

**SOUTHEAST PLANNING BOARD MINUTES
NOVEMBER 22, 2004**

Present: Chairman George Rohrman; Boardmembers Dan Armstrong, Mike Manteo, David Rush, Phil Wissel, Chuck Tessmer, Tom LaPerch; Town Planner Graham Trelstad; Town Counsel Tom Jacobellis; Secretary Laurie Fricchione

WORK SESSION:

1. **CAMPUS AT FIELDS CORNERS, Pugsley Road** – This item was on the agenda for a presentation of the architectural design of proposed homes and was represented by Dan Richmond, Esq. of Zarin & Steinmetz, David Lombardi of John M. & Consulting as well as Gary Stluka of Studio III Architecture. The homes are many styles of houses with similar floor plans but 6 different exterior styles. There are different variations with color, brick or stone facia, windows, garage placement, bump-outs, conservatories, etc. within each section. A computer-generated picture was shown depicting an example of a street within the subdivision and was well received by the Board.

PUBLIC HEARING:

1. **FISHER SUBDIVISION, Nelson Blvd.** – Terri-Ann Hahn appeared before the Board to describe the specifics of this subdivision. This property is approximately 47 acres in size and is proposed to be subdivided into three lots, one of which exists as the residence of Mrs. Fisher. Also proposed is an approximate 6.82 acre parcel of land to become part of Mrs. Fisher's "lot". The property is oddly shaped. The Town Engineer suggested that Reed Road was not sufficiently wide enough to accommodate any emergency or Town vehicles, so a suggestion was made to have a hammerhead design so that oversized vehicles could make a "K" turn to leave without backing out. Reed Road is proposed to be extended slightly to access the hammerhead. Both proposed houses will have an approximate 1,800 square footprint with a two-car garage. The applicant will pursue a 280a application to the Town Board for a lack of road frontage. Audience members who spoke on behalf of this project are as follows: Warren Whitney, John Reinhardt, Ann Fannizzi, Lynn Eckhardt, James Duffy, Steve Reinhardt, Elizabeth Fitzpatrick, Jean Mundell, Ethel Murphy, Sean Maguire, Mary Jane Duffy, Lisa Russo. Mr. Whitney recited a letter enclosing a petition from the residents of Drewville Heights stating their concern for the safety of the close-knit community which has existed for over 50 years and how they felt the introduction of two new homes will be detrimental to this co-existence and increase commercial and residential traffic. Concerns of wetlands and various other legal issues were raised. Mr. Reinhardt stated that as a resident of Drewville Heights for the past 48 years, he was concerned about the possibility of a farm use for this property and waste from any horses on this property. Ann Fannizzi asked about the wetlands. Ms. Hahn stated that there is an existing town regulated wetland essentially through the central corridor which will not be disturbed or crossed in any manner. The proposed home on Lot #1 is within the extended buffer area (approximately 115 feet away) which will require a wetlands permit for approximately 18 feet to be completely out of it because of the existing paddocks (which will be removed.) There is no wetland impact for the proposed Lot #2. Lynn Eckhardt asked if there were any way to get the proposed home on Lot #1 completely out of the buffer. Ms. Hahn stated that although that was their original intent, because of the location of Reed Road, it was necessary from an engineering standpoint to do it this way. Ms. Eckhardt asked when this particular site plan was submitted to the Planning Board. It had been submitted to the Planning Board the day of the

OK
BGR
12/2/04

**SOUTHEAST PLANNING BOARD MINUTES
NOVEMBER 22, 2004**

meeting. Ms. Eckhardt commented that it is hard to comment on site plans when they have not been provided in advance to the public. Chairman Rohrman agreed and stated that because the engineering staff and Ms. Hahn were still modifying the plans which were shown tonight, they could not have been provided sooner. The public comment period will be open for the next 10 days. Chairman Rohrman suggested that the Board discuss the possibility of keeping the Public Hearing open and place it on the December 13, 2004 agenda for further discussion so that the plans can be reviewed and commented on by an outside engineer. James Duffy asked about the paddocks presently existing. Both paddocks will be removed. The proposed homes are uphill of the site of the paddocks. He asked what alternative Mrs. Fisher considered other than to extend Reed Road and remove the fence that has surrounded Drewville Heights for over 50 years. Mr. Duffy stated that he will be most greatly affected by the removal of the fencing as well as the extension of the road. Chairman Rohrman stated that he knew of no plans to remove the entire fence, only that part of it which crosses Reed Road. He was also concerned that sometime in the future there will be an equestrian center which will invite truck deliveries for the horse feed, trailers coming in and out of the property, and many more cars from the people who own the horses that would be boarded at the facility. Ms. Hahn reiterated that Mrs. Fisher has no desire to make an application for an equestrian center or any other type of commercial horse-related boarding facility and that if there are horses on the property, they will strictly be for the personal use by her and/or family members. Steve Reinhardt asked what would need to occur if the applicant decides to operate an equestrian center or horse farm. Chairman Rohrman stated that the applicant would need to make an application to the Planning Board and follow certain guidelines as well as pursue a Special Use Permit from the Town Board. Elizabeth Fitzpatrick asked if there were any endangered species of plants and or animals present on the property and if there were any hazardous or toxic waste products buried on the site unbeknownst to the applicant (or anyone else). Ms. Hahn stated that it was standard practice to answer "no", but once site work commences, if there were any of the above conditions present, there would be a protocol from either the New York State Department of Environmental Conservation and/or the New York City Department of Environmental Protection to follow. Jean Mundell asked if the fence were to be taken down, will the fence be extended around the property of the proposed 2 lots so as to keep Drewville Heights completely fenced in? Ms. Hahn responded that she will talk to the engineer about it. Ann Fannizzi asked if it were possible to have a copy of the latest version of the subdivision map filed with the Brewster Library because she feels it is difficult to come into the Planning Board any one of five days a week during the hours of 9:00 a.m. and 4:30 p.m. and the Library has hours more convenient for working people to view the plans. Chairman Rohrman responded that the library has limited space and the Planning Board is open every day to receive FOIL requests. Mr. Whitney stated that the residents are thinking of hiring an outside engineer to view the plans. Chairman Rohrman suggested Mr. Whitney submit a FOIL request for copies of the latest plans. Mr. Whitney asked if this land will be further subdivided and if there could possibly be placed a conservation easement upon it. Ms. Hahn stated that her client is not willing to consider placing a conservation easement on this property which basically cedes control of the land to a third-party entity. He asked if this property will be used for horse trails. The answer was Ms. Hahn was not aware of any such information. Mr. Duffy asked how large the two proposed parcels were. Lot #1 is slightly over 8 acres; Lot #2 is 32 acres including the land that goes out back. Ethel Murphy said that part of the chain link fence is on her property and could it be touched? No, it cannot. Sean Maguire stated his full support of this application and also stated that the fencing is not uninterrupted, with various breaks in it that allow people and animals to pass

OK
SJR
12/2/04

**SOUTHEAST PLANNING BOARD MINUTES
NOVEMBER 22, 2004**

through unencumbered. Mary Jane Duffy asked what the width of the Reed Road extension will be. Ms. Hahn responded that it is 18' wide, just as wide as the existing width. Ms. Mundell responded to Mr. Maguire's statement regarding the open breaks in the fencing and that any openings were always repaired as soon as possible. Steve Reinhardt asked about an equestrian center again and asked what the minimum lot size needed to be. The answer was at least 25 acres that needed to be approved at the Town Board level for a Special Use Permit and Approval. Ms. Hahn submitted to the Planning Board letters in support of this application. Lisa Russo asked what this development would do to the surrounding property values, would her and the neighboring residents' taxes go up? Ms. Hahn did not have an answer to that question but she referred her to the Tax Assessor's Office. A motion to continue the Public Hearing until December 13, 2004 (with another 10-day comment period) was introduced by Chairman Rohrman, seconded by Boardmember Armstrong and passed 7-0 in favor.

REGULAR SESSION:

1. TERRAVEST INTERNATIONAL CORPORATE PARK – T-3 (Senior Housing) This item was on the agenda for a continued review and a presentation of home elevations and was represented by Terri-Ann Hahn of LADA, Bill McGuinness, the designer and architect of these homes. Proposed are homes 1,800 square feet in size, all with the master bedroom on the first floor, thus creating a larger footprint for the second floor. The roofs are bell-capped. There are seven different floor plans with the ability to mix and match certain elements. All homes are designed for aging in place, meaning higher electrical outlets, lower light switches, lower countertop space in the kitchen and handicap bars in the bathrooms. Exterior fascia is a hardy plank with asphalt roof shingles. Hallways are wider for wheelchair maneuverability. This project was unanimously approved by the ARB. Some homes have single garages; most have double garages. It was mentioned that these homes may be customized for the individual needs of a particular homeowner. The exterior maintenance will be by the Homeowners' Association. Streets are private. All homes have full basements, some with walk-outs permitted by topography. This project needs to receive a Conservation Commission approval, a Special Use Permit from the Town Board, and approval from the Planning Board.

2. TERRAVEST INTERNATIONAL CORPORATE PARK – T-9-This item was on the agenda to introduce Westchester Tractor as a tenant as per Planning Board approval. Terri-Ann Hahn of LADA as well as Don Appel of Westchester Tractor appeared before the Board. Drawings were submitted showing what the building would look like. The footprint of the building has not been changed from the generic site plan approval. Parking will not be increased or decreased. Lighting will be shoebox style down lighting and on timers as well as landscaping for the remaining 20% visibility. There will be no retail sales at this location. Graham Trelstad mentioned this business as being light manufacturing, but there is an area for assembly once the parts for the tractors are delivered and need to be put together and stated that this project will need a Special Use Permit for the light manufacturing which requires some assembly. Terri-Ann stated that when the application was made to the Town Board for the Special Use Permit for office/storage and warehouse, it was mentioned that there was light manufacturing as well as light assembly. Graham stated that he would check on that. Products will be delivered to the customer once assembly is

OK
JGR
12/2/04

**SOUTHEAST PLANNING BOARD MINUTES
NOVEMBER 22, 2004**

complete. For larger machinery, maintenance is provided at the customer's site. A question was raised about outside storage. Yes, there will be a few pieces of machinery on site, but only for a day or two in anticipation of the customer receiving delivery of it.

3. DURKIN WATER CO. AMENDED SITE PLAN, Fields Lane – This item was on the agenda for a routine review. Once this project receives a variance from the Zoning Board of Appeals, the applicant will return to the Planning Board for Amended Site Plan Approval.

4. BACK O'BEYOND SUBDIVISION, Federal Hill Road – This item was on the agenda for a review of the Preliminary Subdivision Plan, an Intent to Declare Lead Agency for purposes of SEQRA as well as a request for waivers and was represented by Theresa Ryan of Insite Engineering as well as Jim Bacon, Esq. A question was raised regarding the irregularity of the proposed lot lines. Graham Trelstad stated that the configuration of the proposed lines are thoroughly unsatisfactory. While he states that the lines conform to setbacks and do not require any variances from the ZBA, he questions the wrap-around piece of property surrounding the 17-acre lot that makes for an unconventional and unappealing lot for the remaining 60-acres. Ms. Ryan stated that the wrap-around piece of property creates a buffer to the 17-acre parcel from the abutting golf course. It was the consensus of the Planning Board that Ms. Ryan re-work the lot line delineations to make them not so irregular. Mr. Bacon reiterated the statement that his clients do not have any intentions at the present time to further subdivide or to sell the existing 17-acre parcel upon which all the structures lie. The resolution for the Intent to Declare Lead Agency was introduced by Chairman Rohrman, seconded by Boardmember LaPerch and passed 7-0 in favor. This action is considered an Unlisted Action with a Coordinated Review. A resolution granting numerous waivers (which only pertain to this subdivision) was introduced by Boardmember Tessmer, seconded by Boardmember Wissel and passed 7-0 in favor. This resolution specifically states that if in the future an application is made for the re-subdivision of the 60-acre lot, then the new owner, (if it is not Back O'Beyond) will need to go through the whole subdivision process; i.e., without being in possession of any waivers.

5. QUINN SUBDIVISION & LOT LINE ADJUSTMENT, Turk Hill Road – This item was on the agenda for a review of the Sketch Subdivision Plan/Lot Line Adjustment and was represented by Theresa Ryan of Insite Engineering. This project involves a lot line adjustment and the proposed subdivision which will create two conforming residential lots on the east side of, and fronting on Turk Hill Road, all on approximately 43 acres. It is classified as a minor subdivision. There were some questions regarding the creation of a landlocked piece of land via the lot line adjustment. Ms. Ryan asked if the drawings as submitted are satisfactory to pursue for preliminary review and continue. There was no objection on the part of the Town Planner.

6. BARNES OFFICE/WAREHOUSE, Fields Lane – This item was on the agenda for a continued sketch plan review and was represented by Ted Barnes, the applicant and Peter Gregory of Keane & Coppelman, the architects. Chairman Rohrman questioned why this project has not moved forward more quickly; i.e., out of sketch review and in preliminary review. Mr. Gregory responded that they made a submission in July 2004 to NYCDEP for the Stormwater Pollution Prevention Plan, which has not been responded to. The Health Department has responded to the DEP's review of the septic design, but nothing to address that was directly forwarded for the SPPP.

OK
SPR
12/2/04

**SOUTHEAST PLANNING BOARD MINUTES
NOVEMBER 22, 2004**

Chairman Rohrman stated that the review process can continue in anticipation of the outside agencies granting their approval and the Planning Board will, of course, not grant Final Site Plan Approval until all outside agencies have granted their approvals. Graham Trelstad suggested that part of the reason why this project is moving so slowly is because it got caught in a zoning change regarding retaining walls, resulting in a design change. Graham stated that the Planning Board needs much more details in their drawings (as they relate to retaining walls especially) and also the soils so that review can continue more expeditiously. Mr. Gregory was informed to submit for a preliminary review, making sure that the Town Engineer's review letter comments are addressed.

A motion to accept the minutes of the October 25, 2004 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 Chairman Rohrman and passed 7-0 in favor.

11/30/04
L.F.

**THESE MINUTES ARE STRICTLY A DRAFT UNTIL A
MOTION IS VOTED UPON TO ACCEPT THEM AT THE
NEXT AVAILABLE PLANNING BOARD MEETING.**

OK
ygr
12/2/04