

**TOWN OF SOUTHEAST PLANNING BOARD MINUTES
JUNE 27, 2005**

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

PUBLIC HEARING:

1. BAKER FARM SUBDIVISION – Enoch Crosby Road – Harry Nichols represented the applicant, Mancini Ciolo. This subdivision involves 5 proposed single family residential lots on 32.5 acres. A private road would serve 4 lots. The 5th lot has its own access. There will be a homeowners association which will be responsible for the maintenance of the road. The individual lots will maintain their own driveways. There were no questions from the Board, so Chairman Rohrman opened the meeting up to the audience. Cathy Croft, who is an abutting neighbor to this property, asked why the sign required to be posted at all sites for subdivision, site plan or special permit was not present on the property. Mr. Nichols stated that this project is not seeking a Special Permit and mistakenly thought that was the only circumstance under which you would have to put up the sign. Chairman Rohrman told Mr. Nichols that the sign must appear on the property within the next two days and to refer to the regulations as to the size of the sign and the information contained in it. Ms. Croft stated that since the sign was never on the property, the regulations were not followed and that this project should start all over again at square one. While Chairman Rohrman agreed with Ms. Croft that the sign should have been posted from the inception of this project, he disagreed that the project should start all over again. She also questioned why Carmel residents were not notified of this public hearing. The regulations state that only Southeast residents within 500 feet of any property line be notified. She then asked about discrepancies on the site plan regarding her driveway and the entrance to the subdivision. She also requested that the detention pond areas be landscaped. A question of the monitoring of wells arose and was told that the Department of Health was responsible for wells and septic systems. Steven Shea questioned surface water runoff and flow given the topography of the site. Mr. Nichols responded that through a piping system, swales and leaching pits, water flow will be controlled and sent to the proper place. A detailed Stormwater Management Plan must also be a part of this process to ensure that water flow is directed to the proper location and must meet the criterion of both the Town’s and New York City Department of Environmental Protection’s regulations. Mr. Murphy asked how far the stone walls were from the proposed homes. One home is 150 feet away; another is 200 feet away. Charles Azzaretti has serious concerns about Lot #5, its steepness and the tremendous amounts of cut and fill. He referred to repeated comments made in prior engineering review letters. He hired a consulting engineer to look over the sketch plan and it basically concurs with the findings of the Town’s engineer. Lynn Eckhardt asked if the leaching pits will be maintained as part of the homeowners association or by the individual owners upon whose property they are located. Mr. Nichols responded that the leaching pits will be maintained by the individual owners. She asked about a drainage district. There will not be one. She asked if the homes on Ailish Lane were within the 500 foot boundary for notification of the Public Hearing. She also raised questions about the repeated comment in the engineering review letter regarding Lot #5. Mr. Nichols stated that he spoke with the Town Engineer and changed the layout of access to Lot #5. Boardmember Armstrong suggested that due to the fact that many

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questions remained unanswered that there was some ambiguity in the site plan, perhaps the public hearing should be adjourned so that design impediments can be rectified. Chairman Rohrman introduced a motion to close the public hearing seconded by Boardmember Armstrong and passed 5-0 in favor, 2 absent. It will be re-noticed at a future date when the documentation is in better shape.

REGULAR SESSION:

- 1. MT. EBO LOT #6** – This item was on the agenda for a Declaration of Lead Agency for purposes of SEQRA and to set the public hearing date. Terri Ann Hahn of LADA appeared before the Board. The resolution for the declaration was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 5-0 in favor, 2 absent. The motion to set August 8, 2005 for the public hearing was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 5-0 in favor, 2 absent.
- 2. BREWSTER SPORTS CENTER, Sutton Place** – This item was on the agenda for a referral to the Town Board for a release of this project’s Performance Bond. Franco Foti appeared before the Board. There were concerns from the NYSDOT regarding a detention basin siltation problem that they feel is a direct result of the Sports Center being built. Mr. Foti stated that he has on numerous occasions met with Department of Transportation engineers, but they have not specified to him a corrective plan of how Mr. Foti is to clean out the detention swale. The Town Engineer’s review letter reveals that as far as the Town is concerned, there is no reason not to have the Bond released once the DOT issue is resolved. Mr. Foti offered to post a letter of credit in a form and amount acceptable to the Town Board to ensure that the conditions listed in the Town Engineer’s review letter are satisfied. The Planning Board agreed. The motion to refer this Bond release to the Town Board was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 5-0 in favor, 2 absent.
- 3. MAPLEWOOD NORTH GROUP SUBDIVISION, Bradford Court** – This item was on the agenda for a subdivision sketch review and was represented by Joe Buschynski of Bibbo & Associates. The property is approximately 39 acres. A three lot subdivision is proposed; one parcel of which would be approximately 29 acres and no improvements, the second and third lots (6 acres and 4 ½ acres) are proposed to each have single family dwellings. The Town of Patterson line runs through this property with the bulk being in Patterson, but the homes themselves are in the Town of Southeast. Access to the two proposed homes would be by shared driveway off Bradford Court cul-de-sac. Road frontage variances would need to be obtained and possibly more from the Town of Patterson. Questions were raised as to why the property couldn’t be accessed from Putnam Lake Road via the old “Ballyhack” road. Mr. Buschynski stated that it is not a road so much as a path or trail and no where near the standard for a road that can be traveled on by car. It was suggested that the Bradford Court cul-de-sac be removed and extended so as to give frontage to the two new proposed homes and not need any frontage variances from the ZBA.
- 4. CAMPUS AT FIELDS CORNERS** – This item was on the agenda for a referral to the Town Board for the establishment of a Performance Bond (in the amount of \$17,100,000.00)

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and was represented by David Lombardi, the engineer. The referral was introduced by Boardmember LaPerch, seconded by Boardmember Tessmer and passed 5-0 in favor, 2 absent.

5. PHILLIPS ACCESSORY APARTMENT, Sodom Road – This item was on the agenda for a referral to the Zoning Board of Appeals for conformity of size requirements for an accessory apartment. The referral was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 5-0 in favor, 2 absent.

A motion to accept the minutes from the last meeting was introduced by Chairman Rohrman, seconded by Boardmember Rush and passed 5-0 in favor, 2 absent.

A motion to close the meeting was introduced by Boardmember Rush, seconded by Boardmember Tessmer and passed 5-0 in favor, 2 absent.

L.F.
6/30/05