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**From:** "Lynne Eckardt" <midfarm@bestweb.net>  
**Date:** Tue May 10, 2005 4:05 pm  
**Subject:** SE Planning Board Recap 5/9/05

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Hi All-

Horrors! Before I get into my recap of last night's Planning Board meeting I have to disclose that my cell phone went off not ONCE but TWICE. Mitigating factor: I have neither Beethoven's Ninth nor 'The Girl from Ipanema' as ring tones, still... absolutely appalling. I did apologize to the Board but I will do so again: I am very sorry. I thought I had turned it off but senility, old-age, failing eyesight, and Luddite tendencies sabotaged me. Ugh, I even hate myself. Forgive me.

On to the meeting... As always the comments are my own alone and do not reflect anyone of sound mind. I'm afraid they're a tad biting on two agenda items- and since Mr. Lepler's attitude of late has been less than stellar I'm taking a shot at him. Sorry Mr. L.- but I loath Terravest and I don't think that our community deserves such unattractive projects. And yeah, I know, beauty is in the eye of the beholder.

The meeting was very tame and fairly cordial. Oooooo, and my hero of the night was Dan Armstrong who really went to the mat on Landau. See: Public Hearing. C'mon Dan now let's see you back up your excellent questions with an occasional 'No' vote.

**Regular Session:**

**1. Cacciotti Accessory Apartment, Overlook Drive-** Review for Approval  
 The applicant did not show up for this.

**2. Fox Lane Subdivision and Site Plan, 11 Fields Lane**  
 This project received a negative declaration (6-0). It was referred to the Conservation Commission (6-0). The Board did not act on final approval. The driveway will be paved for the first 50' only.

**3.High Meadow Farm Subdivision, Welfare Road**  
 Chairman Rohrman mentioned that there were still 'some problems'. And Mr. LaPerch mentioned the fact that this project had 'been around for years' and wondered why soil types were not identified. Engineer, Harry Nichols, said that tests weren't possible due to the wetlands conditions. Mr. Armstrong asked that the applicant not come back until these issues are resolved.

Dry wells were mentioned.

**4. Hewitt Subdivision, Joes Hill Road**  
 A modified final subdivision was granted with two 'minor' conditions from the Town Engineer.

## **5. Palazetti Office/Warehouse, Fields Lane**

The Board voted 6-0 to refer this to the Town Board for the establishment of a Performance Bond in the amount of \$346,300.

### **PUBLIC HEARING:**

#### **1. Landau Subdivision- Joes Hill Road**

4 Lots on 51 acres. There will be two new curb cuts. Two houses will share one driveway (there will be a maintenance agreement in the deed). The owner's home is part of the four lots and has the bulk of the frontage.

Paul Slivinsky, a neighbor, asked if there would be blasting done to install the shared driveway. Theresa Ryan of Insite said she didn't think so. She thought they might hammer it out. Mr. Slivinski pushed harder for a more definitive answer. Although he didn't think the overall plan bad he was concerned that the blasting might affect his well.

Another neighbor, Harold Lepler, thought the overall plan good and asked that a wall close to Joes Hill on the southeastern side of the property might be moved back for 'safety's sake'.

I asked why, since there was enough frontage, one lot had none. Mr. O'Rourke explained that to preserve the wetlands, large trees and rock outcropping this plan made more sense. I agreed with the shared driveway to minimize environmental damage but asked why the back lot couldn't have frontage that would not be used for a driveway. Mr. O'Rourke said that frontage given to the back lot would create the need for a variance for the Landau's to meet current setback regulations.

I asked about the possible waiver of the 'Tree and Forestry' plan. Chairman Rorhman said the Board had not yet granted this waiver. In a past meeting the applicant had asked that the 8" tree diameter guideline be raised to 12".

Dan Armstrong said that 'Lynne reminded me about the lot frontage' and asked again why the back lot couldn't have some frontage. He mentioned that the Landaus could, in theory, subdivide their lot again. Mr. O'Rourke said that because of their guesthouse, setback conditions would not be met. Mr. Armstrong felt that having no frontage would be considered a 'self imposed hardship' and that as a Planning Board part of their job was to enforce the local codes.

There will be a 10 day comment period.

### **COMMENTS:**

#### **High Meadow Farm, Welfare Road**

We love to call this gem 'low swamp' because to get to the 'High Meadow' you have to go through the 'low swamp'. And remind me again why testing can't be done now? Perhaps because it's too wet? And 'dry wells' - who dreamt up this harebrained, 'let's avoid the Army Corps of Engineers', scheme?

What kills me here (and Mr. LaPerch astutely pointed this out) is that this project has been around for years and changed dramatically. The applicant, Ross Allen, has even gone before the ZBA to get a waiver on the Resource Protection Plan (fortunately denied by the best Board in town). Still the Public Hearing was held years ago, the plan has changed considerably and there is technically no further comment from the public.

Dry wells????? Gentlemen of the Planning Board, please, please hop in your car and take a spin by this property immediately.

#### **Hewitt Subdivision, Joes Hill Road:**

It would be nice to know what the two 'minor' conditions attached to the approval are.

#### **Palazetti Office/Warehouse, Fields Lane:**

Since the Town Board, through their continual 'special permitting' (with plenty more where that came from), seems to have totally dispensed with Office Park zoning along Fields Lane why don't we just call a spade a spade. Palazetti is 80% warehouse 20% office. Now repeat after me: Palazetti: Warehouse/Office, Warehouse/Office, Warehouse/Office.

There, now that wasn't so hard, was it?

#### **Landau Subdivision, Joes Hill Road:**

Yeah, it's 51 acres, and yeah it's 'only' four lots but remind me again why we even bother with zoning codes. Maybe, just maybe, the 51 acres, given the wetlands and terrain, and the Landau's wish to maintain privacy can only sustain three lots.

Attorney, spinmeister, and Village justice, Rick O'Rourke seemed impatient and indignant that I even mentioned the frontage. After all, in sensitivity to the land his clients will now have two lots off one shared driveway (making it less valuable for resale). I guess all this environmental sensitivity didn't stretch quite far enough to abide by the Tree and Forestry plan since a waiver has been asked for.

Mr. Armstrong was my hero last night as he did remind the board that there is room here to give each lot frontage and that it is the Planning Board's job to protect the zoning codes. His question re. the Landau's subdividing again was right on the money. Sure they might need a variance. Like this never happens in Southeast? Please...

Mr. Slivinsky questions were excellent as he has every right to worry about his well if blasting is done and Ms. Ryan's answer was vague at best. And who knew blasting was even contemplated? Hopefully the applicant will monitor Mr. Slivinsky's well so that any problems that occur can be rectified. Oh, and that'll be quite the curb cut.

The irony of Harold Lepler's comments wasn't lost on me. Hmmm, let's see four houses on 51 acres doesn't bother him and is a 'good plan'. Gee- thanks for the benediction, Harold. Good to know, since taking down half a mountain to erect one of the ugliest shopping centers in the Northeast also seemed to be a 'good plan'. And, oh right, Ace Endico, the latest in Southeast ridgeline abominations, was another in a series of 'good plans'. Westchester Tractor- don't get me started. Phew- I'm glad that the Landau plan hasn't upset Mr. Lepler's aesthetic sensibilities.

That's it from here. Please feel free to e-mail me with any questions or comments you may have.

With best regards,  
Lynne Eckardt

  

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