

**SOUTHEAST PLANNING BOARD MINUTES
APRIL 11, 2005**

Present: Chairman George Rohrman; Boardmembers David Rush, Mike Manteo, Phil Wissel, Chuck Tessmer, Tom LaPerch; Town Counsel Tom Jacobellis, Esq.; Siobhan O’Kane of AKRF; Secretary Laurie Fricchione. Boardmember Dan Armstrong was absent and excused.

REGULAR SESSION:

1. **ALCON, LLC., Fields Lane** – This item was on the agenda for numerous Planning Board actions and was represented by Theresa Ryan of Insite Engineering as well as Richard O’Rourke, Esq. of Keane & Beane. The resolution for a Determination of Significance for purposes of SEQRA (Negative Declaration) was introduced by Boardmember Tessmer, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent. The motion for a referral to the ZBA for outside storage requirements was introduced by Chairman Rohrman, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The motion for a referral to the Town Board for a Special Use Permit (Office/Warehouse) was introduced by Chairman Rohrman, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The motion for a referral to the ARB was introduced by Boardmember LaPerch, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent.
2. **DURKIN WATER CO. AMENDED SITE PLAN, Fields Lane** – This item was on the agenda for Final Amended Site Plan Approval and was represented by Theresa Ryan of Insite Engineering. A resolution for this project’s approval was introduced by Boardmember Wissel, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent.
3. **CLEARY/DiPAOLI LOT LINE ADJUSTMENT, Route 124** – This item was represented by Joe Buschynski of Bibbo Associates. The resolution granting Lot Line Adjustment Approval was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent.
4. **RED ROOSTER DRIVE IN, 1566 Route 22** – This item was on the agenda for a request for a waiver to the commercial moratorium. Chairman Rohrman asked the architect representing Red Rooster if he had submitted drawings depicting the proposed structure, that is now a 20 foot by 30 foot pavilion. The architect informed the Planning Board that someone from the Building Department told him it was not a permanent structure, but that is not correct. Chairman Rohrman wants the applicant to submit drawings to all boardmembers as well as the Town Engineer and the Town Planning Consultant so that they may be reviewed.
5. **FRIENDS OF GREEN CHIMNEYS LOT LINE ADJUSTMENT** – This item was on the agenda for a Lot Line Adjustment Approval and was represented by Terrence Zaleski, Esq. on behalf of Green Chimneys. The resolution granting the above approval was introduced by Boardmember LaPerch, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent.
6. **RESERVOIR RIDGE, Route 6** – This item was on the agenda for a referral to the Town Board for a reduction of this project’s performance bond, currently at \$443,100.00, down to \$277,100.00. The motion for the referral was introduced by Boardmember LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

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7. GASLAND PETROLEUM, Starr Ridge Road & Route 6 – This item was on the agenda for a review of the Amended Site Plan for the proposed Dunkin Donuts franchise addition and was represented by P.W. Scott, the project’s engineer as well as Richard Olson, Esq. There were reservations raised by both the Town Consultant and Town Engineer regarding traffic and parking issues. A questions was raised as to the interpretation of whether this proposal would be considered retail (1 parking spot for every 200 square feet of floor space) or fast food establishment (1 parking spot for every 50 square feet of floor space). It was suggested by the Town Engineer that this applicant appear before the Zoning Board of Appeals for an interpretation of whether it is a retail operation or fast food establishment. Once that determination is made, parking requirements would correlate accordingly. A motion to be referred to the ZBA was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 6-0 in favor. Also included in the referral will be a request for a variance of the front yard setback for the proposed placement of parking.

8. BAKER FARM SUBDIVISION, Enoch Crosby Road – This item was on the agenda for an Intent to Declare Lead Agency for purposes of SEQRA and was represented by Harry Nichols. The Intent was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent.

9. TRIPLE J SUBDIVISION, Welfare Road – This item was on the agenda for a referral to the Town Board to establish a performance bond. A motion was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent.

10. ENVIROSTAR VENTURES, LLC, Fields Lane – This item was on the agenda for Final Site Plan Approval and was represented by P. Daniel Hollis, Esq. of Shamberg Marwell Davis & Hollis as well as Joe Buschynski of Bibbo Associates. The resolution for Site Plan Approval was introduced by Boardmember Manteo, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

11. TERRAVEST INTERNATIONAL CORPORATE PARK (T-9) – This item was on the agenda for a referral to the Town Board for the establishment of a performance bond, but the engineering letter recommending an amount was not received in time, so it was placed on the April 25 agenda.

A motion to accept the minutes from the last meeting was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent.

A motion to close the meeting was introduced by Boardmember Rush, seconded by Chairman Rohrman and passed 6-0 in favor, 1 absent.

**April 12, 2005
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