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From: "Lynne Eckardt" <midfarm@bestweb.net>

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Date: Sun Jan 16, 2005 4:47 pm

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Subject: Southeast Town Board Work Session 1/13/05

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Hi All,

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Below please find a recap of the Southeast Town Board Work Session last Thursday. Although fairly brief the Board discussed several issues that may be of interest to CRSE members.

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The most important new development was the Town Board's interest in protecting our wetland buffers on an individual building lot on Joes Hill Road. Several good points were made and while this is certainly good news the irony wasn't lost on me.

★ = Owner

★ = Moderator

😊 = Online

There are no minutes taken at Work Sessions and as always the commentary is based on my own opinionated and caustic conclusions.

WORK SESSION:

1. Wetlands Permit- Tarleton, Joes Hill Road

An engineer from Danbury, Benjamin Dodo (sp?), was representing the owner. This 21 acre lot proposes that an accessory garage/apartment (4 car) be built before the primary residence. According to the engineer most of the lot is steep slopes which makes septic placement problematic. He explained that the driveway would be gravel in areas that the Conservation Commission had suggested. Mr. Dodo also explained that remediation (which was a condition of the Conservation Commission's recommendation of approval- although not in writing) would be done in a wetlands area that had been filled in. The accessory building is to be built entirely within the buffer.

Supervisor Dunford asked if there was no other place for the accessory building to go other than the wetland. Councilman Bonanno said that there had never been a building approved entirely in the buffer. Town Counsel Willis Stephens asked if the structure could be moved. Mr. Dodo said that it might be possible. The Board and Counsel felt that the accessory structure could not be built before the primary as it would not actually be an 'accessory' as there would, in fact, be on primary structure. The Board informed Mr. Dodo that Mr. Tarleton would have to prove that there was no alternative to locating the house or garage within the buffer before they would consider approvals here.

A brief conversation ensued when a council member asked if Mr. Dodo was related to a Mrs. Dodo, a

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former teacher in the Brewster School system. Mr. Dodo replied that 'yes, she was a relative of his (great aunt?). At which point Supervisor Dunford said she had been his teacher and she was terrific. Councilman Honeck concurred.

2. Prospect Hill Park- Release of Performance Bond:

This will be on the 1/20/05 agenda to set a Public Hearing

3. Authorization of Tax Extension for Deployed Military Personnel:

A recently plan by the Putnam County Legislature this will be on 1/20/05 agenda.

4. Zoning Code:

Accessory use was briefly discussed as were 'Recreation Fees' and 'Adult Entertainment' codes.

There was some confusion over when and if fees are collected. Councilman Johnson said that fees had always been taken since his election in 1996. Town Counsel Stephens said that with the exception of Virginia Woods (before his time) fees have always been collected. It was determined that only the Town Board can waive fees and that Condos pay fees.

The original 'Adult Use Entertainment' code was enacted in 1979. Council woman Mitts pointed out that 'Adult Use' impact is always far greater in small towns but first amendment rights must also be taken into consideration.

The Route 22 Moratorium was discussed. Councilwoman Mitts felt that Town Planner Graham Trelsted needed to be consulted before moratorium is lifted. Councilman Johnson is very concerned with Doanesburg Road traffic.

5. Web-site

A guide to understanding storm water runoff and its consequences is to be put on the town's website. This will conform to the mandated Best Management Practices. Jim Lawlor (Highway Superintendent) and Jeff Catalmo (Insite Engineering) will be consulted.

Links to the Town website were discussed. Supervisor Dunford felt that only Governmental links should be included. There was a brief discussion on whether the schools would be considered governmental (yes) or the MTA- train schedules etc (no). It was agreed that policy needed to be established.

6. Landscaping

No other bids came in except for the firm that the Board hired last year. Board members agreed that the landscaper was very good and reasonable. This will be on the agenda 1/20/05

7. Chemical Bids:

Special District Manager, Michael Levine, is handling this. On the agenda 1/20/05.

COMMENTS:

1. Tarleton, Joes Hill Road:

Well, the Board really did a great job on the wetlands permit for Tarleton and if they hadn't been chewing gum (positively reprehensible- and it was bright green-ick) as is their norm I might have thought that Southeast had been invaded by Pod People. But nope, I checked on the way out and no 'push pins' in anybody's neck.

All joking aside, the Board did an excellent job. They asked all the right questions. Particularly, 'Can't this building be moved entirely out of the buffer?' And judging by the engineer's response this is, indeed, possible. The issue of building an accessory structure before the primary also troubled the Board (as it should). Logically, until a primary structure exists there really can't be an accessory.

My favorite part came when one council member (Bonanno, I believe) stated that the Board didn't want to start a 'precedent' by allowing any structures within the buffer.

Hello, hello, earth to Town Board- what exactly do you think I've been carping about for over two years now? This actually happens quite often (or driveways, or septic...). And you're the guys who, when push comes to shove, permit it. What exactly would you call the In-line skating rink at Lake Tonetta? Or are all bets off when town buildings are constructed within the buffer? Palazetti Warehouse is another that comes instantly to mind. And of course, my favorite, the Town Restrooms(partial) and 'Senior Housing'(partial) at Terravest. So remember, when you insist that Mr. Tarleton move his structure out of the buffer you should be commended- but you'd better start holding the Town of Southeast and Mr. Lepler (Terravest) to those same standards.

3. Authorization of Tax Extension for Deployed Military Personnel:

I believe that this is known as the 'Patriot Plan' and is helpful (on property taxes) to those serving their country. I had spoken to a resident about this on Founder's Day and passed along the information to Frank Delcampo (Deputy County Executive) and Dan Birmingham (County Legislature). Putnam had been one of the few counties without this plan in effect. Many thanks to the County Government and now the Town Board for making this accomodation happen.

4. Zoning Code:

Most interesting here was the discussion on Recreation Fees. Are they waived 'in lieu of land?' According to Board members and Town Counsel the answer is a resounding 'no'. Can we assume that IF the 'Senior Housing' at Terravest is permitted Mr. Lepler will pay the town \$7000 each for all 60 units proposed? And that the 15 acres he is donating to the town is just that, 'a gift'? Not a mitigating factor in order to waive fees.

As to the 'Adult Use Entertainment', which is obviously in response to Club Verona, all references seemed rather oblique. And there is definitely a fine line to walk in order to protect first amendment rights. I believe that, as mentioned, the Town Planner should be involved in any revisions to our present code.

5. Website:

Very wisely Supervisor Dunford feels that the Town Website should limit its links to governmental agencies. This would seem to be a smart, consistent policy so that no local advocacy groups are unfairly omitted. For example The Brewster Education Foundation, which is an excellent charity (Councilwoman Mitts serves on this Board), and the Putnam County Land Trust, another excellent choice, are on as links but other local advocacy groups, who also do excellent work, are not. Where and how are these groups chosen? Links to only Governmental Agencies would draw this line fairly, simply and effectively.

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

With best regards,
Lynne Eckardt

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