be followed vis-a-vis the SEQR process.

On the bright side I believe that since Judge Borkowski ruled on the case there are no cars are allowed on the site in question until all approval and permits are issued. And what is the big mystery about the number of cars parked here? I'm must be straight out of "Ripley's Believe it or Not" otherwise we'd be treated to this little tidbit.

Chairman Rorhman's point re impervious surface created with cars parked cheek-by-jowl concurs with that of Riverkeeper and others with environmental concerns. Still it's going to be our Town Attorney's opinion that settles this case. Put your money on Brewster Honda.

#### **6. Fox Lane Site Plan:**

And speaking of pushing the envelope. Oy Vey. I've never commented much on this application but I'm afraid that time has come. This has become the equivalent of the Starr Ridge Citco Station. Because, just when you think all permits have been granted...

Now the applicant wants to retail expensive bicycles out of his kayak building facility... What's next? Super-duper ping-pong tables, luges or top-of-the-line trampolines? Enough already. Take your special permits and run. You want to sell Canondale Bikes? Rent retail space elsewhere. One other touch I was particularly fond of was substituting the word 'outfitting' for the word 'rent'. When a board member asked how people would know about the bicycle sales the owner said he imagined 'outfitting' clients going to Vermont with kayaks and bikes. Hmmm, call me crazy but I'd call this a rental business on top of retail sales.

#### **7. Mt. Ebo Corporate Park AKA Faux Assisted Living**

Well, pretty much everything but the project itself was discussed. Although Mr. Rush did mention the numerous lolly columns in the underground parking area- making the garage into a high-risk and rather challenging obstacle course. To Mr. Lepler's credit he said they would look into and try to correct this.

Then in a complete non sequitur Mr. Lepler brought up the need for a Senior Community center in Southeast as there have been many 'requests'. Now I'm thinking... isn't it Mr. Lepler who's supposed to be providing facilities for the seniors he's selling to? And the thought of a Senior Center on Route 22 makes my head want to explode. How about somewhere more central and a tad easier to get to- or maybe once that spiffy 'collector road' and new 'Town Center' is built all of 22 will magically become a traffic breeze. Seriously, it may be that Seniors residing in their own homes will be more in need of planned activities than those ensconced in Senior Housing. If Southeast is to build a Senior Center I'd recommend either the village or that 10 acres out at Tilly Foster. Just a thought.

It seemed to me that Ms. Hahn and Mr. Lepler were really trying to fast track this application and the Town Planner, DEP rep and Planning Board was having none of it. Yahoo... for now.

That's it from my desk.. As always feel free to e-mail me any comments or questions.

With Best Regards,  
Lynne Eckardt

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