

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
FEBRUARY 26, 2007**

Present: Chairman George Rohrman; Boardmembers Dan Armstrong, David Rush, Mike Manteo, Phil Wissel, Tom LaPerch; Town Planner Siobhan O’Kane; Secretary Laurie Fricchione

PUBLIC HEARINGS:

1. MENDOLA GRADING & FILLING PLAN, 491 North Salem Road – This item was on the agenda for a site plan and SEQRA public hearing. Terri-Ann Hahn of LADA appeared before the Board along with Anthony Mendola, the owner of the property in addition to the applicant’s attorney, Michael Sirignano, Esq. Existing structures include a church (for which the applicant will be pursuing a Special Permit from the Town Board to allow church functions) as well as a residence and a barn. The R-60 zoned property is 3.6 acres in size. The applicant proposes a gravel driveway to provide access to the back of the property. Chairman Rohrman questioned the reason why the applicant wishes to create the driveway and requested clear answers. According to a letter received by the applicant’s neighbors, the DiPaoli’s, Mr. Mendola is in the landscaping business and there is a fear that Mr. Mendola will be parking his landscaping equipment on the property, using this proposed driveway. Ms. Hahn assured Chairman Rohrman that Mr. Mendola has no intention whatsoever to park any equipment on the back of the property and is willing to stipulate to that on the site plan as a note. Chairman Rohrman reiterated his concern as to why the applicant is pursuing this at all. Ms. Hahn stated that currently there is no driveway to the back of the property, but there is a driveway that goes to the church. There is no drivable road between the back of the barn and the back of the church. It came to light that there was no paperwork or approvals for this church to be there legitimately, but that it has been in existence since 1971. In the audience, John Lord asked if there was going to be another Planning Board public hearing on this matter. Chairman Rohrman stated that the Town Board’s process for Special Permits allows for a public hearing to be held by them. A motion to close the Public Hearing was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 6-0 in favor.

2. STRAZZA SUBDIVISION, Doansburg Road – This item was on the agenda for a subdivision, SEQRA and Wetland public hearing. Theresa Ryan of Insite Engineering appeared before the Board. This property is comprised of 4 contiguous, separately deeded tax lots that are each in excess of 4 acres in size. Technically, this application is a lot line adjustment, but the applicant will be following the subdivision rules and regulations. There is an old barn on one of the lots, but after a review and investigation by the Town’s Historic Sites Commission, it was determined that it holds no historical value and as such, does not need to be preserved. Also, the Town Engineer inspected the barn from an engineering, structural safety aspect and determined that it’s structurally dangerous. In fact, the applicant has applied to the Building Department for a demolition permit to allow the barn to be removed, but it has not been granted and will not be until such time as the SEQRA process is complete. This property is proposed to have one curb cut off of Doansburg Road from which one common driveway will lead to each of the four proposed homes. Dan Barker asked about the driveways. Katherine Dwyer stated that her house is a 150 year old colonial and the barn is approximately the same age. She stated

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that there was an accident on December 1 of last year in the same area where the proposed road cut to this subdivision is located, directly across from the UCP group homes. There have also been 5 or 6 vehicular fatalities over the years in that same stretch of road. There is a lot of history along a stretch of Doansburg Road with the Barnum Circus family and the Doan family having long established ties to the area. Ann Fannizzi stated that this is a SEQRA review and it's up to the applicant to obtain the services of credentialed people to determine if this barn holds any historical value which would dictate the outcome as far as keeping it or razing it. Ms. Fannizzi repeatedly stated '...what *we* did; ...*we* had *our* attorney...' whereupon she was interrupted and asked who exactly "we" were. She responded "the Coalition to Preserve Open Spaces." Apparently the attorney for that group wrote a letter to the Supervisor's office advising that no construction or destruction can take place on that property until the SEQRA process is complete. Boardmember Armstrong asked Ms. Fannizzi if this barn was included on the historic sites list in the Comprehensive Plan for the Town of Southeast. Ms. Dwyer interrupted and stated that while her residence and the barn were on the list, only her home remains on the list and that she wrote a letter to the supervisor's office asking that the barn be reinstated on the list. George Ivy stated that his water now has more particulate matter in it and wondered if city water was going to be installed to supply the surrounding homes as well as the homes in Maplewood North, which is where he lives. Peter Tringali asked Ms. Ryan if any account was taken of the barn structure being in the way of the access road. Ms. Ryan responded that the applicant's attorney hired a structural engineer to examine the structure and submit a report of his findings to the Historic Sites Commission. The report revealed that the barn was in terrible condition, getting worse and carried a potentially hazardous liability situation both for the Town as well as for the owners. Bonnie Batt asked what the prior lot line looked like in previous drawings and had concerns about the safety of the road. Ms. Fannizzi asked if there was going to be a stormwater device in the wetland buffer. Ms. Ryan responded that there will be minimal grading for a basin in the 133 foot buffer which can possibly be pulled out leaving only a discharge point in the extended buffer. A motion to close the public hearing was introduced by Boardmember LaPerch, seconded by Boardmember Manteo and passed 6-0 in favor.

REGULAR SESSION:

- 1. DURKIN WATER CO. AMENDED SITE PLAN, Fields Lane** – This item was on the agenda for a review of a previously approved but never built site plan. The approval has lapsed. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client, Ray Durkin. There have been no changes in the drawings or the application itself, except for changes in the proposed tenants of this building. Being that this project is being proposed anew, it will have to comply with all the current zoning requirements. This project will be placed on the March 12, 2007 agenda for the commencement of the SEQRA process.
- 2. BREWSTER PLAZA, LLC, 979-987 Routes 22** – This item was on the agenda for a continued review. Peder Scott appeared before the Board in addition to Mr. Vataj, the owner of the former USA Baby building. There was a reconfiguration of the parking lot as well as to the layout of the parking spots. According to the square footage of the building as it pertains to the

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amount of parking spots required, there will be six less spots, but the Board felt that it was not critical for such a minimal amount. There will be a dedicated area for the employees in the corner of the property closer to the back of the building near the enclosed trash bin area. Mr. Scott requested from the Planning Board that this project be referred to the ARB. A resolution was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 6-0 in favor. This item was placed on the March 12, 2007 agenda for the commencement of the SEQRA process.

3. ROUTE 6 BUSINESS PLAZA – This item was on the agenda for a Declaration of Lead Agency for purposes of SEQRA as well as to set a public hearing date. Joe Buschynski of Bibbo Associates appeared before the Board on behalf of his client, Mr. Suozzi. The resolution for the declaration was introduced by Boardmember Manteo, seconded by Boardmember LaPerch and passed 6-0 in favor. The motion setting March 26, 2007 for the Public Hearing was introduced by Boardmember Wissel, seconded by Chairman Rohrman and passed 6-0 in favor.

A motion to accept the minutes from the last meeting was introduced by Boardmember LaPerch, seconded by Boardmember Rush and passed 6-0 in favor.

A motion to close the meeting was introduced by Boardmember Rush, seconded by Chairman Rohrman and passed 6-0 in favor.

March 12, 2007

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