

**TOWN OF SOUTHEAST PLANNING BOARD MINUTES
MAY 23, 2005**

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

PUBLIC HEARING:

1. QUINN SUBDIVISION & LOT LINE ADJUSTMENT, Turk Hill Road – Theresa Ryan of Insite Engineering spoke before the Board. This project involves the subdivision and lot line adjustment of an approximately 43 ½ acre parcel of property. The proposed subdivided lot will create 2 conforming lots to be accessed by a common driveway. There were no questions from any boardmembers, so the meeting was opened up for questions by the audience. Ron Maszaros asked about the location of the proposed driveway as it relates to Ridgeview Road. Shirley Giglio asked (on behalf of her neighbor) what the runoff effect would be on her driveway, as they are opposite each other. Ms. Ryan stated that the runoff would be captured by the detention basins. Lynn Eckhardt asked about the wetland buffers and how many feet of the driveway will be in the buffer. The answer was approximately 300 feet of the common driveway. Cherie Ingraham asked if there were going to be any lands dedicated in an open conservation area. No, there were not. Linda Yannone asked where the existing house was. Mr. Gunther asked about the gas lines and the gas pumping station and how the lines would affect the placement of the driveways. A motion to close the public hearing was introduced by Boardmember LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. Chairman Rohrman reminded the audience that there was a 10-day comment period within which to submit written questions and comments that will be answered by the applicant’s engineer.

REGULAR SESSION:

1. LANDAU SUBDIVISION, Joe’s Hill Road – This item was on the agenda for a determination of significance for purposes of SEQRA, a referral to the Zoning Board of Appeals for an area variance of Lot #2, a referral to the Conservation Commission, and a referral to the ARB. Representing this project was Theresa Ryan of Insite Engineering. The resolution for a Negative Declaration was introduced by Boardmember Tessmer, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The motion for the referral to the Zoning Board of Appeals was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent. The motion for a referral to the Conservation Commission was introduced by Chairman Rohrman, seconded by Boardmember Rush and passed 6-0 in favor, 1 absent. The motion for the referral to the ARB was introduced by Boardmember Rush, but then before it was seconded, Boardmember LaPerch asked Chairman Rohrman why this project was being referred to the ARB at this juncture. Chairman Rohrman responded that the Planning Board has received no instructions in regard to referrals to the ARB. Boardmember LaPerch asked why the applicant would expend the money to have architectural drawings drawn up to present to the ARB when the Zoning Board of Appeals has not acted yet on the request for a variance. It was decided that the Planning Board would hold off on the ARB referral until such time as the ZBA has made its determination.

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- 2. BAKER FARM SUBDIVISION, Enoch Crosby Road** – 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 and was represented by Harry Nichols. The resolution for the declaration was introduced by Boardmember Manteo, seconded by Boardmember Armstrong, and passed 7-0 in favor. The motion to set the public hearing date for June 27, 2005 was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 7-0 in favor.
- 3. VAIL'S GROVE GOLF COURSE AMENDED SITE PLAN** – This item was on the agenda for a sketch review and was represented by Bill Coates of Vail's Grove Golf Course Association. The engineering review letter revealed a few comments such as the need for a cross-section detail of the existing water storage tank as well as a written request for any waivers sought.
- 4. MT. EBO LOT #6** – This item was on the agenda for a review as well as to begin the SEQRA process with an Intent to Declare Lead Agency. Terri-Ann Hahn of LADA represented the applicant. The resolution for the Intent was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 7-0 in favor.
- 5. DREWVILLE REALTY, Route 6 & Drewville Road** – This item was on the agenda for a review of the sketch site plan and was represented by Rob Cameron of Putnam Engineering as well as Richard O'Rourke, Esq. of Keane & Beane, the applicant's attorney. The applicants propose to remove the repair bays and replace them with a convenience store and replace the impervious surface facing Drewville Road with a landscaped island of trees and shrubs. There will be no additional gasoline pumps. There will be additional parking behind the proposed island. Boardmember Manteo asked Mr. O'Rourke about the prior approval (when it was known as Texaco) allowing this site to have a U-Haul Rental business. Mr. O'Rourke was not aware of this information. Chairman Rohrman asked if the applicants had any intention of having a U-Haul business, and Mr. O'Rourke responded that they did not. Chairman Rohrman stated that when it came time for Amended Site Plan Approval, there will be a condition in it to state there will not be any business of that nature conducted. There will be no diesel fuel dispensed at this location.
- 6. GAIL/WELLES RIDING ARENA, 100 Nelson Blvd.** – This item was on the agenda for a review of the sketch site plan for grading activities that apparently have already begun. The engineering review letter reveals an issue regarding the wetlands present on surrounding land, but this application's site plan does not show any wetlands. It was suggested in the letter that the applicant retain the services of a soil scientist. Chairman Rohrman stated that the Planning Board requires that they do so. The Planning Board needs the documentation from the soil scientist as to the presence or absence of any wetlands. This project will need to be referred to the Town Board for a Special Permit as to the excessive amount of fill required to level out the outdoor riding ring for the horses.
- 7. FOX LANE SUBDIVISION, Fields Lane** – This item was on the agenda for Final Subdivision Approval and was represented by Harry Nichols. The resolution was not drawn up at the time of the meeting, but a motion to grant final subdivision approval with three conditions

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corresponding to those in the engineering review letter was introduced by Chairman Rohrman, seconded by Boardmember Wissel and passed 7-0 in favor.

8. CACCIOTTI ACCESSORY APARTMENT, Overlook Drive – This item was on the agenda for a review for Conditional Use Approval and was represented by the Cacciottis. The engineering review letter revealed that the accessory apartment is slightly larger than allowed by the square footage of the principal residence. The assessor's card reveals that the square footage on the home is 2,450, but Mr. Cacciotti contends that the square footage is 2,900. The allowable square footage for an accessory apartment cannot be greater than 25% of the home. In any event, the difference between the allowable percentage and the actual percentage is minimal (approximately 1.2%). It should be noted that the Cacciotti's did not create this accessory apartment, it existed at the time they purchased this home. They have been placed on the June 13 Planning Board agenda for a Conditional Use Permit because the Planning Board felt that the difference in the square footage was minimal and could be waived.

9. LYRICS CORP., Route 22 – This item was on the agenda for a referral to the Town Board for the release of the performance bond, which was introduced by Boardmember Armstrong, seconded by Boardmember Wissel and passed 7-0 in favor.

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

A motion to close the meeting was introduced by Boardmember Rush, seconded by Boardmember Wissel and passed 7-0 in favor.

5/27/05
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