

**SOUTHEAST PLANNING BOARD MINUTES
SEPTEMBER 27, 2004**

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

REGULAR SESSION:

1. SUBURBAN PROPANE, Route 6 - This item was on the agenda for a review and Final Site Plan Approval and was represented by Peder Scott as well as John Cortellini, the General Manager of Suburban Propane. Comments mentioned in the engineer's review letter regarded the plantings and how they should be staggered to be more visually pleasing and create a denser buffer to the outside storage. A resolution introducing Final Amended Site Plan Approval was introduced by Boardmember LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

2. TERRAVEST INTERNATIONAL CORPORATE PARK- This item was on the agenda for a review and Final Site Plan Approval of T-2, Sites 2, 3, and 4 and was represented by Terri Ann Hahn of LADA as well as Harold Lepler. The engineering review letter indicated that this project met with all zoning regulations and as such, it was recommended that final site plan approval be granted. Boardmember Armstrong asked if International Blvd. was to be a dedicated street. Ms. Hahn responded that it will be dedicated to and maintained by the Town and will continue through to Zimmer Road. He also asked about the visibility from Interstate 84 and lighting. Ms. Hahn responded that there would be a significant planting buffer and that lighting will be designed so as not to shed light onto 84. Mr. Lepler added that as tenants are identified for each building, they will make an application to the Planning Board for Amended Site Plan Approval to ensure that the business is a permitted use for the zone, which is OP-2. Graham Trelstad mentioned that he spoke with Ms. Hahn prior to the meeting and they agreed on one small change to be made in each of the resolutions. This change is regarding the addition of the phrase after 'professional engineer' "... and/or a landscape architect (in accordance with the drawings prepared)... " in line 1 under Item 4 (Construction Activity). There was another addition within that same paragraph at line 5 to say after "professional engineer" "... and/or landscape architect... ". A resolution to grant Final Site Plan Approval for T-2, Site 2 was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and was passed by a vote of 6-0 in favor, 1 absent. A resolution to grant Final Site Plan Approval for T-2, Site 3 was introduced by Boardmember LaPerch, seconded by Boardmember Wissel and was passed by a vote of 6-0 in favor, 1 absent. A resolution to grant Final Site Plan Approval for T-2, Site 4 was introduced by Boardmember LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent.

3. LAKE TONETTA PARK IN-LINE SKATING RINK- This item was on the agenda for Final Site Plan Approval and was represented by Terri Ann Hahn of LADA. This project recently received ARB approval as well as a Wetlands Permit from the Conservation Commission and the Town Board. There is a letter from the NYCDEP that this project does not meet the threshold for the submission and approval of an SPPP. A resolution to grant Final Site Plan Approval was introduced by Chairman Rohrman, seconded by Boardmember Tessmer and passed 6-0 in favor, 1 absent.

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4. MIDDLEBRANCH MANOR SUBDIVISION, Enoch Crosby Road - This item was on the agenda for a referral to the Town Board for the release of a Performance Bond as well as to establish a Maintenance Bond. The Town Engineer's letter revealed that they had no objection to the full release of the Performance Bond with the condition that the applicant maintain a Maintenance Bond for at least one year in the amount of \$38,300. The motion to refer this matter to the Town Board for their consideration was introduced by Boardmember Armstrong, seconded by Chairman Rohrman and passed 6-0 in favor, 1 absent.

5. ROMA POOLS - This item was on the agenda for a referral to the Town Board for the release of a Performance Bond. The motion to refer this matter was introduced by Boardmember Rush, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent.

6. DiPIETRO SUBDIVISION, Guinea Road - This item was on the agenda for a review of the preliminary plan and Intent to Declare Lead Agency for purposes of SEQRA and was represented by Paul Lynch of Putnam Engineering as well as Mr. DiPietro, the owner of the property. This 2-lot subdivision of an existing 314,158 square foot lot located in an R-160 zone proposes the creation of one lot of 160,017 square feet in area and one lot of 154,140 square feet. Since the R-160 Zone regulation requires a minimum lot size of 160,000 square feet (not 4 acres), the larger lot exceeds the required minimum lot size, but the smaller lot is 5,860 square feet less than the minimum. Therefore, the applicant will need to be referred to the Zoning Board of Appeals for approximately a 3.6% area variance. A resolution for an Intent to Declare Lead Agency was introduced by Boardmember Tessmer, seconded by Chairman Rohrman 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 Armstrong and passed 6-0 in favor, 1 absent.

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

**October 1, 2004
LF**

**TOWN OF SOUTHEAST, NEW YORK
FINAL AMENDED PROJECT DEVELOPMENT PLAN APPROVAL**

INTRODUCED BY: *La Perch*
SECONDED BY: *Wessel*

DATE: *9/27/04*

WHEREAS, the Planning Board of the Town of Southeast has been requested to grant Final Approval to a certain Amended Project Development Plan known as

SUBURBAN PROPANE AMENDED SITE PLAN

located at 2544 Carmel Avenue, in an ED-1 Zone, also known and designated as Tax Map Number 67.6-1-6.0; and,

WHEREAS, the Planning Board is in receipt of the following maps, drawings, approvals and/or permits, if applicable, and other information as follows:

1. Letters and memos from Nathan Jacobson Assocs. last dated 9/24/04
2. Long EAF dated 10/30/03
3. Final Site Plan dated 9/15/95; last revised 9/01/04
4. Letter of Approval/Permit (if applicable) from the Putnam County Board of Health for all approvals for water supply N/A
5. Letter of Approval from the N.Y.C. Dept. of Environmental Protection for sewage disposal facilities and Storm Water Management N/A

WHEREAS, the Southeast Planning Board has determined on the basis of its own review and the review comments received from its consultants that the information of the Environmental Assessment Form, that said Site Plan maps, drawings and other information are in substantial compliance with the requirements of Article IX of the Zoning Ordinance of the Town of Southeast, New York, and the same does not present any significant adverse environmental impact; and,

WHEREAS, the Southeast Planning board has determined that the general standards of Article 15 of the Zoning Ordinance of the Town of Southeast have been substantially complied with, and/or will be met by said construction, as will the performance standards set forth in the Zoning Ordinance of the Town of Southeast;

NOW, THEREFORE be it

FINAL SITE PLAN CONDITIONS CONTINUED:

RESOLVED, that the application for the Amended Project Development Plan Final Approval for, **SUBURBAN PROPANE**, is hereby granted with the following conditions:

1. The applicant must post a bond in the amount recommended by the Planning Board to the Town Board, based on an estimate approved by the Town Engineer, in a form acceptable to the Town Counsel, covering all site work, as stated in the Town of Southeast Code, Section 138-41, K. The bond amount shall be based upon 2004 construction costs. If the construction is not begun during the calendar year 2004, the applicant must re-apply to this Board for an adjustment of the bond amount to account for escalation of material and labor costs. Upon such request, the Town Board of the Town of Southeast shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond **must be paid prior to the start of any work on the site and/or the filing for a Building Permit.**
2. This approval incorporates by reference all conditions in the site plan submission unless any such conditions are specifically waived.
3. This approval incorporates by reference all recommendations contained in letters to the Southeast Planning Board from the Town Engineer, Nathan L. Jacobson & Assocs., unless any such recommendations are specifically waived herein.
4. This approval incorporates by reference, all correspondence from the applicant wherein the applicant has agreed to perform and/or provide certain things in order to obtain this approval.
5. **The Southeast Planning Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Southeast Planning Board or its duly authorized representative has made an inspection of the subject improvements and determined that the applicant has complied with all the conditions of this approval.**
6. This approval requires the applicant to conform to all the rules, regulations and ordinances of the Towns of Southeast, County of Putnam, State of New York, including the Town of Southeast Local Zoning Regulations and Site Plan Regulations Article IX.
7. The natural drainage features of the site shall be preserved, except for those alterations deemed necessary by the Town Engineer to allow for the development of the site to insure that there is no increase in surface water run-off or soil erosion onto adjacent properties or Town roads or roads intended to be dedicated to the Town. The Town Engineer will act as the representative of the Town of Southeast to monitor the drainage and erosion control, and will have weekly meetings with the Project Engineer and/or Construction Inspector and report to the Town of Southeast Planning Board any potential problems as they occur.

FINAL SITE PLAN CONDITIONS CONTINUED:

- 8. Temporary surface water and soil erosion control facilities adequate to protect adjacent property and roads, shall be installed at the commencement of the construction, grading excavation or removal of vegetation, in conjunction with New York Guidelines for Urban Erosion & Sediment Control.
- 9. This approval is conditioned upon the approval by the Town Attorney of all deed easements and road dedications as noted on the Final Plat, if applicable.
- 10. This approval requires that regular inspections should be made to protect wetlands, steep slopes, specimen trees, and any stone wall or hedgerow that may bisect the site.
- 11. This approval also requires that constant inspection of the construction site should be made to check erosion and sedimentary problems. If the site is cleared but no other work proceeds for some time, the adequacy of the erosion control program should be carefully monitored.
- 12. Construction should be phased in such a way that there is minimal site clearance. The smallest amount of land should be left raw at any one time in the construction process.
- 13. This approval also requires that adequate performance bonds will be obtained so that the Town can close up or restore the site, if construction comes to a halt.
- 14. Throughout construction, existing trees and shrubs along the property lines be left intact, to protect the neighbors views of the construction site. In addition, any proposed plantings must be completed prior to the next planting season after completion of the project.
- 15. This approval is also conditioned on the applicant providing the Planning Board with a copy of the approval from the Putnam County Department of Health prior to filing for a Building Permit.
- 16. This approval is also conditioned on the compliance as indicated in a letter written by Nathan L. Jacobson & Associates' dated September 24, 2004.

UPON ROLL CALL VOTE:

CHAIRMAN ROHRMAN <u>Yes</u>	BOARDMEMBER RUSH <u>Yes</u>
VICE CHAIRMAN MANTEO <u>absent</u>	BOARDMEMBER TESSMER <u>Yes</u>
BOARDMEMBER LA PERCH <u>Yes</u>	BOARDMEMBER ARMSTRONG <u>Yes</u>
BOARDMEMBER WISSEL <u>Yes</u>	

VOTE: The resolution was passed by a vote of 6 to 0, 0 abstained.

George J. Rohrman

George J. Rohrman, Chairman
Southeast Planning Board