

SOUTHEAST PLANNING BOARD MINUTES AUGUST 23, 2004

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

WORK SESSION:

1. ORCHARD HILL, LLC - This item was on the agenda for an informal discussion regarding the proposed golf course and conference center partially located within the Town of Southeast but primarily located in the Town of North Salem. Appearing before the Board was Frank Fish of Buckhurst, Fish & Jacquemart, Inc. and Tim Allen of Bibbo & Associates. Proposed is a 200-room conference lodge and 1 8-hole golf course on approximately 300 acres; 46 of which are wholly located in the Town of Southeast. On the Southeast portion, there will be a 5-hole practice, Par 3, short course and the maintenance building to house the golf carts, fertilizer and maintenance equipment with outside storage. Access is from 2 sites; on Hardscrabble Road and also Fields Lane. This application is presently formally before the Town of North Salem for a zoning change to allow, with a Special Permit, both a golf course and conference center on the same parcel of property zoned R-4. The Town of North Salem has declared itself to be declared Lead Agency for purposes of SEQRA for the zoning change. A Scoping Session has occurred in North Salem and the applicant will be preparing a Draft Environmental Impact Statement. Once this zoning change is in effect, then a formal application will be submitted to the Planning Board for its independent review. The course will be open to the public, but will be primarily used by the patrons of the lodge for various conferences and functions. Mr. Fish, through Bibbo & Associates, hopes to submit a formal Site Plan Application to the Town of North Salem in the early fall. Boardmember Manteo asked about the location of the wells. All wells are located in North Salem. Anticipated daily water consumption is 15,000 to 20,000 gallons during peak off-season and during hot summer months, 300,000 gallons daily. There is an existing lake that they propose to pump water to a proposed lake from which irrigation will be supplementing the wells; creating a 2-point source of water. Chairman Rohrman commented on some of the answers provided in the EAF submitted to the Planning Board, such as on page 4 that discussed the amount of land disturbance. The applicant answered 1 acre, but that is not accurate being that there is a 5-hole practice course proposed as well as the maintenance shed and outside storage. On Page 6, a question regarding the proposed project will result in a significant generation of traffic to which it was responded "to be determined." Chairman Rohrman was told that once the traffic study is completed, more specific numbers will be provided as to the generation of traffic and its impact at approximately 20 intersections and will also be addressed in the EIS. Also proposed in this project is a 60-seat restaurant for patrons as well as for the public. There is an open dining area for conference/function-related patrons as well as a fine dining alternative in a smaller setting. This facility will also cater for weddings and other special functions. Boardmember Armstrong asked about the 2

entrances onto the property and how they will be treated from the standpoint of landscaping, road width, gates, etc. The answer was both entrances; one in each town will be treated equally. The main entrance is off Fields Lane in Southeast. The applicant is looking to divide up traffic between conference attendees and other patrons. Boardmember Manteo suggested that when the DEIS is issued, to make it detail oriented, but also to make it understandable in layman's terms. Mr. Fish suggested that the nature of a DEIS requires certain portions to be very detailed and highly technical to the point that only engineers, scientists and hydrologists would be able to understand the data. He stated that while this is a necessary

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aspect, the Executive Summary included as part of the information provided would be put forth in easy terms so that anyone may understand it. Chairman Rohrman asked if Mr. Fish was in contact with the DEP. The answer was as part of the Intent to Declare Lead Agency for purposes of SEQRA, the DEP responded with an approximately 8-page letter commenting on the various aspects of this project. There will also be many meetings to discuss it. This project will require a Special Permit from the Town Board. Boardmember Manteo asked how long this project would take to be completed. Approximately 1 year for the lodge and 2 years for the full grow-in of the greens. He also asked during the construction phase the flow of construction equipment traffic. This was one of the subjects in the Scoping Session and will be detailed in the DEIS. Chairman Rohrman asked how they were getting around the 5-acre at a time land disturbance restriction of the DEP. The project will be divided into 11 sub-areas that should not exceed 5 acres, but a plan will be submitted showing sedimentation control mitigating this restriction. There will be approximately 40 sedimentation/detention basins throughout.

2. 577 NORTH MAIN STREET BUILDING - This item was on the agenda to review an amended site plan and was represented by Gary Tretsch of Putnam Engineering. The reason why they were before the Planning Board was because as new tenants occupied the building, Certificates of Occupancy were not received from the Building Department. This caused violations to be issued by the Zoning Enforcement Officer. An as-built drawing was submitted depicting the existing structure, but not the parking calculations. Once the Site Plan drawings are reviewed, the parking calculations will be depicted on the amended site plan. There was a letter in the Planning Board file regarding a situation where there are taxis parking overnight on the property, which is not allowed so long as the taxi company does not occupy tenant space in that building. Mr. Tretsch stated that he would look into the situation, as he was unaware of it.

#### REGULAR SESSION:

1. BREWSTER TRANSIT Mix, Field's 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 Gary Tretsch of Putnam Engineering. A motion recommending that

the Town Board set the bond at the amount recommended by the Town Engineer in his letter of 8/20/04 was introduced by Boardmember Armstrong, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent.

2. STARR RIDGE FARMS EQUESTRIAN CENTER, Starr Ridge Road - This item was on the agenda for a referral to the Town Board for the Establishment of a Performance Bond and was represented by Michael Beyer of Beyer and Associates. A motion recommending that the Town Board set the bond at the amount recommended by the Town Engineer in his letter of 8/2/04 was introduced by Boardmember Armstrong, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent.

3. SUBURBAN PROPANE, Route 6 - This item was on the agenda for a review of the Amended Site Plan and was represented by Anthony Mole, Esq. of Curtiss, Leibell & Schilling and John Cortellini, General Manager of Suburban Propane. According to the engineering review letter, this project will be ready for Final Amended Site Plan Approval once some minor comments have been addressed. Boardmember Manteo voiced his concern regarding the landscaping (or lack thereof) along Route 6 that was never addressed in the first site plan and

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how it can be improved. Mr. Cortellini stated that the funds have been made available for the landscaping and screening with plantings and fencing for not only the Route 6 side, but also around the tanks and as such will have a landscaping plan filed with the Planning Board so that it may be reviewed and then receive Final Amended Site Plan Approval.

4. FISHER SUBDIVISION, Nelson Blvd. - This item was on the agenda for amended sketch review and also to commence the SEQRA process with an Intent to Declare Lead Agency. Terri-Ann Hahn of LADA represented the applicant, Mrs. Fisher. This was previously presented as a 3-lot subdivision, but now is a 2-lot subdivision. The road right-of-way will become a mapped street. It will be a private road servicing the two driveways. This design allows the requisite road frontage (250 feet) for this R-160 zoned land. Chairman Rohrman asked Ms. Hahn if it was legal to have this design as opposed to a traditional cul-de-sac off a town road which involves more land disturbance. This project will require a wetlands permit from the Conservation Commission due to the house on one of the lots being within the 133 foot wetland buffer area. A Stormwater Pollution Prevention Plan will also have to be prepared by the applicant and approved by the DEP. There were many members in the audience who were abutting neighbors to this property and wanted to know what would occur next. Chairman Rohrman stated that some time in October, a public hearing would be held at which time anyone who would like to make a comment or ask: questions would be able to do so. The resolution for an Intent to Declare Lead Agency for purposes of SEQRA was introduced by Chairman Rohrman, seconded by Boardmember Manteo and passed 6-0 in favor, 1 absent.

5. TERRAVEST INTERNATIONAL CORPORATE PARK- this item was on the agenda for Final Site Plan Approval of T-9 (aqua Lot #11) and was represented by Terri-Ann Hahn of LADE as well as Harold Leper. The resolution for Chairman Rohrman introduced Final Site Plan Approval, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent.

6. TERRAVEST INTERNATIONAL CORPORATE PARK, T-2, Sites 2, 3, and 4 - This item was on the agenda for a referral to the ARB and was represented by Terri-Ann Hahn of LADA as well as Harold Lepler. The motion referring this item to the ARB was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent. This item was placed on the September 27 agenda for Final Site Plan Approval.

7. DeLISI/MOFFATT ACCESSORY BUILDING, 19 Cameo Court - This item was on the agenda for a review of a Conditional Use Permit for a detached accessory building including a garage and professional office above it. Philip Franz of Franz & Franze as well as Mr. DeLisi appeared before the Board. This project involves the construction of an accessory building (garages on the bottom and professional office on top). The footprint of the accessory structure is 25 feet by 25 feet. The engineering review letter reveals that the drawings satisfy sketch requirements. It was suggested that Mr. Franz make sure that all requirements for preliminary approval be satisfied. The Board felt that this project did not need to go through the SEQRA process and as such, a motion declaring this as a Type II action was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent. This project would also need to be referred to the ARB for their approval. A motion referring it to the ARB was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 6-0 in favor, 1 absent. Boardmember Rush asked Mr. Franz if there must be accommodations for

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handicap accessibility since the doctor's office was on the second floor. Mr. Franz responded that due to the nature of the grading, the second floor of the structure was on grade and would probably only require a ramp for wheelchair access. Mr. Franz questioned the need for a topographical plan showing contour intervals at no more than 2 feet. Chairman Rohrman suggested he needs to request a waiver for this requirement in writing if he does not plan to change the contours of the property.

8. GARDEN HOMES MANAGEMENT, Route 22 - This item was on the agenda for a request for a waiver to the Commercial Moratorium; there was no one representing Garden Homes. Because the Planning Board had questions regarding the circumstances surrounding this request, they decided to defer it until such time as a representative from Garden Homes could appear and discuss the specific nature of their request. They will appear on the September 13, 2004 agenda.

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, 1 abstention, 1 absent.

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

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