

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

Present: Chairman Thomas LaPerch; Vice Chairman David Rush; Boardmembers Eric Cyprus; Jim King; Lynne Eckardt and George Pangis; Town Planner Ashley Ley; Secretary Victoria Desidero; Absent & Excused: Boardmember Mike Hecht; Town Attorney Willis Stephens

**Pledge of Allegiance**

**Introduction**

Chairman LaPerch opened the meeting with the Pledge of Allegiance, a roll call vote (results above) and introduced the agenda items.

**PUBLIC HEARINGS:**

**REGULAR SESSION:**

- 1. PROVETTO BROTHERS FARM, 679 Milltown Road, Tax Map ID 47.-3-27** – This is an Application for a Special Permit for Farm Use. The applicant is unable to attend a previously set Public Hearing date and requested the date be changed. The motion to Set the Public Hearing for June 14, 2021 was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.
- 2. VALERO, 1675 Route 22, Tax Map ID 46.-3-16** – This was an Architectural Review of an Application for Signage and Changes to a Commercial Structure. No one was on the call to represent the application.
- 3. SUBTRACT, INC., 20 Welfare Road, Tax Map ID 36.-1-44.2** – This was a Review of an Application for a Conditional Use Permit for a Home Occupation. Jay Smith appeared before the Board. Chairman LaPerch said so tell me what you are looking to do with this application? Mr. Smith said my wife and I have recently incorporated a business and it came to our attention that we need a Conditional Use Permit if we wish to conduct the business out of our residence which is what we are seeking to do tonight. Chairman LaPerch said can you tell us about your business? He said we are a firearms manufacturer licensed by the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives); what we plan to do is manufacture small firearm components and also bid on government contracts. Government contracts for things like the Bureau of Engraving and Printing, the Bureau of Prisons, he said, are required to use small businesses and women-owned businesses for sourcing a lot of their firearms needs and we plan to bid on primarily contracts of that nature. He said we have bid on a few so far but we have been unable to win any yet. Chairman LaPerch said OK, so tell me about your business model: how many people do you anticipate coming to the property and do you have guns exchanged on the property? Give us a little more background, he said, this is a little unique to the Town. Mr. Smith said our primary source of revenue will not be like transactions but certainly one service to the community that an FFL (Federal Firearms License) could provide is transfers. Now, if you were to purchase a firearm or a controlled part of a firearm on the Internet, for instance Gun Brokers is one site on the Internet, it's kind of like where private individuals can list their firearms for sale and purchase them. He explained that Federal Law prohibits conducting direct sales between private parties and that is where a licensed FFL comes in and how a transfer works through an FFL. He said so yes, there would be transfer of firearms on the premises and the license only allows you to conduct business at the address designated or a gun show. Mr. Smith said so it would be nice to have individuals come and go and do transfers on the property. Chairman LaPerch said you are basically a transfer station and you would only take possession of this firearm if you have a destination for it on the outbound portion? He said not necessarily, there are many reasons why we would acquire firearms: one would be to then send it somewhere else; another would be if maybe a widow suddenly finds herself with her late husband's

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

gun collection and she doesn't want them. He said she would bring them to me and then I might buy them and sell them. He gave several examples of ways he might acquire and/or sell firearms as an FFL. Chairman LaPerch said where do you store these guns and what do you have in terms of security measures? Mr. Smith said good question: in order to get an FFL... part of the process, which we have completed, is an ATF investigator visits your property or premise where you intend to conduct the business and part of his or her interview is making sure that you have security systems in place. He said we have a 1500-pound safe that is lagged down to our concrete garage floor; we have video camera surveillance; and we have locked doors and we have an alarm on the home as well. New York State will also be conducting some form of investigation although I don't know what that process entails, he said, but essentially there is very strict requirements by the ATF on FFLs. He explained there are layers of security required. Chairman LaPerch said is this a taxable event within the County? He said yes, sir, and gave examples of when he would charge sales tax. Chairman LaPerch asked Ms. Ley: is this a Building Department kind of review? Ms. Ley said this was referred for a Conditional Use Permit for a Home-Based Occupation and there are certain criteria under the Code that need to be met for a Home-Based Occupation. She said one of the issues or concerns about this project is that if it is any sales of any products, any retail sales, one of the conditions of the Conditional Use Permit... and this goes for any type of retail: all pick up and deliveries should occur through standard residential delivery services and customers are not supposed to be visiting the premise. Mr. Smith said I am familiar with that provision and when I initially applied for the Conditional Use Permit I was under the impression that no customers could visit, however, when I looked at the Town bylaws or what have you... 138-56.2(12) seems to indicate that up to 12 customers could visit the premises per day, or 12 vehicles rather. Ms. Ley said right, so that's if you look at some of the other options for Conditional Use Permits: there are things like a home art studio or dance studio or a real estate agent's office or things of that nature so that 12 number is applicable to those types of uses. When it relates to retail sales, she said, it is not supposed to turn into a retail store basically. She said the whole purpose of that provision is they don't want people coming and going throughout the day for retail sales; it was supposed to be things that were more scheduled, like an art class or a piano class, things of that nature where it would be one or two people showing up at a time. Mr. Smith said understood so would a transfer, which would be a service, not a good, would that be in that category? He said so I would not be able to use my wholesale account to purchase goods and then have someone arrive here to personally pick up the goods; that would be out of the question is what you are saying? Ms. Ley said right, anything that would be considered a retail sale on the premise; you could take the guns to a gun show and do the transfer there and conduct the whole Internet portion of your business at your home. He said understood but what about a transfer, like if someone is moving in or out of state or someone purchases the gun on their own and needs me to do the transfer so that would be a service? Chairman LaPerch said I would think so. They discussed if that would be permitted and Mr. Smith explained he would also do background checks as an FFL and believes that is a service. Chairman LaPerch said I would like our Building Inspector to kind of give us an interpretation on that. Chairman LaPerch polled the Board for questions. Boardmember Pangis said did I understand you to say there is a component of your business that is manufacturing some parts? Mr. Smith said yes, sir. Eventually, probably calendar year 2022 or later, we are interested in getting a mill so that we can manufacture medium sized components out of aluminum, he said. He showed the Board a plastic prototype he designed in a CAD program and printed on a 3D printer, which he said is roughly the size of a medicine cabinet or a little larger. He said the machine that we are interested in getting would be a little larger than that and would be able to produce these out of aluminum. Boardmember Pangis said and that machine would be in the basement or garage and what sort of noise would it give off: I am thinking about neighbors. Mr. Smith said it would be in the garage and it is pretty quiet; if you wanted to do some research you can YouTube like a CNC Mill, it is like a

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

light hum maybe slightly above a washing machine when its running. Boardmember Pangis asked about materials and specifically any chemicals that might be involved in the product manufacturing. Mr. Smith said there are aluminum chips that are a biproduct of doing this and normally you can put them in a 35-gallon garbage can-looking thing and when that becomes full you recycle them. Boardmember Pangis said other than the obvious desire to cost contain, is there any business reason that you are not renting a commercial space with a storefront? Mr. Smith said yes, cost containment and a storefront would not be feasible at this point in time as I have a primary occupation that would get in the way. He said this is going to be something that I would do with my wife evenings and weekends. Boardmember Pangis said assuming you were approved to allow folks to come to the house, how many people a day do you think... what sort of foot traffic and car traffic would be there? Mr. Smith said I understand the cap is 12 and the nature of a transfer is that you have to arrange it ahead of time and he explained how a transfer is set up saying he would be able to control the number per day. They discussed how this could be done and the paperwork that is required to keep accurate records for the ATF. Boardmember Pangis said my last question is do you have a driveway or somewhere people can park other than the street? Mr. Smith said yes, I have a long driveway. Boardmember King said my question is you are going to be selling... what is to prevent it from becoming a full-fledged store where you could also sell ammunition, other things. I think the Board would really want to see that this is mostly going to be transfers and not a retail store out of your home, he said. Mr. Smith said I would be beholden to the rules so if more people are showing up and I am only allowed to have visitors to the property for a service that would prevent me from doing that, right? Chairman LaPerch said that is an enforcement issue, Mr. King. Boardmember Eckardt said it doesn't sound to me too much like the transfer is in the spirit of the law as far as it was kind of crafts and dance and exercise and doctors and attorneys working out of their house so I do have questions on that. She said also, I do want to remind this Board, although you handled it or it was just in front of the Town Board, but we had a similar case with firearm transfers and sales on Nelson Blvd. and the neighborhood really turned out on that and it hit very close to home over here and people were very upset and didn't like the idea at all so obviously having the Public Hearing will be helpful. I don't think the transfer part of it is really in the spirit of the law, she said, and I guess my only other thing is: is it totally a minority owned business, is it totally in your wife's name? She said I am a little bit confused as I know New York State does favor minority owned and women owned businesses so I am curious about that. Mr. Smith said yes, my wife owns the majority. Boardmember Eckardt said will we get to meet her at some point? He said certainly, she is tending to our three children at the moment but yes. Boardmember Cyprus said first off George (Pangis) asked some great questions there; I think I share Jim's (King's) concerns about it becoming a full-on gun shop but if we do limit it to the small manufacturing and his wholesale business I would be OK with the transfer component of it. Lynne (Eckardt), that other applicant definitely came before the Planning Board. I remember it well, he said, I think there was a difference there: he was actually looking to manufacture and sell guns and I believe he also had some kind of a shooting range in his back yard so I think that is why there was a bit more public outcry but of course I support a Public Hearing for this. Chairman LaPerch said it was a little different, I agree with you Eric (Cyprus), thank you. Boardmember Rush said I just want to echo what Lynne (Eckardt) was saying; I think when we go to a Public Hearing be prepared for the public to have concerns and you do not have any shooting range here or anybody would come to try a gun, right? Mr. Smith said no. Boardmember Rush said OK, because I think, Eric (Cyprus), I think he sold antique guns, they were like specialty antique, you can't find kind of guns but regardless... Boardmember Cyprus said they were modern firearms but they were custom. Boardmember Rush said yeah, so as long as you don't have a place to shoot... I don't know... I think we are going to have a lot of restrictive requirements and I don't know how enforceable this would be. The Code Enforcement people are pretty busy if they are going to be asked to make sure you don't have a retail business going on, he said, it could

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

be tough to enforce. Chairman LaPerch said all good questions. He thanked Mr. Smith for his presentation and said we have two actions here tonight. The motion to Classify this as a Type II Action under SEQRA and Town of Southeast Minor Project was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Set the Public Hearing for June 14, 2021 was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.

4. **ROTH NURSERY SUBDIVISION, 291 Foggintown Road, Tax Map ID 46.-3-38.1** – This was a Request for a six-month extension of Preliminary Plat Approval. Chairman LaPerch said is anyone on the call for this application? Secretary Desidero said I received a call from Mr. LaMontagne of Bibbo Associates today saying he had a conflict. I told him since nothing has changed and this is one of multiple extensions already granted he did not need to be on the call, she said. Chairman LaPerch said OK, so he is not suggesting any changes so we are just going to renew it for another six months and for the new member, Ashley (Ley), how many extensions are there and where are we with this? Ms. Ley said this is an extension of Preliminary Plat approval and this is the fifth six-month extension and there is no limit on extensions of Preliminary; there is only a limit on extensions for Final. The motion to Grant a Six-Month Extension of Preliminary Plat Approval for Roth Nursery Subdivision located at 291 Foggintown Road was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 6 to 0 with 1 absent.
5. **WELLINGTON II DEVELOPMENT, 400-408 Route 22, Tax Map ID 78.-1-16** – This was a Review of an Application for Final Approval of a Site Plan Amendment and Wetland Permit. Doug Hahn of J. Hahn Engineering and Owner John Mallon appeared before the Board. Chairman LaPerch said Mr. Mallon, before we get going here, I've gotten a couple of calls on the fact that you are trying to sell a truck in front of your property. They discussed there is a truck his tenant is trying to sell and it needs to be moved. Mr. Hahn gave the Board an update on the project saying we did get a memo from the Wetland consultant saying he didn't have any more concerns. He then went through the concerns raised by the Board at the last meeting including the view of the property from Minor Road; the onsite storage areas which have been identified and calculated; changing the shrubs to what was recommended; and the cover on the gate being removed and replaced with a new screen which is just black with no logo. Chairman LaPerch said I noticed, and I drive that road quite a bit, that gate is never closed on weekends so I am not sure if they do business seven days a week. Mr. Mallon said they are a six day a week business. Chairman LaPerch said OK and then polled the Board for questions starting with Boardmember Eckardt. She said I drove out today to check things out and the truck is still there so thank you for asking about that, Tom (LaPerch) as I have received questions about that as well and thank you (Mr. Mallon) for removing it. She said thank you also on the shrubs and the one thing that I am going to ask, and it is in the resolution but it is up to you, Tom (LaPerch); I would love to see where the shrubs are going to be when it is staked out. She said it doesn't need to be anything formal. Chairman LaPerch asked Mr. Mallon if he had a problem with that and he said no problem at all. Chairman LaPerch said great, done. They discussed when would be a good time and how to contact Boardmember Eckardt. There were no other questions. The motion to Grand Final Site Plan and Wetland Permit Approval for Wellington II Development was introduced by Chairman LaPerch, seconded by Boardmember King and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Recommend a Performance Bond to the Town Board for Erosion & Sediment Control as written by the Town Engineer was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.
6. **PUTNAM BUSINESS PARK ACCESS, 1689 Route 22, Tax Map ID 46.-3-17** – This was a Review of an Application for Site Plan Amendment. Doug Hahn of J. Hahn Engineering and

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

Owner John Mallon appeared before the Board. Chairman LaPerch said Mr. Hahn tell us what you are doing out there please. Mr. Hahn shared his screen and explained the proposal to amend the site plan to alter the access to the parking area to make it easier to access the loading areas and parking. He described the design to keep the entrance sight lines open and said I did get the comments from the Town Engineer and those are included but we did want to get something in so the Planning Board could comment and let us know if there is anything major that we should address. He said we know we need to address stormwater. Chairman LaPerch said I saw the comments about the curb cut from the Town Engineer that he would like to get an OK from the Highway Department, correct? Mr. Hahn said yes. He said and you are not adding any extra buildings but just cleaning up that back area so all you are really adding is impervious surface, right? Mr. Hahn said correct. Chairman LaPerch said I have a random question here and I have asked this before: what's the chances of getting that water tower painted? Mr. Mallon said only if I could put the "Town of Southeast" on it. Chairman LaPerch said we are all in: I'd vote for that! They discussed that it needs a good paint job and Mr. Mallon said I would be glad to do that. Boardmember Eckardt said would this give us the opportunity to have the applicant do some landscaping over there? Mr. Mallon said I think you can see since I bought the building three years ago now, I have been trying to keep it really nice in front. He said we did change all the landscaping in the front of the building and on the south side of the building and with the new addition I just added landscaping to the walkway that is in front of the addition. He said that is our intent to make that area look nice. Chairman LaPerch asked if it would be OK for Boardmember Eckardt to take a walk with them at the property? Mr. Hahn said I was just going to ask for any suggestions she might have. Boardmember Eckardt said I would love to do it; perhaps the same day as Wellington if it is convenient for you? They said they would definitely like to incorporate that into the plan. Boardmember Rush asked if there is any lighting involved in this. Mr. Mallon said we had in our recent approval of the addition on the building... we added LED down lights which was part of the approval with you guys. Boardmember Rush said, Ashley (Ley) we are all set with that then? Mr. Mallon said it looks really good. Chairman LaPerch asked Ms. Ley for her comments. Ms. Ley said I think you got a copy of my memo but there was just some additional information we need to see as part of the next submission so we can start the SEQRA process; like we are missing the EAF (Environmental Assessment Form) as well as the Zoning and Bulk Table to make sure you are not creating any non-conformities. Mr. Hahn said he didn't receive the memo. Ms. Ley said she will send it again. Chairman LaPerch said we have no actions tonight. They both said we expected that but just wanted to get it started to see if there are any issues the Board wants addressed. They discussed if there would be a memo from Wetland Inspector Stephen Coleman and whether there are wetlands or buffers being impacted. Ms. Ley asked them to include some of the plans from the last approval in their next submission so the Board can see it all together. Chairman LaPerch said John (Mallon), I am serious about that water tower; if you can do something there we would love to entertain it at the next meeting if you are serious about it in terms of color and any type of verbiage on it. Mr. Mallon said from the moment I bought the building I have been thinking about it. Chairman LaPerch said thank you; we have no further actions so we will see you next time.

- 7. J & J AUTOMOTIVE, 1785 Route 22, Tax Map ID 46.-4-22** – This was a Review of an Application for Final Approval of Site Plan Amendment. Chairman LaPerch said anyone here for this application. Ms. Desidero said for this one and the next one these are both very minor site plan amendments for generators... Chairman LaPerch said that is correct. She said just to refresh the Board's memory, we have recently... when these have to be referred out to County Planning and therefore cannot be approved in one night, we have recently been putting them back on once we have County Planning approval where nothing has changed. So whatever was submitted originally, she said, is exactly what's being approved and if there are absolutely no changes it is more about

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

taking a vote. She said I know that Bibbo will not be here for Casafina and I do not see the gentleman from J&J Automotive although he was invited. Chairman LaPerch said OK it sounds good to me; I don't think there are any issues either. He asked if there were any questions from the Board and there were none. The motion to Grant Final Site Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 6 to 0 with 1 absent.

8. **CASAFINA LIVING, 301 Fields Lane, Tax Map ID 78.-2-95** – This was a Review of an Application for Final Approval of Site Plan Amendment. Chairman LaPerch said once again this is a property up on Fields Lane and it is behind the building so unless I see any hands raised I will make the motion... The motion to Grant Final Site Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember King and passed by a roll call vote of 6 to 0 with 1 absent.
  
9. **NEW YORK AMERICAN WATER TRANSMISSION LINE 13, 36 Mt. Ebo Road North, Tax Map ID 46.3-5-12** – This was a Review of an Application for a Wetland Permit. Mike Shortell of WSP USA appeared before the Board. Chairman LaPerch said for the Board's purposes we did have a conversation the day after our last meeting with Mr. Coleman our Town Wetland Inspector about my question about why we have to wait until July. Can you tell the Board what we talked about, he asked? Mr. Shortell explained that they were requesting relief from the requirement to hold off drilling the well until July and Mr. Coleman didn't have any objection to drilling the well whether it be May, June or July. Chairman LaPerch said that is correct and once again the reason for this well? Mr. Shortell said this well is mainly to support the Barrett Hill Development; we had drilled Well 12 and that was also for Barrett Hill but we had some water quality issues that NY American did not want to pursue the well as a result of so we are looking to drill Well 13 again to support the Barrett Hill Development. Chairman LaPerch said I have two action items here and one is a Public Hearing and I'd like to get some feedback from the Board. Ms. Ley said it is a Wetland Permit so you cannot waive a Public Hearing unless it is classified as Minor by the Wetland Inspector. Boardmember Eckardt said can I ask a question before we vote? Chairman LaPerch said absolutely. She said I read Mr. Coleman's letter and he had urged NY American Water not to cut down more trees but to use the existing path where trees have already been removed, is that going to be the case? Mr. Shortell said I sent an e-mail to Steve (Coleman) to ask for a conference call to discuss his memo. What we would like to do, he said, there are a lot of things that need to happen and first we need to find a successful well. Assuming we find a successful well, Mr. Shortell continued, then we would install the water main but what we would like to do is install the water main in the shortest path possible and that is what I wanted to discuss because if I am understanding his memo correctly it kind of takes a circular path to get from the well to the treatment building and I wanted to work that out with him. Boardmember Eckardt asked if she could see the pathway that exists and Mr. Shortell said of course. He put the site plan up on his screen and explained in detail where the wells are and where they want to install the transmission line showing the existing path, the proposed path and what Mr. Coleman is suggesting. He talked about the drill rig being used and said we are not anticipating taking down any trees along this path but certainly for a watermain we would have to take down trees in one direction or another. They talked about the width of the path being about 20 feet wide. Boardmember Eckardt said I trust Steve's (Coleman's) judgement and will defer to him but I would like to get out there to see it myself. Chairman LaPerch said I would like to have a Staff Review Meeting offline so we can all understand what is going on here. She and Mr. Shortell agreed that would be a good idea. Chairman LaPerch polled the Board for questions and there were none. The motion to Declare Intent to be Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Set a Public Hearing for June 14, 2021 was introduced by Chairman LaPerch, seconded by

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

Boardmember Rush and passed all in favor.

**10. REPORT AND RECOMMENDATION ON PROPOSED ROUTE 22 ZONING –**

Chairman LaPerch said so this went to the Town Board, who had a Public Hearing, and it is back for us to discuss what we heard and what we think so Ashley would you please tell us what our actions are tonight? Ms. Ley said the Town Board adopted the Master Plan a few weeks ago and there were two main changes that they made to the Planning Board's recommendation on the Master Plan, which I will address in a minute. She said what this is now is the draft Zoning that would implement the Zoning recommendations of the Master Plan so the draft Zoning matches what the Town Board voted on and now it is being sent back to the Planning Board for a Report and Recommendation on the Zoning aspect. She said so the changes to the Master Plan that are included here are primarily related to self-storage. She explained that the recommendation of the Planning Board had been to allow self-storage as an accessory use and the Town Board's decision was to make self-storage a principal use that would be permitted and she detailed which Zones this would impact and how. Ms. Ley talked about some feedback she has received about making it a Special Permit criterion to keep it only for properties with access from Route 22. She talked about the motor vehicle dealerships saying the Master Plan was silent on the minimum acreage but the draft Zoning does include a change to the Special Permit criteria to allow the minimum acreage to be four acres instead of 15 acres. Chairman LaPerch asked for clarity on the self-storage issue that the survey said was not desirable on Route 22. They discussed what the Special Permit process is; the difference between an accessory use and a principal permitted use; and the parcels along Route 22 that might be able to have a self-storage facility. They talked about the design criteria in the draft Zoning and Ms. Ley read the design guidelines for self-storage to the Board and explained the reasons for some of them. Chairman LaPerch asked some questions about properties that would be eligible for a motor vehicle dealership at four acres and they discussed some of these in detail. Chairman LaPerch polled the Board for questions. Boardmember Eckardt said my concern here is not that it shouldn't be allowed in HC; it is that our goal was to do a new Comprehensive Plan update on Route 22 and self-storage was something that was not popular so I think to put it... I am not saying it shouldn't be in HC... what I am saying is I think it is inappropriate to put it into HC now. She said I think everything we do should be about Route 22; I would love to re-do a Comprehensive Plan for 312 and 84 which I think is long, long overdue and now that Interstate Logistics is in that might be a possibility that the Planning Board could do. Chairman LaPerch said I agree. She said but I feel really strongly that anything we did for Route 22 right now should stay just on Route 22. Boardmember Eckardt asked Ms. Ley what the coverage on a four-acre lot would be. Ms. Ley said there is some flexibility there because SR-22 is based on FAR (Floor Area Ratio) and there is no other dimensional criteria; there is a lot of discretion there from the Board. They discussed it is a maximum FAR of 2.5 for a whole lot and Boardmember Eckardt talked about how the Town does not tend to turn down Special Permits. They discussed why Special Permits give the Town the opportunity to customize some regulations based on the circumstances for each application. Boardmember Pangis said you folks have been working hard on this since before I joined the Board and I certainly defer to you and the decisions you've made. Boardmember King said I like what we have done and I am not as opposed to self-storage but I would hate to see it be so prominent on Route 22. Boardmember Cyprus said I was one of the ones who came into this not being a fan of self-storage but thinking about this, in my opinion, we really should be more concerned about how things look rather than the use. I think the Special Permit criteria and the Design Guidelines give us that, he said, so I am pretty happy with where we are. He said to Lynne's (Eckardt's) comments, I am totally fine with limiting this to Route 22 and I agree we should look at the other parts of Town separately. Boardmember Rush asked Ms. Ley if there were some sustainable design criteria for the development of new properties there. Ms. Ley said there is a bunch of design guidelines that relate to landscaping but there is no

**TOWN OF SOUTHEAST  
PLANNING BOARD / ARB MINUTES  
May 10, 2021**

requirement for green infrastructure specifically. He asked if that is something that the Board should recommend or request. They talked in detail about how this might be added and what types of green infrastructure might be included. The discussion included whether the requirements should be tied to any specific uses. Chairman LaPerch said Victoria and I talked about this recently and we were thinking it could be Town-wide, right? Ms. Desidero said right, I thought when this was discussed by the Board during the Route 22 review and David, who usually brings this up and I am a big fan of these types of initiatives... but I thought the Board agreed it is something that should be reviewed for the Town as a whole. Chairman LaPerch said I agree with that Ashley, right? Boardmember Rush talked about how this might attract businesses that are sensitive to the environment and offers a sustainable advantage. Ms. Ley said there is nothing specific in there now but we could include a general recommendation back in this Local Law... or in this recommendation... to do something Town-wide... to do some sustainability. She said I am just trying to think of how to do it because usually when you do something like that you give a bonus or give an incentive. Boardmember Eckardt expressed her opinion that it would be a great idea to do something like this Town-wide and suggested it might be part of a review of the 312/84 corridor. Chairman LaPerch said yes, I am going to talk to the Town Board about doing the Route 312/84 review and include this as part of it. Boardmember Cyprus asked Ms. Ley if any municipality has done anything with incentives or LEED-like incentives. Ms. Ley said yes, like White Plains has their version of a LEED checklist and every project has to go fill out the checklist and there is no award at the end but it does make developers think about what additional performance criteria could be put into this building. And, actually Southeast had something like this on the table 10 years or so ago, she said, and it never went anywhere. They discussed other regulatory agencies that are issuing incentives of this kind. Boardmember Rush explained how New York City is monitoring building energy performance. Everyone agreed it could be included as a general recommendation to be reviewed at a later date Town-wide. Ms. Ley summarized what the recommendation will say about the self-storage being only on Route 22 and the general recommendation that the Town consider adding new incentive-based sustainability criteria on a Town-wide basis. The motion to Send a Report and Recommendation on Route 22 Zoning with Changes to the Town Board was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by all in favor.

The motion to approve the Meeting Minutes of April 26, 2021 as written was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor.

The motion to Close the Meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

**May 19, 2021/VAD**

**THE FULL VIDEO RECORDING OF THIS MEETING IS AVAILABLE AT:**  
<https://www.southeast-ny.gov/337/Planning-Board-Audio-Files>