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

Date: Sat Jul 10, 2004 11:48 am

Subject: Southeast Town Board Recap 7/8/04

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Hello All,

Below please find a long recap (sorry, long meeting/long recap) on the Town Board meeting on Thursday night. These notes are heavily edited as new zoning codes (including signs) were discussed at length. Again, my apologies for length- but hey, that's what 'Delete' buttons are made for...

Comments follow and as always these are strictly my own sometimes caustic observations.

Sidebar: Co-incidentally and miraculously Thursday evening's agenda did appear on the Town's website sometime during Thursday afternoon. How timely. According to Councilwoman Mitts it had been submitted 2 days prior but the webmaster had failed to post it. I guess the webmaster must 'forget' much of the time (the July 1st, and many others agendas, are never posted).

Highlights: Proposed Subdivision regs limiting how close to property lines new roads can go. Proposed Site Clearance Notification to the Zoning Dept.

Lowlights: Replacing the proposed commercial Resource Protection Plan with 'strict setbacks'.

Quote of the night (from a Town Board member): 'Graham (Town Planner) goes over s#*t quickly that he doesn't want to discuss.'

On the Light side: In a real 'ice breaker' during one of the Public Hearings, the Town Clerk's cell phone rang. And rang. And rang. Playing a cheerful tune which no one seemed able to

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shut off.

Best 'Cover-Up': (This was actually performed with straight faces and absolutely no sense of irony): The recounting of the legal publishing and posting of Local Law #6. Hilarious. Read on...

SPECIAL MEETING:

PUBLIC HEARING: Amend Local Law #6 2004.

This was an amendment to the law which specifically targets the creation of a ward system in Southeast (we now have an 'at large' system).

I asked where notice had been published for this law and was told The Journal News. I asked if this was a 'Paper of Record' (a newspaper officially designated by the Town Board to publish notice of Hearings et al). I was told yes. That the Journal News is used when there isn't enough time to get notice into The Putnam County Press or the Putnam County Courier.

I asked when the Town Clerk received the proposed amendment and she said Friday June 25th.

I asked if there was any chance of a 10 day public comment period. I was told 'no'. And I asked if there was any chance of repealing the entire law. I was told 'no'.

I read two brief comments (one from Jeff Green and one from Ann Fanizzi) into the record.

CONTINUATION OF PUBLIC HEARINGS:

HISTORIC SITES:

Since Tax Map numbers have still not been attached to individual sites this continuation was deferred until August 5th.

SUBDIVISIONS:

The discussion here centered around the proposed change that no new subdivision road be located within 50 feet of a neighboring property line. And a new driveway no closer than 10 feet. One question that the Board asked regarded 'common driveways'? The Town Planner, Graham Trelsted, felt that a common drive would be treated as a 'driveway'. I asked about a 280a and this too would be treated as a driveway. Supervisor Dunford felt that 10 feet was not adequate for 'common drives'. Mr. Trelsted cautioned the Board re. 'Zoning by the numbers' as it often results 'in poor design'. An example used was the proposed 'Waterview Estates' subdivision. Because of poor sightlines and other problems the road cut can not go anywhere except where it is now designated and this wouldn't meet the new proposed code.

The Board decided to look at other town codes before making any decisions.

ARCHITECTURAL REVIEW BOARD:

Much discussion about whether or not the ARB should receive 'site plans' (as they do now) along with building elevations. Then a general discussion ensued about the effectiveness of

the ARB (the TB will now look over all ARB decisions before they go back to Planning). Supervisor Dunford said that he didn't feel the ARB 'was working' and Mrs. Mitts questioned their effectiveness with the question 'Do things look better now?' There seem to be jurisdictional problems between the PB and ARB at which point Councilman Bonanno quipped, 'Maybe the entire Planning Board will resign and then we'll be responsible.'

The Public Hearings were closed.

Resolution- Adopting Local Law # 6 2004: Passed by a vote of 4-0 (Councilman Honeck was absent due to illness)

WORK SESSION:

ZONING CODE:

Fields Lane will remain OP-1 (rather than ED-2).

Prospect Hill Road (one side) will remain R-40.

Old Route 6 and Husted (Heelan Building) will change from ED-1 to GC-1.

Property south of the Middle Branch Reservoir will change from R-60 to R-160.

There was a lot of discussion about the Highway/Commercial zone (on Route 6 where all the car dealerships are) Supervisor Dunford said he would like to remove 'Auto Sales' from the code entirely. The possibility of an auto dealership going in where the old motel and 'Bum Steer' were was mentioned.

A new definition of a building's 'footprint' was read.

The Resource Protection Plan will not be used in commercial zones but rather new 'set-back' measurements. According to the Town Planner this will be 'more effective'.

SIGNS:

Major changes have been made since the last Public Hearing. There will be another Public Hearing after revisions are made and plans have been made available to the public.

Site clearance was also discussed (again the old motel site was mentioned). Before a site is cleared 72 hour notice should be given to the Zoning department.

COMMENTS:

LOCAL LAW #6:

Some quick clarification on questions pertaining to procedure.

According to a January 8, 2004 Town Board 'Organizational Meeting' the newspapers of record for Southeast are the Putnam County Press and the Putnam County Courier. The Journal News was not mentioned.

If, in fact, the Town Clerk received the amendment on 6/25 the deadline for the Courier is not until noon the following Monday. Thus the notice would have appeared in the July 1st edition. Instead it was stated that the notice was in the JN July 2nd edition. Remind me

again why you couldn't use a paper of record beating out the JN's printing by one day?

I know that these seem like small points. But the Town Board is playing fast and loose with established protocol making it very difficult for the public to stay informed.

Look, you're going to do what you want anyhow so throw us a bone here. Many Southeast residents are very interested in and very well informed about local government so why make it even more time consuming and difficult than it already is to get accurate information?

HISTORIC SITES:

I'm not clear on why assigning already established tax map numbers to historic sites is so difficult. FYI: If you call the assessor's office you can get the information within minutes.

SUBDIVISIONS:

Kudos to Supervisor Dunford for asking that common drives be located more than 10 feet from neighboring property lines. I would agree with our Town Planner that 'Zoning by the numbers often results in poor design' but given a history of development in Southeast clearly even draconian codes wouldn't be stringent enough.

ARCHITECTURAL REVIEW BOARD:

Let's put it this way, if any member of the ARB or Planning Board had been at the meeting I think that the conversation might have gone differently. Trouble in paradise, indeed. It seems fairly clear that the TB is less than thrilled with the ARB as they will now closely monitor all decisions. Gosh, guys, isn't it a little late to pick up the clue phone?

Ace Endico, some of the new buildings at the Highlands and Macks Family Restaurant come to mind.

Here's an idea: if the Planning Board didn't approve a lot of this swill the ARB wouldn't have so much 'dressing up' to do. Or how about this for a concept. The buck stops with you, the Town Board. Don't issue a 'Special Permit' when applicants ask for warehouses or 'Food Packaging' plants in a 'Corporate Park'. On second thought maybe we could require that all new special permitted warehouses be 'disguised' as offices. Except for the fact that office space might actually generate some decent jobs this would be win/win for us all.

ZONING CODE:

Suffice it to say that the jettisoning of the 'Recourse Protection Plan' is a bitter disappointment. This plan would have severely restricted development along the Route 22 corridor (and other commercially zoned areas) due to steep slopes and wetlands. We're told that 'new setbacks' will be 'more effective' and I have no doubt that they will- at least for commercial interests. Oh right, and call me crazy, but even using the Resource Protection Plan wouldn't you have had to use setbacks as well? I guess the basic question here is: When will Southeast resident's interests come before developer and commercial interests?

SIGNS:

Although I felt the original codes too restrictive and out of scale with some of the larger buildings it would appear that the Town Board has totally caved to commercial interests.

Judging by the square footage numbers bandied about there will be some very large signs. We'll know more after the proposed sign regs are made available to the public. Thank you to Supervisor Dunford and the Board who will issue them at least 3 weeks before the Public Hearing.

Supervisor Dunford graciously apologized for the confusion regarding the 'Special Permits' for Terravest. He admitted that erroneous information had been given out over the phone due to all the various Terravest 'numbers'. So, on July 15th the Public Hearing will be on Terravest and whether Mr. Lepler should be granted a Special Permit for warehouses. Terravest 'Senior Housing' still has to go before the Conservation Commission for a wetlands permit. Who knew?

Whew- That about wraps it up and if you've gotten this far I'm amazed. As always please feel free to e-mail me with any questions or comments that you may have.

With Best Regards,
Lynne Eckardt

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