

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
APRIL 13, 2009**

Present: Chairman Tom LaPerch; Boardmembers Dennis Sullivan, Edwin Alvarez, Jim DiBella, David Rush, Phil Wissel, Dan Armstrong; Town Planner Ashley Ley; Town Attorney Willis Stephens, Esq.; Secretary Laurie Fricchione

PUBLIC HEARING:

1. PEACH LAKE SEWER DISTRICT SITE PLAN – This item was on the agenda for a Site Plan and Wetland Permit public hearing. Sara Cwikla of Stearns & Wheler appeared before the Board on behalf of the sewer district. Proposed is the construction of a 170,000 gallon/day capacity wastewater treatment plant to service the 477 homes along and around the Peach Lake area. Applications are already underway for approval from the DEP, DEC and Putnam and Westchester County Health Departments. In the audience, Margaret Flannery stated that the residents would like to have water meters due to the diversity of the sizes of the residences, which range from 700 square foot cottages to 3,000+ square foot homes. Chairman LaPerch asked if a homeowner wanted to add a bedroom, would it be allowed and if it were, who would grant the approval. Because this project involves coordination between two towns and two counties, it makes it that much more difficult, but Ms. Cwikla stated that this system was not designed for expansion, but to take care of the present residents. Jack Walsher in the audience stated there is an understanding to have no expansion because as a member of the Vail's Co-op Board, the Board must first approve any expansion before a resident could make application for expansion at the Town level. Tom Duffy in the audience stated that most of the properties in Vail's Grove are 50 feet wide with 10 foot setbacks, so if someone wanted to expand, it would have to be vertical and meet with the Co-op Board first. Cindy Spiak asked what the leeway for expansion of capacity was. The capacity was designed for 170,000 gallons per day which number was derived at from summer peak usage of 110,000 with 60,000 gallons per day to "play with" to allow for fluctuation due to possible dishwasher and/or washing machine installations in some homes. One of the criteria for this project to be successful is the strict interpretation and monitoring by the DEC to curtail expansion. If one of the homeowners wanted to expand, they would have to go through the appropriate channels to make application to their town. Boardmember Rush asked what the peak capacity was, since this system was not designed to run at peak capacity on a daily basis. Ms. Cwikla stated that this plant can handle approximately 250,000 gallons per day; although it will never happen. Lynne Eckhardt asked about the species of landscaping trees to be used. There will be approximately 24 evergreen trees planted at a height of 6 or 7 feet at planting; there will be many more trees strategically planted to create a visual buffer from Robin Lane to the plant. A motion to close the public hearing was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 7-0 in favor. Chairman LaPerch stated that there will be a ten-day comment period within which to submit comments or questions from the public.

REGULAR SESSION:

1. SEVEN SUTTON PLACE AMENDED SITE PLAN – This item was on the agenda for amended site plan review. Michael Beyer appeared before the Board on behalf of his client, Sisca Group. History of this project is as follows: back in 2000, this project was applied for and approved in 2003-2004 with elevations approved by both the Planning Board and ARB such that they were. The site plan approval lapsed. In the meantime, the property was sold. In 2008, the applicant (which was the new owner) came back for amended site plan to convert some of the approved outside storage to parking area. At the September 8, 2008 Planning Board meeting, it

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was agreed that the amendment would be considered a field change due to the fact that the area proposed to be used as parking already was an impervious surface and therefore would not affect stormwater calculations. Building permits were issued under the originally approved site plan, but the drawings were not the same as what presently exists, now that the building is up. The ARB is aware that this building is different than what was approved and will be reviewing their options as to having the applicant submit landscaping drawings that will need to be reviewed and approved. Chairman LaPerch stated that he was very upset with the fact that this applicant thought he could do whatever he wanted to. Mr. Beyer stated that the approved drawings depicted a stone exterior 4 feet out of the ground and the rest of the building was to be a stucco treatment. Mr. Beyer also revealed that even though he was not the architect putting forth the new exterior, he knew that the owner was changing the building exterior, but did not say anything to Mr. Sisca in an effort to advise him that he needed to go back to the ARB to have the new façade reviewed and approved. Mr. Sisca's impression was that once one approval had been received, he was good for all the other approvals necessary. The boardmembers decided that they would like to see landscaping drawings on the April 27 meeting. In the meantime, they will go to the ARB on the 21st. The referral to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 7-0 in favor. A motion to re-affirm Lead Agency status was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. A motion to set May 11, 2009 for the public hearing was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 7-0 in favor.

A motion to accept the March 23, 2009 minutes was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 5-0 in favor, 1 abstention [Sullivan], 1 absent.

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

**April 21, 2009
L.F.**