

## SE Town Board Recap 6/7/07

Hi All,

On Thursday, June 7th I attended an interminable Town Board Special meeting. Everyone, and I mean everyone, was so fed up that by 10:30 when poor Arborscape finally got up to the plate the Board (and audience) would have agreed to anything.

At this point my eyes had glazed over and I could barely concentrate. Oh, I don't know, there was something about tearing down an old ('Non-historic') 20' X 25' barn and replacing it with a 25' X 30' barn. Sure, there were wetland buffers involved, and yeah, it was on Fields Lane but really at that point I didn't care whether a nuclear reactor was going in next door. Scheesh, just forward it to ARB and let me be on my way.

Frankly, I had hit the breaking point really early on when Councilwoman Mitts and the rest of the Board were clearly annoyed that I had questions on MS-4 compliance. Look, I know how boring it is but we're talking major, major bucks and this crew doesn't seem to have a clue or care how it's gonna be paid for. Town Planner, Graham Trelsted gets high marks for hiding whatever animosity he was probably feeling. And, Councilman Johnson (in between reading his e-mail and his cell phone ringing- which, by the way, sounded like a throw back to Miami Sound Machine) managed to get off a cute tag line about getting Congressman Hall to pay for it all. Of course, when asked, Mr. Trelsted admitted that each non-compliance 'event' could result in fines up to \$25,000- yeah, nice to be so glib about our money, Councilman.

In the meantime Supervisor Dunford was so irritable he decided to jerk the 'Stateline' folks around. Granted it's kinda perverse and all in good childish fun to watch the Camarda entourage treated like dirt but honestly, adjusting the agenda for cheap thrills seemed... well...cheap. And probably won't be all that helpful in any future lawsuits.

Finally, direct from the 'and-you-thought-things-couldn't-get-any-worse' department comes outdoor storage for Westchester Tractor. If you're cross filing this baby you can look it up under the 'I-told-you-so-department'. Being a wife I excel in this department.

Whoa, I guess it's high time for that disclosure. The comments and opinions expressed both above and below are nothing more than my sardonic and disgruntled take on life in Southeast. They represent no groups to which I belong. Any misspelling of names is unintentional- please feel free to e-mail or call me with any corrections that should be made. My apologies for the length of this mess but this meeting went on for almost three hours.

### **AGENDA:**

#### **Public Hearing- MS-4**

I asked if there were any estimates as to what the MS-4 mandates would cost.

Ans. No idea. But Rich Williams (Patterson Highway Superintendent) guesstimates \$60 million. Councilwoman Mitts feels this is high.

I asked about SE Drainage Districts. Yes, they would have to be in compliance. No, no money has ever been collected from said districts. Councilwoman Mitts claimed that no work had been done re. drainage. Supervisor Dunford said that some trees had been cleared but that was it.

The Town Board is looking to the feds for monetary help.

I asked if the Public Hearing had been held in a timely fashion. Ans. No it was supposed to have been held prior to June 1. But the report was in on time.

#### **1. Pegasus Therapeutic Riding**

- a) Resolution- Wetlands Permit  
Granted 4-0
- b) Resolution- ARB Approval

Approved 4-0  
c) Resolution- Special Permit  
Approved 4-0

**2. Motion 2007 MS-4 Plan:**

As modified by the Public Hearing  
Approved 4-0

**3. Resolution Home Rule Request Assembly Bill #8020/Senate Bill #5712**

These bills were in regards to assessments due to the fire at Fieldstone Pond.  
Passed 4-0

**4. Resolution Adoption IMA (Town of Southeast and North Salem)**

This is in regards to the sewer for Peach Lake. The WWTP will be in Southeast. North Salem approved the identical IMA last week. Approved 4-0

**5. Resolution Tax Certiorari Settlement- Millennium Real Estate Services, LLCv. Assessor,**

Index Nos. 913/00, 950/01, 1188/02, 1030/03, 1022/04, 1277/05 & 1570/06; Tax Map Nos. 56.9-1-4 and 56.9-1-5.

The Board accepted the settlement recommendations- 4-0

**Work Session:**

**1. Route 22 Zoning and Overlay**

A large rendering was shown illustrating the 'New Town Center' and connector road from Clocktower Commons back out to Route 22. It showed sidewalks to make Route 22 'pedestrian friendly'. The largest building had a 40,000 square foot footprint.

The Board wanted a store (anchor) that would draw shoppers from 20 to 30 miles away. Dick's Sporting Goods, Borders and Talbot's were mentioned. The Board wanted the flexibility of having a large store as an anchor. Mr. Trelsted mentioned that there could be a square footage exemption made for 'anchors'.

This will be put on another agenda for further discussion.

**2. Route 6 Gateway Zoning:**

Supervisor Dunford said that this would be deferred until later in the meeting as they could cover other agenda items faster.

**3. Dykemans:**

**Route 312, Dykemans**

This is Dykeman's Corporate Park. Owned by Harold Leper and represented by Terry Hahn.

There will be two buildings. one will be occupied by Lisi's Towing. The Zoning in this area was changed so that Lisi's will no longer need a variance. The front building will be 26,000 square feet, the back building will be 20,000 square feet.

When asked if the buildings would be visible from other areas Ms. Hahn said 'not from Route 312'. Ms. Hahn wasn't sure whether the mechanicals would be located on the rooftop or on the ground.

**4. Westchester Tractor:**

**Switched to 800 Clocktower Commons:**

Owned by Harold Lepler represented by Terry Hahn. This is the building that will be 4000 square feet and used by a company for IT. The generator will not be 'noticeable'. No one on the Board had a problem with this so it will be on the 6/21 agenda.

**5. Westchester Tractor:**

**Terravest**

(Now or formerly owned by Harold Lepler) Craig Baumgartner- Attorney. Terry Hahn is the representing engineer.

Westchester Tractor is asking for outdoor storage with an amended site plan. In 2005 there was to be no outdoor storage. It has been moved to 'under the power lines'. Councilwoman Mitts asked why storage is needed now. Answer: Because Westchester Tractor bought another company's inventory. Follow up: "Where is it now." Some is stored on site some stored off.

Mr. Baumgartner said that had the Town Board indicated (when the project was approved and Special Permitted) that they would never be allowed outdoor storage than that edict would stand. But the Board had never so indicated.

There was concern that the storage (consisting of heavy equipment) would be seen from Route 312 (as the building can be now). Ms. Hahn assured them that the storage areas had been moved and that the trees would grow and eventually screen even the building.

Supervisor Dunford mentioned that it was 'not his problem' that the company had bought another business'. Westchester Tractor had also come before the Planning Board asking for additional outdoor storage in March '06. They did not follow through with that application.

#### **6. Brewster Plaza Site ARB**

No one showed up to represent the applicant.

#### **7. Route 6 Gateway Zoning:**

Since the Public Hearing held on 3/22/07 many verbal and written comments have been received.

Three important changes asked for by Putnam County which may only be negated by a super majority (4 votes) on the Town Board:

1. Because the county wants to encourage commercial growth they do not want to see stringent architectural design restrictions. Especially on window coverage.
2. Outdoor display and storage wanted by the county to encourage sales.
3. Building materials: Want to change the code to: Synthetic materials are acceptable but not preferred. Also to have 'glass and glass block' added to the list of natural materials.

It was noted by Councilman Johnson that the Board would never get a super majority vote to over rule these requests.

It had been suggested that the buffer of only 100 feet between commercial and residential be extended to 250 feet. Due to Route 84 bisecting residential from commercial Mr. Trelsted did not find this necessary. Supervisor Dunford felt that the residents deserved protection even if they are located within a commercial zone.

Councilman Paul Johnson mentioned that he had no problem with the proposed historic car storage on Guinea Road.

#### **Arborscape:**

##### **Fields Lane**

Stefan Carlson representing Arborscape.

A 20' X 25' barn will be demolished and replaced with a 25' X 30' barn. The existing barn has no historic significance. It will be used to store equipment, seed, etc. A wetlands permit will be needed.

This will be on the 6/21/07 agenda.

#### **Comments/Opinions:**

##### **Public Hearing: MS-4**

Suffice it to say that it's all in the attitude- and lord knows there was plenty of it here.

Of course, I find it impossible to believe (either that or it's sheer incompetence) that the Town Board has absolutely no idea of what this drainage compliance will cost us. I'd actually heard through the grapevine that the town wide mapping has been completed. And if this is true then it shouldn't be all that difficult to

get an estimate. Since compliance is expected in '08- it might be wise to have some idea of the \$\$\$ in case we don't get a federal bailout.

### **Resolution Tax Certiorari Settlement: Millennium Real Estate Services**

This dates back to 2000 and goes through '06. On 6/11 I FOILED for the amounts- the Assessor is supposed to get back to me.

Oh, if anyone has any info on Millennium I'd be interested. Their website is almost as sketchy as Exceed Development's, resembling nothing more than an 8th grade project that received a B-.

### **Route 22 Zoning and Overlay:**

Argggggggggg. Direct from the 'Here we go again' department.

I fear that 'Big Box' envy may have reared it's ugly head once more as the war of the shopping centers between the always natty Mr. Lepler and the always charming Mr. Camarda seems to escalate. I mean, I've been to almost all these meetings- and I've seen all the 22 'site plans', AKA all the 'pretty pictures'. And Thursday night was no exception...

I've seen detention basins tricked out like pristine ponds- missing only the ubiquitous pair of regal swans and an over-the-top rococo fountain. I've seen fancy sidewalks running directly along side Route 22 with nary a car in sight so that 22 resembles a beckoning, untraveled country lane more than the county's busiest road. I've seen commercial development surrounded by a veritable forest of fully mature, billowy trees when, in truth, we all know we're gonna get some crappy looking 3 inch caliper Locust that'll look anemic, crooked and stunted for years to come.

And now, because apparently we all just fell off the turnip truck, NOW, all those square footage 'suggestions' along Route 22 that the Town Board used to embrace, well, they just went out the window. Suddenly we need 'a 30 mile retail draw' and square footage limits be damned. We've spent what I'll wager is thousands of \$\$\$ on a town planner and an outside consultant and now those plans still look pretty but become obsolete- or, at the very least, misleading

No wonder the always debonair Mr. Lepler looked a little like the cat that swallowed the canary. Ka -ching and thank God for election years.

### **Dykeman's 'Corporate' Park:**

Several years ago, in one of my favorite zoning moves of all time, the Town Board rewrote code here to accommodate Lisi's. Of course, completely coincidentally, this property just happens to belong to Mr. Lepler. And again, completely coincidentally, the town is taking legal action against a neighbor, the owner of the Dykemans junkyard, for illegal 'expansion'.

Once more and with feeling, I don't like junkyards but it seems to me that the timing here might, just might, be construed as selective prosecution. You know, kinda like the last time a developer needed a clean-up in this area to sell their brand new neighboring subdivision homes.

### **800 Clocktower Commons:**

Mr. Lepler wants a variance. Anyone willing to bet against this?

### **Westchester Tractor:**

In a real Kodak moment even the Town Board seemed miffed with this application. In true form, Ms. Hahn pointed out that the 'outdoor storage' would now be located under power lines. Well, that'll look pretty. This logic seems akin to thinking that braces might mitigate an ugly face. Anyhow, upon closer inspection the site plan boasted two other 'storage' areas- not under power lines. I guess pointing this out slipped Ms. Hahn's mind.

I particularly loved Ms. Hahn's contention that the Westchester Tractor building could only be seen 'periodically' from Route 312. Periodically? What the hell does this mean. I can see the building from Route 312 at all times of year. Hey, maybe 'periodically' means that if you aren't watching the road (perhaps engrossed in a cell call, applying make-up or driving in a blinding snowstorm) you'd actually be able to miss the building.

Handily winning the 'Red Herring Award' Councilman Johnson waxed poetic on how the building itself needed more screening. Focus, Paul, focus. Do you want to allow more outdoor storage here or not? Or is this to be yet another quid pro quo... i.e. Okay, plant 12 more crooked Norway Spruce and we'll let you park equipment anywhere you want.

Supervisor Dunford almost lost it (and rightfully so) when he said it wasn't his problem that Westchester Tractor had bought out another company's inventory and that although the building itself looked nice there was crap all over the place.

Of course my favorite moment came when the attorney for Westchester Tractor told the Board that they'd pretty much blown it when they approved the storage building (AKA 10,000 square foot carport) and had not stipulated that there could never be outside storage. And for these kind of accommodations we pay our Town Attorney over \$100,000 a year? Me? I still can't get over that WT was awarded a variance when they claimed they were neither 'retail' nor a 'servicing' operation. Yeah, the check's in the mail and I'll... oh never mind.

Of course this was another fine project brought to you by Harold Lepler. Look for this to get a half hearted scolding and a free pass.

### **Route 6 East Gateway Zoning:**

As if everyone wasn't surly enough this item really added fuel to the fire. Camarda's entourage had had to cool their heels for an additional hour and then this segment really dragged out the hindquarters. Of course they really had the last laugh since, completely coincidentally, Mr. Bondi's errrrr, the county's edicts will help Camarda sell the 'Stateline' project to retailers more easily. No wonder Supervisor Dunford jerked them around in the first place. Lord knows, it's tough pulling a fast one on John.

But what appalled me the most was the stand that Putnam County had taken as clearly the county's agenda is to shoehorn in as much retail as is humanly possible. Oops... I stand corrected because what appalled me even more was Councilman Johnson's statement that they'd never get a super majority to override this complete county claptrap.

I'm not sure where Mr. J is coming from on this one. Because aside from Dick 'I-serve-at-Bob-Bondi's-pleasure' Honeck, who's the other vote that's going along with all three harebrained dictates... errrrr, modifications?

I just love that the county doesn't want to burden the developer with window coverage, or that they feel outdoor displays and storage are just super. Synthetic building materials? No problem! By all means, bring on the Butler buildings and T-111 I just can't get enough of this stuff.

Naturally, I'd be far more inclined to listen to any these suggestions if I knew that John Lynch (County Planner) or Bob Bondi's house abutted a commercial district. But what are the odds? Even if they lived within a mile of a Big Box I might be a tad more understanding. But foisting this on Southeast residents? In this case I would think a super majority would be a given. In the understatement of the year it's not like the Town Board is saying 'no' to development they're just trying to gussy it up and make it more palatable. Just because the county has screwed up their finances to a fine fare-thee-well and become a sales tax slut doesn't mean that Southeast has to follow suit.

### **Arborscape: Fields Lane**

Of course it's a landscaping concern on Fields Lane, of course they're tearing down an old barn, of course they need yet another wetlands permit honestly I was so exhausted and Mr. Carlson is so damn personable I just didn't and don't have the energy to care anymore.

That's it from my desk. As always please feel free to e-mail me with any questions or comments that you may have. Enjoy the rest of the weekend!

With Best Regards,  
Lynne Eckardt