

**TOWN OF SOUTHEAST PLANNING BOARD MINUTES
MAY 9, 2005**

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

PUBLIC HEARING:

1. LANDAU SUBDIVISION – Joe’s Hill Road – This project was represented by Theresa Ryan of Insite Engineering as well as Richard O’Rourke, Esq., attorney for the applicants, the Landaus. Ms. Ryan started out by describing this 4-lot subdivision of 51 acres in the R-160 Zone. The Landaus live on the eastern portion of this property. After several iterations of the layout of this subdivision, this final plan seems to be satisfactory to the Planning Board as well as the Town Engineer and Planner. The Landaus’ 8-acre parcel (Lot #3) will have its own driveway (currently existing) accessed through the northern end of the parcel and the other three lots will gain access on the southern portion of the common driveway. Lots #1 and #2 will share a driveway, Lot #4 is proposed to have its own. Each lot will have its own well and septic system and stormwater management system. Mr. O’Rourke then spoke to say that the Resource Protection Plan allows for 5 lots and that the 4 lots being presented each far exceed the acreage requirements under the R-160 zoning regulations. Boardmember Armstrong asked about the construction of the driveway being 12 foot wide paved and then 3 feet of gravel on each side and asked Ms. Ryan if there was going to be some type of foundation under the gravel portion or just gravel on the soil. Ms. Ryan stated that there will be details on the drawings to satisfy the Town Engineer and Highway Superintendent. It was brought up that due to proposed Lots #1 and #2 having a shared driveway, Lot #2 (which no longer has frontage) will now need to be referred to the Zoning Board of Appeals for an area variance. Lynn Eckhardt asked about the tree and forest plan and where it stands as far as the Planning Board is concerned. The plan now being proposed is more environmentally sensitive than in its beginning stages which would have required the removal of many trees and a wetland crossing. By moving (and sharing) a driveway, the need for the extensive tree removal and wetland crossing has been eliminated. The request for the waiver of the tree and forest plan has not yet been decided upon. Ms. Eckhardt asked if Lot #2 could be given frontage, although not use the frontage for the driveway, could it be done so that it conforms and not need a variance. The response was yes, it could be possible, but it did not make good planning sense. Also, if some land were taken from the Landau’s proposed Lot #3, it would in turn make the existing structures on their property be non-conforming as far as dimensional setbacks and side yard distances. Paul Slivinsky of Joe’s Hill Road asked if there was going to be any blasting to get in the proposed driveway nearest his home and was concerned about his drilled well. The response was if the rock could be hammered out as opposed to blasted out, the possibility of any damage to the surrounding structures of the proposed driveway would be greatly minimized. Boardmember Manteo asked how wells would be monitored in the event there was any damage to them after a blasting. The blasting company would carry insurance to cover any damages and before any blasting occurred, a pre-blasting baseline survey would be done to make sure any damages that are claimed happened as a direct result of the blasting. Harold Lepler stated that he felt it was a good plan and suggested that a stone wall at the corner of Joe’s Hill and Federal Hill Road perhaps be moved back so as to get better sight lines for traffic being that

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there is a school bus stop in the near vicinity. There being no further questions from the audience or Board, a motion to close the public hearing was introduced by Boardmember Armstrong, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent. Chairman Rohrman reminded the audience that there is a 10-day comment period within which to send to the Planning Board any comments, concerns or questions they may have.

REGULAR SESSION:

- 1. CACCIOTTI ACCESSORY APARTMENT, Overlook Drive** – There was no one present to discuss this item, so it was moved to the May 23 Planning Board Agenda.
- 2. FOX LANE SUBDIVISION & SITE PLAN, 11 Field's Lane** – This item was on the agenda for a Determination of Significance for purposes of SEQRA, a review for Final Subdivision Approval and to refer the Site Plan to the Conservation Commission. Harry Nichols represented the applicants, Paul Pasquantonio and Kerry Critzer. The resolution for a Determination of Significance (Negative Declaration) for both the subdivision and site plan was introduced by Boardmember Armstrong, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent. The motion to refer the site plan to the Conservation Commission was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent. This matter will be on the May 23 agenda for possible final subdivision approval if the engineering review letter recommends it.
- 3. HIGH MEADOW FARM SUBDIVISION, Welfare Road** – This item was on the agenda for continued review and was represented by Harry Nichols. The engineering review letter revealed unresolved issues regarding the insufficiency of the percolation test data provided in the applicant's last submission as well as other information regarding test pit excavation and drywells. It was highly recommended that all outstanding issues are resolved to the satisfaction of the Town Engineer and Highway Superintendent so that this project may proceed forward.
- 4. HEWITT SUBDIVISION, Joe's Hill Road** – This item was on the agenda for Final Subdivision Approval. The engineering review letter indicated two minor comments that needed to be addressed on the final plat: the driveway for Lot #2 is to be paved and the house number for each parcel shall be located on the plat in front of each lot and appear on the street from which the dwelling unit is proposed to obtain street access, outside the lot line. The resolution granting Final Subdivision Approval (with the above two conditions appearing under the general conditions) was introduced by Boardmember LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.
- 5. PALAZETTI OFFICE/WAREHOUSE, Fields Lane** – This item was on the agenda for a referral to the Town Board for the establishment of a performance bond and was represented by Harry Nichols. The motion for the referral was introduced by Chairman Rohrman, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent.

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

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A motion to close tonight's meeting was introduced by Boardmember Rush, seconded by Boardmember Wissel and passed 6-0 in favor.

May 12, 2005
L.F.