

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

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

Pledge of Allegiance

EXECUTIVE SESSION:

The motion to go into Executive Session for Advice of Counsel was introduced by Acting Chairman Rush, seconded by Boardmember Eckardt and passed all in favor.

The motion to come out of Executive Session where no action was taken was introduced by Acting Chairman Rush, seconded by Boardmember Pangis and passed all in favor.

PUBLIC HEARINGS:

1. **NEW YORK AMERICAN WATER TRANSMISSION LINE, 36 Mt. Ebo Road North, Tax Map ID 46.3-5-12** – This was a continued Public Hearing to Review an Application for a Wetland Permit. Acting Chairman David Rush said so the first Public Hearing is the New York American Water Transmission Line which has been postponed so we can eliminate that and just for business order we'll do Provetto Brothers last? Secretary Victoria Desidero said no you need a motion to continue. The motion to continue the Public Hearing to September 13, 2021 was introduced by Acting Chairman Rush, seconded by Boardmember Eckardt and passed all in favor.

2. **SUBTRACT, INC., 20 Welfare Road, Tax Map ID 36.-1-44.2** – This was a continued Public Hearing to review an Application for a Conditional Use Permit. Jason Smith of Subtract, Inc. appeared before the Board. Acting Chairman Rush said now we can go to Subtract, Inc. Would you like to come up? Ms. Desidero said you need to open it. The motion to Open the Public Hearing was introduced by Acting Chairman Rush, seconded by Boardmember Eckardt and passed all in favor. Acting Chairman Rush said so now the Public Hearing is now open and so, if you'd like to... you're the applicant. If you want to come forward and you can go to the podium if you will and tell us your name for the public (pause) and then what we're going to ask is you're going... when we... the Board, you know, will go through its questions for you and after... when we turn it over to the public, what we'll do is we'll probably just let the public ask their questions and then when they're all finished, we'll let you go ahead and have a moment if you want to respond to some of their questions, OK? Mr. Smith said sure. Acting Chairman Rush said rather than go back and forth. Boardmember Eckardt said David, can I make a quick suggestion? Since this is a Public Hearing, if you could face the public, we can... Acting Chairman Rush said you want to take the board down? Boardmember Eckardt said we'll take the board down. (Pause.) Acting Chairman Rush thanked the Board Secretary for removing the presentation board and easel. Acting Chairman Rush said OK. Mr. Smith said should I expect the mic to be on or...? Boardmember Eckardt said it is. Acting Chairman Rush said you can talk. Mr. Smith said my name is Jason, I'm here representing Subtract, Inc. Acting Chairman Rush said OK, you want to talk a little bit about what you're here for? Mr. Smith said yes, so I can summarize the application then. It's for a home occupation: my wife and I are going to operate an FFL out of our residence on 20 Welfare Road. We're going to be doing parts manufacturing, government contracts, and FFL transfers, he said. Acting Chairman Rush said OK. Boardmember Eckardt said if you could... could you be a little more specific for everyone on the FFL? We know from being here, she said. Mr. Smith said sure, so an FFL is a Federal Firearms License, it's a license that is given out by the Federal Government, the ATF (Bureau of Alcohol, Tobacco, Firearms, and Explosives) and without this license you cannot act as a firearms dealer. It's... it's required for selling firearms or parts that are regulated as such, he said. So if you imagine, like, a handgun or a rifle... if you are a hunter and you have a rifle and you want to buy a scope,

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

obviously, you don't have to go through the whole background check to get a scope for your rifle, if you have another accessory (inaudible) or something, you're not going to go through a background check to buy that item, but to prevent people from just buying each part and building their own one without a background check, the ATF has to call something the firearm, and that's usually the one piece, usually it's the receiver. So, to make those parts, he said, you must have an FFL to manufacture because there's certain strict regulations: you have to have a serial number, you have to have other markings that says, you know, what the business is, if (inaudible) and so on and so forth. Mr. Smith continued: and at the other end... that's the manufacturing end of it, and the other end of it is sales, which we won't be doing sales directly to the public. We will be doing transfers and that basically allows a private party to transfer a firearm to another private party, he said. We facilitate the transfer by doing the background check, and charging fees for the service, he said. Acting Chairman Rush said OK, thank you, Mr. Smith, and it... this is an application for a home business and I know we... we've had some discussions before. I'd like to turn the questioning over to the other Board members and then we'll go to the public, OK? Mr. Smith said sure. Acting Chairman Rush said Mr. Pangis, do you have any questions? Boardmember Pangis said I... I don't, I asked a lot of questions at the previous... and I think I've gotten those out of my system, so thank you. Acting Chairman Rush said OK, Ms. Eckardt? Boardmember Eckardt said I do because we've got some very thorough letters, so, and if you sent this in already, please forgive me and I missed it somehow but I think it would be helpful for us to see the FFL application that you sent in because there's some... there's some questions that I would have that it would be really helpful to see that, so if you could provide that to the Board, that would be great? Mr. Smith said sure. She said also it... a really good question and it might be asked again and I don't know if you could answer it: would you be allowed to rent firearms? Mr. Smith said yes, like... that requires a range and the rental has to happen on the licensed premise. Boardmember Eckardt said OK. Mr. Smith said so, there is no such thing as a rental that a person comes and I rent them a firearm and they leave my premises, it's not a thing. So, if you've been to Las Vegas or you're familiar with, you know, some of the attractions on the Las Vegas strip, he said, one of them is like a range where you can rent weapons that were used in World Wars and stuff like that. That would be that activity, so you must have a range, and you must have the appropriate level of FFL to do the rentals, and the rentee cannot leave the licensed premise, he said. Boardmember Eckardt said OK, and to be clear to the constituency that's here, you are not having a range in any sense. Mr. Smith said correct: The Town of Southeast actually has a separate permit for a range and we are not seeking that permit, it will be an entirely separate thing. Mr. Smith said we don't have any plan to do that, we are not going to overlay... if we were to change our mind in the future, it would require another process of (inaudible.) Boardmember Eckardt said and my final question was... was asked last time but I wasn't... I want to be really clear on the answer. She said someone on our Board asked, and forgive me, I can't remember who, if... if you... if you got a good contract but you couldn't store the guns or the transfers or whatever, if you didn't have enough capacity in your gun safe, what then do you do? Mr. Smith said I wouldn't accept it at the residence; the number one reason would be I cannot secure it against my own children. The number two reason would be the ATF performs sporadic inspections and if they find you to have unsecured firearms or parts that are regulated as such, that's a serious offense and I could be in a lot of trouble. She said OK, and I guess one last question, sorry... was: you do have to be open for inspections or how...? Mr. Smith said yeah, I think you're referring to a letter that was received recently. The first point that was made in this letter was that the... the FFL cannot be granted unless the applicant proves that no state or local law prohibits the activity, which I actually did before I obtained my FFL, he said. I have an email right here between myself and (Building Inspector) Michael Levine that was initiated on December 2, 2020, he said. Mr. Smith continued: my license was issued 2021 April 1st, so I made sure ahead of time, and actually, I had to forward it to my ATF agent before the ATF agent would entertain the application. Boardmember Eckardt said OK, and we'll... we'll be able to see your application for that. Mr. Smith said yes, so, yes, so the...

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

the quote from the email that says... it actually answers the question and I quote... the... the sender says you've got to obtain your license prior to the Planning Board's approval, which is true, but I did not have to have an approval. I had to show that this activity is not explicitly prohibited by State and Local Law, which I did. Boardmember Eckardt said OK, all right, that's it for me, thank you. Acting Chairman Rush said OK, while we... Mike, we'll give you half a second to catch up, but I'll go to you, Mr. Cyprus, any questions? Boardmember Cyprus said no, the only question I had remaining for tonight was your... your letter from your consultant. I... I read it like you weren't looking to do transfers anymore, but in your opening statement, you mentioned transfers so they are definitely going to happen? Mr. Smith said yes in terms of (inaudible), but... in... in the letter from the consultant, it was... he also kind of alluded to the low volume of such transactions by... part... Part of the research, he said, I went around to some local FFL, too... another Type 10 FFL literally 11 miles from my residence and that gentleman's been in business for 30 years and he said he does, on a fairly busy day, two FFL transfers a day, and that's a well-established business, and has lower fees than what I intend to charge, so I don't anticipate very many people at all. Boardmember Cyprus said I just wanted to make sure that you were still pursuing this. Mr. Smith said yes. Boardmember Cyprus said OK. Acting Chairman Rush said OK, thank you. Boardmember Hecht said that was my question. Acting Chairman Rush said that was your question? OK, Ashley, as we go onto the public, are there any other questions that we should ask the applicant at this point? Town Planner Ashley Ley said no. Acting Chairman Rush said OK, all right, so, at this point (pause.) Acting Chairman Rush and Ms. Ley simultaneously said you can have a seat. Acting Chairman Rush said thank you, Mr. Smith. Any of the public if you'd like, we would like you to come to the podium, state your name so that we can get you recorded on record. My name is Lori Mancini, I live at 16 Farrell Drive which is right across the street from 20 Welfare Road. I've lived there since 1994, she said, my husband works as the mechanic for the Town of Southeast. We are very, very concerned number one about the traffic that you're going to bring in here, she said. In 2010, I tried to open a home kitchen for jams and jellies and I was turned down right away by the Board, she said, saying it would bring increased traffic into that area. Now we live on a dead-end street with a cul-de-sac that has a perfect place for trucks to turn around. Ms. Mancini said it's a 26 ft. wide street and Welfare Road goes from 16... 16 1/2 ft. to 18 ft. There is no place for a truck to go, there is no parking there, there is no shoulder, there is absolutely nothing, and it's a hairpin turn and if... anybody that lives around there and can see, they've been working on that area right there, right by your house for two years... two years to get it straightened out and there... this is an accident waiting to happen. If he has any kind of traffic whatsoever, she said, you can't make it up his driveway. I don't know how he can get up there in the winter, it's a switchback hairpin and God forbid, God forbid that the traffic that comes down off of Sherwood Hill Road, and the right turn, it's going to be just... just horrific, she said. We have heard many, many accidents outside there, I cannot... right up the street, I hear it all the time... there's so many trucks, there's so many fast cars coming down from Connecticut to go over to I-684 or Milltown Road and Gage Road, she said. Ms. Mancini continued: To add that extra traffic right there on that corner is going to be horrendous and you can't tell me you're not going to have delivery trucks, mail trucks, whatever you do, you know, whatever cars you have coming in, whatever you have going out, it's going to add extra traffic to that street, and it's going to cause a lot of problems. My other thing is why, when there are so many vacant street... storefronts in the Town of Southeast and in Brewster, you can't go down and offer one of these landlords a great deal and get yourself a storefront if this is a legitimate business, she asked? Why does it have to be in a residential area, she said? Unidentified person said right. Ms. Mancini said and next to Green Chimneys, for God's sakes, there are hundreds of people.... (Multiple people clapping.) Ms. Mancini said there's such an uptick in... in crime in that area. Right across the street from me, the people had security cameras, lights that go on day and night, if they have a whole backyard for the lights, they (inaudible) stolen cars right in the middle of the night, she said. The security cameras caught everybody, she added. This is not the place to put gun... gun parts or anything to do with guns in our neighborhood, she said. Ms.

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

Mancini said why would you want to bring another element like that there that only will add... and I don't care what kind of safety things you have and what kind of safes you have, unless you have 24/7 armed guard security around that, you're putting everybody at risk in that neighborhood... everybody. (Multiple people clapping.) Ms. Mancini said I'm just trying to see the point why you have to bring it to that area? If you're so bent on bringing more guns to the area, do it in a legitimate storefront where the cops are at every end of the street. There are so many cops that go up and down Route 6 and 22 and... and if there was ever a problem, you could have somebody there in an instant. If you ever have a problem, you know, God forbid if anybody's going to see it and come to help you or any of us in the neighborhood, and if the wrong people find out you have guns and gun parts there, it's going to open the rest of us up to a whole bunch of burglaries and crimes and everything else. (Multiple people clapping.) Ms. Mancini said I... I can't even believe that it's gotten this far, I really can't believe it. I didn't really have any questions, but I'll tell you, boy, (inaudible) way I'm going to fight this. Acting Chairman Rush said OK, thank you very much, thank you very much, Mrs. Mancini, thank you. OK, anybody else from the public? (Pause) He said sure, if you want to come up, take the podium, state your name. Rob Rottkamp said I've lived in this area for 47 years, right around the corner from where this... this lady took every word that I was going to say (inaudible) and I couldn't say it better. The house when you come off of Sherwood Hill Road and you make that turn, the road basically goes like this on a curve, all a ledge, he said, and to go up this driveway, you make a turn around this way and you go straight up. When they were building this thing, I don't know how many hundreds of thousands of dollars were put in the driveway, but it was years of... of hitting the rocks and what have you and I don't know how they get up the driveway, he said. I don't know how you get a delivery in the (inaudible) that would be on that road and that little piece of road that they just threw in that corner it's just (inaudible) I just don't know, logistically, how... how it would work, he said. I really do not, and I... every word that she said is right on the money, it's exactly what it is, it just doesn't make sense. Acting Chairman Rush said thank you very much. Anybody else? You had a question, sir? Up to the front please, thank you, state your name. My name is Don Whitman, I'm at 20 Elizabeth Court which is across on... off Welfare Road. I'm here tonight with my wife and two young children, he said. He continued: We're in a cul-de-sac filled with children, that's why we chose this area... I've been living in Brewster for eight years; my wife grew up here and went to Brewster schools. I actually was the one who raised the question regarding... I spoke with an ATF agent on the phone for about an hour, he said. It was informative, and I did raise the question because the ATF agent himself questioned it, in fact so much, that he contacted his colleague, Mr. Whitman said. I am still baffled even after the answer from the applicant tonight; how are we here, he asked? He continued: When a question on the form says that 'Zoning ordinances have to be approved', if he can't run his business without this panel and the ATF requires the approval of the Town, how are we at this moment? I don't understand it, I... I don't feel that that's been accurately addressed, and I think that (Building Inspector) Mr. Levine spoke out of line, he said. Mr. Whitman said if he needed the approval of this Planning Board, then that should have occurred first and the ATF agent himself said '100% I agree, sir.' The other thing the ATF agent wanted to stress and he can't be here tonight to speak for himself, I'm speaking from the words that he told me is... he wanted me to be very clear into what the ATF does and does not regulate: they don't care if you're selling a gun, renting a gun, transferring a gun, to them they care about the possession of the gun, and so they're not going to enforce any of these local ordinances. Who's going to do it? Who is going to do it, he asked? When... when there was a gun FFL Type 1... by the way, this is a Type 10... destructive devices, we're talking about AR-15's being manufactured in a neighborhood with children and when a Type 1 FFL was put up before this Board, the outcry from the Town came so the person stood up in front of this Board and said, 'I do not want to be the bad guy in the neighborhood, I'm withdrawing my application' to a round of applause and cheers to that community that came out, he said. We have community before us today that's coming out and saying the same exact thing and the only thing I'm wondering right now is how, after Nelson

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

Boulevard, how did that list not include firearms? I'm talking about the list that tells you which businesses are not allowed... it contains adult shops, it contains tattoo parlors, it doesn't contain a business that produces destructive weapons and, again, I'm not here against guns, he said. I'm OK with people manufacturing guns and owning guns, that's OK, but do it in a storefront away from our children and away from our families, he said. (Multiple people clapping.) Mr. Whitman said at the beginning of the... at the beginning of the section for the Code for a Conditional Use Permit, the Town states 'proposed use shall be of such character that it will be in harmony with the appropriate and orderly development of the District in which it is supposed to be situated.' This is not harmony; this isn't something that's positive, he said. We're talking about bakers, piano lessons, tailors, people doing crafts, architects, lawyers working out of their house.... how does making a destructive device fit into that? I don't know, he said. Mr. Smith, here... he's been our neighbor for three years almost. We don't know him, he said, I know all of my other neighbors I'm sitting with tonight. We don't know Mr. Smith, he said. Mr. Whitman said I was not informed by Mr. Smith during the information process, probably because I was maybe 600, 700 ft. away instead of 500 ft. away, and so I didn't get that letter. Luckily, there was a kind citizen who attended the meeting and informed us about it and sent us out a letter, he said. That's how we all came to know about this... that's not neighborly, that's not the right thing to do. He said what I do know is that he moved in 2018, purchased this home that's been described as on top of a hill with 13 acres, and then additionally purchased the lot next to the home for another 23 acres, but he told us at the... the first time he came before the Board that this plan to develop a Type 10 destructive device manufacturing came to him and his wife. He said his wife was the full-time owner, who's not here again for the third week in a row, that they were going to be... that they came up with this idea during the pandemic, Mr. Whitman said. They thought about another business but this is what they settled on, he said, I don't know, I don't know. Does somebody spend \$1.2 million on 39 acres in the Town of Brewster, not a resident, move into our area then start producing weapons near our children, he asked? I have a lot of concerns, I have a lot of questions, and I just can't foresee that this is in the spirit of the law that is we want to maintain our residential areas. I can't see it, he said, I... it upsets me to my core and I hope that the Planning Board will do the right thing tonight and turn this down to preserve our residential areas in the beautiful town of Brewster, New York. (Multiple people clapping.) Town Attorney Will Stephens said just... just for the record so that you know the process and what we as a Board have to do when someone comes before us with an application: there are... you can write 50 million Zoning codes and there's always going to be a grey area or an ambiguity and that's what this whole public process is about. He said so when you say 'how can it get this far?' that's really what the process is, and that's what we have to do as... as a government. Mr. Stephens said so, we're hearing the applicant, we're certainly hearing from the... the immediate neighbors and some not so immediate neighbors, and it all goes into the... into helping the deliberation of this Board, and if this Board can't see it in black and white, it's going to get referred to a Zoning Board that has the power to interpret the Code. Mr. Whitman said I... I appreciate that very much and that clarification, however, the prior applicant was told by the ATF to go before this Board before they would grant the license and when this current applicant came before the Board for the first time back in May, some of the Board members expressed, if I could say for lack of a better word, perhaps a level of respect or a level of saying 'wow, you already have your... your license, your FFL license granted to you by the ATF, therefore, we must...' He said you know, in a way, and I... again I'm paraphrasing this, I can't read the minds of people who (inaudible.) Mr. Stephens said if I could... could clarify that... that... that's not exactly accurate about the Nelson Boulevard... the person that was the applicant there owned two pieces of the property, one at one end of Nelson Boulevard and one at the other and he had a license in a residence, it doesn't mean he was using it, he was licensed there before he made the... before he came to the Planning Board, but he wanted to transfer it to his farm which was further up the road. He said so it's, you know, this whole timing thing is all a bit troublesome and it's... it's, I guess, depending on how you read the ATF's application, and you know, come up with a conclusion. It's

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

not prohibited use, it's a... what he said is I'm looking for a home occupation which is a Conditional Use Permit, Mr. Stephens said. Should he have put the cart before the horse, he asked, maybe, maybe not, I don't know how that... I have never seen the application, but we will in this process look into that further. Mr. Whitman said OK, thank you so much. Acting Chairman Rush said thanks, Mr. Whitman, and just so we're clear, Mr. Stephens is just trying to let you know that we're a Board of procedures and this is all part of that process, and so that's why we want to listen to what the public has... Is there anyone else out there that would like to come up to the podium and say anything that you feel you'd like to ask then? Thank you. (Pause.) And as always state your name please so we can get you on record. Johanna May said I'm at 82 Sherwood Hill Road which is directly in line with your house (inaudible)... I've been living there since 2008 (inaudible.) Again, the traffic on Sherwood and Welfare is horrendous and they took away the stop sign too she said. I do have children and I have grandchildren there, Ms. May said. You expressed that you have children there too... what concerned me was the phrase of 'manufacturing explosive devices and armor piercing bullets or ammunition.' I don't mean to (inaudible) your business please... but please don't do it in our neighborhood, she said. You have children, too, grandchildren, and children and just regular (inaudible) who live there who want to live in peace, she continued, we don't want to have strangers coming to our neighborhood, stopping at someone's house, purchasing or transferring guns. It's not the place to do it, she said, there are plenty of storefronts like was mentioned before, and it's just not the appropriate place to do a business like this. Ms. May said please take into consideration what we're all feeling, and we also understand you're trying to substantiate and keep your (inaudible) if that's what you're doing, which is not (inaudible) but please... please don't do it. It's not the right place, and just think... think really hard, please, because God forbid that someone does come and try to rob you, which I have been robbed before by a neighbor... broke into my home and stole from me, she said. I don't want to see that happen, not that a neighbor's going to do it, but anybody can do it, and just think real long and real hard please, thank you, Ms. May said. (Multiple people clapping.) Acting Chairman Rush said anyone else out there? Yes? No? Yes, sir, please come forward, thank you. My name is Peter Schmidt and I also live on Elizabeth Court. I've also been a police officer for the past 10 years, he said, I've lived there for five years and I'm just asking some questions of the gentleman. You mentioned, regarding government contracts, that it's a women-owned small business yet she hasn't been here to answer any questions, correct, he asked? Mr. Schmidt said you also mentioned that you... in your consultant paperwork that you were not going to manufacture ammunitions, but in your revised letter to the Town you say that you're going to bid on contracts involving 40mm launchers and you would manufacture the ammunition for them also, which is considered... Mr. Smith said I never said I would manufacture ammunition for the launchers, I don't know where you're reading that from. Mr. Schmidt said right on your revised statement there. Mr. Smith said that's not (inaudible.) Mr. Schmidt said and the FEL (Federal Explosives License), you said you would never be able to obtain at 20 Welfare Road and you specify that three different times... at Welfare Road, now you expanded 23 acres with the property next to you also, so that gives you the requirement from what I read. The ATF's website, 27 CFR 555.206 SubPart K, location of magazines, he said, these magazine bunkers that you said had to be underground and fortified with no place above the (inaudible), that's for a certain type of magazine, you can also have... there's five different types and most of them are mobile and portable. I know on my job we have the mobile, portable ones, it's... we call it a 'bang box', we put our flash bangs in there and we transport it and that qualifies as a magazine, so to say that you never qualified the FF... for the FF... for the FEL, I think it's a little misleading, you would be able to qualify for an FEL, Mr. Schmidt said. You would be able to have 1,000 lbs. of raw explosives 115 ft. from a building or highway which is totally plausible on the property that you have, he said, you would be able to have 100 lbs. of (inaudible) 400 ft. from a building or highway location which is also plausible on 39 acres if you can find it (inaudible.) Mr. Smith said the... the license is for 20, that's 13 acres. Mr. Schmidt said OK. Mr. Smith said it's a different address. Mr. Schmidt said OK, both still in your

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

name though? Mr. Smith said it... it does not matter; the ATF license is a street address. Mr. Schmidt said OK. Unknown person said semantics. (Mr. Smith and Mr. Schmidt speaking at same time.) Mr. Schmidt said I... I asked at the last meeting if he was forthcoming with all of the information to you guys regarding what type of FFL he acquired and you guys have stated to me that he was not, so I just feel like there's a lot of non-forthcoming information with you guys, and if the permit is granted, I feel like there's a logical expansion that he could have going forward that now you guys would have no control over it and now it just snowballs out. (Multiple people clapping.) Mr. Schmidt said I just want to point that out. Acting Chairman Rush said thank you very much, thank you. Mr. Schmidt said thank you. Acting Chairman Rush said OK, anyone else in the public there would like to come up? Anyone else? (Pause.) OK. Mr. Smith if you'd like to... to answer a couple of those questions before we close tonight's Public Hearing. Mr. Smith said sure, thanks for your comments, I can address some of them right here. He said so, Mr. Whitman pointed out that the ATF application for an FFL states that the activity covered under the Federal Firearms License is not prohibited by State or Local Law at the premises. This is from your own (inaudible), OK, he said, so by not having to have an approved permit, it just has to be not prohibited. He said now the ATF is... the ATF is very, very restrictive of these things, right? They don't want to be on the hook for some unscrupulous business to get a license and do things that would be dangerous, he said. Mr. Smith said my ATF agent is Trad Hacker, that's not the ATF agent you spoke to, so whatever he said does not pertain... he doesn't know me, he doesn't work with me, Trad Hacker works with me. This is an email I forwarded to Trad Hacker, my correspondence between (Building Inspector) Michael Levine and myself asking explicitly if this was a prohibited action... if I could operate an FFL at my home. Michael Levine did not say it was prohibited then he post said you need to get a Conditional Use Permit and pasted the... the Town Code in, he said. Trad Hacker was forwarded this... Trad Hacker visited the Planning Board; I don't know who he spoke with... any of you... Mr. Hacker would have visited? Ms. Desidero said he didn't visit the Planning Board, I don't believe. Mr. Smith said all right, so he visited the... the property by the train station and spoke with somebody. Ms. Desidero said maybe the... the Building Department. Mr. Smith said OK, he... he was satisfied and granted the license, this isn't some situation where you can kind of fly under the radar and like, kind of skirt around, he said, they're very, very thorough. Mr. Smith said it's a long process... I kicked this process off in November of 2020, I didn't get my FFL until April 1st. Regarding the explosive's numbers, you're using my additional property which has a different street address, my 13 acres would never qualify for a Federal Explosives License, he said. Trad Hacker also does FEL's, he doesn't (inaudible) this. If I get another FFL at 92, that's an additional entire process, I'll have to get another FFL, pay another gigantic sum of money for fees, and come to the Board again because it's a different address, he said, so to suggest that some kind of deception is going on or that I'm going to all of a sudden do something other than what my application is is ridiculous. Mr. Schmidt said given the setbacks though, you could do it on your property (inaudible.) Mr. Smith said I cannot do it on 13 acres. Mr. Schmidt said from what I read on SubPart K, I'm just saying the setbacks are (inaudible), you can do it, and you also... Acting Chairman Rush said OK, I'm sorry, sir, sir, sir, I appreciate it, we can have some more public comments but I wanted to give Mr. Smith his opportunity to speak, OK? Thank you, he said, sorry about that, Mr. Smith. Mr. Smith said no worries, the traffic issue, (inaudible) traffic issues... it's not an issue... I've addressed it in the documents... you can see it on the Major Projects Website, you can see that traffic's not an issue, and in terms of deliveries not being able (inaudible)... Acting Chairman Rush said sure. Mr. Smith said in terms of deliveries, my wife gets FedEx and UPS four times a week, they never have to stop at the road, they drive up just fine... Durkin Propane comes up... I... I mean... I'm not... I'm not permitted to have industrial, commercial freight loaders, it's going to be residential UPS and FedEx and things of that nature, so those issues I don't believe are valid. In terms of Green Acres (Green Chimneys), he said, it's been mentioned several times: the ATF has a very, very strict set of guidance when it comes to opening an FFL near a school, near a daycare center, they'll bring a golf laser range finder

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

and make sure you're in compliance. We are well within compliance, he said, we are orders of magnitude within compliance. You don't just get... you don't just get FFL's if you're... if you're (inaudible), they just don't give these things out like it's a pistol permit or something, Mr. Smith said, it's a very, very strict process, (pause) and... and in terms of not being forthcoming with the... I've never withheld information and if you're... and there's also a lot of insinuation (inaudible) just noncompliance He said one person wrote in that they were... they were denied a... a Conditional Use Permit and said that I will be selling things out of my home, which is, I mean... if I can't convince you that I'll comply with the... the Planning Board's Conditional Use Permit, I don't know what else to try... He said if... if you're going to... if you're going to... if you're interested in noncompliance, this is not a process that someone who's interested in noncompliance goes through... it's extremely sensitive, it's extremely time-consuming. Why bother doing it if I'm just going to not comply with the, you know, the Conditional Use Permit, he asked? (Multiple people talking.) Acting Chairman Rush said OK, wait, time out, if you're done answering the question, turn it back over to the... to the Public? You want to come up, sir? (Pause.) Again, I'm sorry, state your name just so we can get it on the tape. Mr. Rottkamp said that's... that's OK, I just... when I read this... I listen to you OK, then I... then I read what you actually submitted... it says here at the (inaudible) 'future plans to manufacture small firearm components.' Anytime you manufacture something that means you got to bring supplies in, he said. Mr. Rottkamp said we currently have... OK, a good example because they closed off due to COVID, OK, in Putnam Lake if you're (inaudible) it... so we have three times the amount of traffic on Sherwood Hill Road, and there's screeching, there's cars going down there, they don't stop at the sign so it's a good (inaudible) of what happens when capacity comes up, when you increase the traffic. This is going to increase traffic, he said, just the logistics of trying to do this, I don't see how you're going to do it. I know about your driveway, I've been up... I... I gather that most of the people here couldn't even walk up that driveway much less drive up it. He continued: You have... on a good day, you have to have a brave heart to come down that driveway... I'm just... it's just logistics are just crazy, the whole thing, I mean, delivery trucks in the winter without four-wheel drive, they don't have a prayer. Acting Chairman Rush said OK. Mr. Rottkamp said so, you know, I'm just saying what you're saying and looking at it from common sense, it doesn't jive, sorry, just (inaudible.) Acting Chairman Rush said thank you, thank you for that question. Was there anybody else who had anything before we wrap this up? Yes? Mrs. Mancini? Ms. Mancini said again, and no offense, but just because you can get all the licenses, doesn't mean you should use our neighborhood to practice that... that manufacturing here and it's going to be very dangerous, and I don't care if you're within the bounds of Green Chimneys or not, they're right there... those kids are right there, they're right around the corner and all of us live right around the corner from you and it's a scary, scary thought to think that there's going to be guns, gun parts, ammunition, or any of the other pieces that go with guns. She said gun manufacturing at your house day and night, day and night, and trucks along with it, but that's the worst part. You know, it might be OK for you to do it but think about your conscience, she said, think about it. Acting Chairman Rush said thank you, only new questions, if it's something that has not been spoken or... sir, yes? This'll be maybe the last one if that... that's it. State your name please. Brett Tabisel said I am also on Elizabeth Court, 24 Elizabeth Court, my wife (inaudible) lives there and we just had our first child six months ago... we moved there about a year ago. My question for you is you didn't address any of (inaudible.) We've been there for a year now, we don't know you... again, I know all of my neighbors, and I know that gentleman there because accidentally I trespassed on his property without knowing it, he came and, you know, (inaudible) right? Mr. Tabisel said you addressed all of these things that you might not do, that you're not going to do but you haven't addressed the neighbors, and... and actually tell us why we should trust that you're not going to do the things that you might actually be able to do once you get this license. So, my question to you is, what are the things that you cannot be... you can do with this license that you don't plan on right now? Can you give us some examples of things that this license affords you to do that you don't plan on doing? Mr.

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

Smith said sure, when you're done. Acting Chairman Rush said is that your question? Mr. Tabisel said well, well, it... it comes with a follow-up. Acting Chairman Rush said OK. Mr. Tabisel said so the follow-up would be is that this Board decides then whether this license is granted, just because he's saying he doesn't plan on doing it does not mean he will not do those things. What stops him afterwards? Acting Chairman Rush said there's.... there's enforcement and there are other requirements that would have to be part of his approval process. Mr. Tabisel said no, like he... he can choose certain things, you can... can... Ms. Ley said the Town's regulations could have conditions of approval, so if he's saying... Mr. Tabisel said so you all can place conditions that work on his approval onto this... Ms. Ley said yes. Mr. Tabisel said ...that say that you can only do these specific things. Ms. Ley said if he says on the record and he commits to not manufacturing ammunition, that could be a condition of approval on the Conditional Use Permit. Mr. Tabisel said and is it possible that he gets this approval and then does go, now that there's been... this has been set, he can go for the property next door that he owns, and then go and... and also get a permit for that one which would allow more things, correct? Would this not set a precedent in the Town of Southeast that in residential neighborhoods this would be allowed and that precedent then could be transferred to the next time whether you decide to do it? And I'm saying, you know, I might not feel as strongly about this if you had actually went to your neighbors and talked to us, and you never did, not once, and you haven't said a word to any of us, it's not the neighborly thing to do. I'm raising my newborn child 600 ft. from where this happened. It doesn't (inaudible), straight up. I hope you guys really, really see that. Have any of you actually been to our neighborhood and asked... have any of you driven by our neighborhood? Boardmember Eckardt said I know your neighborhood very well. Mr. Tabisel said OK. Anyone else on the Board, has anyone been to our neighborhood? Acting Chairman Rush said driven through it. Boardmember Cyprus said I'm sure we all have, but yes (inaudible.) Mr. Tabisel said OK, well, I mean, I... I'd like you to just come and... and take a look and then really ask yourselves whether this type of business belongs there. There are plenty of other places. I don't have a problem with you running your business. It's America, go for it. I have no problem with people owning guns. We have a police officer that lives right next door to us who is ardently against this, so I just, you know, I'd like him to answer what are the things that he cannot do. Acting Chairman Rush said OK. Mr. Tabisel said and... and I... I want to see if those are things that then we can make sure one day don't ever happen, and next door, too. What's stops him... what stops him from doing this? Acting Chairman Rush said OK. Boardmember Cyprus said (inaudible) doing this entire process again. Acting Chairman Rush said it starts with this process again. Mr. Tabisel but if... if he is approved, this process would seem to be a lot easier then because it's setting a precedent. Acting Chairman Rush said well, let's go through the process because that's why we're doing this, but thank you for your questions. Mr. Tabisel said sure. Acting Chairman Rush said OK, any new questions? OK. Mr. Whitman, this will be the last one. (Pause.) Member of the Public Don Whitman said my question is once again just to clarify... I'm sorry, Don Whitman from 20 Elizabeth Court, just some clarification from the Board. Just curious is this type of approval for a business completely at the discretion of this Board or is this based upon whether or not, you know, certain items are checked off and therefore, you have to approve it whether or not you disagree with the decision or not. Is it your discretion or is it something else? Acting Chairman Rush said OK. Ms. Ley said it's a... it's a Conditional Use which means that it has to meet certain performance criteria that are specified in the Zoning Code in order for the Board to approve it. If the Board questions whether or not this use is... meets with those conditions, they can always refer it to the Zoning Board of Appeals for an interpretation. Mr. Whitman said OK. Acting Chairman Rush said and that's a Public Hearing as well. Mr. Whitman said so that's a Public Hearing as well, and... and that is a separate Board from this Board? Ms. Ley answered yes. Acting Chairman Rush said correct. Mr. Whitman said OK. Acting Chairman Rush said they're the ones that interpret the meaning of things that are ambiguous in the Code and things like that, whenever the project... application like this one. Mr. Whitman said and if... if the Public... if the Board makes... passes a decision on this issue and

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

the Public disagrees with it, can the Public bring it before that... that Board or is that only for (inaudible)? Ms. Ley said you could... you could challenge the decision by filing an Article 78. Mr. Whitman said OK, thank you. Acting Chairman Rush said thank you, OK, no new questions. Mr. Smith, we'll give you one more shot at this and then we'll... we'll move forward please, thank you. Mr. Smith said so, regarding the question of what's permitted, I'm not going to manufacture ammunition so that's an appropriate condition on the Permit. Normally, there are around 12 vehicles per day and there could be an additional stipulation that they must be by appointment only, I'm fine with that because that would be a piece anyway. Other than that, there's no... it's clearly stated what I cannot do in my ATF FFL, and by the Conditional Use Permit. I'm not permitted to sell things, I'm not permitted to do things like have more than 30% of my floor space dedicated to the business, things like that. That would be a Conditional Use Permit enforceable rule by the Board, and in terms of neighborly and, you know, issues, I don't know you, you haven't (inaudible) to me. What does it matter? I don't understand why a neighbor (inaudible.) Mr. Tabisel said I'm not applying for... for... for a license (inaudible) guns. Mr. Smith said (inaudible) so, I said to myself, that's why we come up here, like. Unknown person said peace and quiet. Mr. Smith said yeah, peace and quiet. After all this is over, you will continue to not know me, there's not going to be any issues, I don't plan on coming to barbecues and stuff like that... that's not why I bought, you know, the amount of land I bought. I bought the amount of land I bought to, you know, have peace and quiet for everyone in my family and run a business, and the traffic issue that you raise, if again would just be delivery services so I have a pickup truck so I need to get aluminum stock, I would be able to use my pickup truck or use a UPS or FedEx type delivery. I'm not permitted to get freight loaders from the Conditional Use Permit. I'm not permitted to have, you know, crazy traffic coming and going, there's not going to be a regular, recurring, you know, freight delivery or any of that kind. Acting Chairman Rush said OK. Mr. Smith said yeah, other than that, I mean... one thing also is the fact that I have an additional piece of land and what we're doing in there, what scary thing can happen if I do whatever... not that I plan to do it, number one, number two, OK, that... I mean, this is property that I (inaudible) what... what's the (inaudible.) I... I don't see your point. Acting Chairman Rush said thank you. So, I... I do want to say something before we close tonight's Public Hearing. There's a 10-day written comment period that's open. OK, so after we close, if there are any more... Ms. Desidero and Ms. Ley simultaneously said you want to make that motion. The motion to close the Public Hearing with the 10-day written comment period was introduced by Acting Chairman Rush, seconded by Boardmember Hecht and passed all in favor. The motion to refer Subtract Inc. to the Zoning Board of Appeals was introduced by Acting Chairman Rush, seconded by Boardmember Pangis and passed all in favor. Acting Chairman Rush said the next step for you, Mr. Smith is we're going to... you want to tell him, Victoria? Ms. Desidero said so there's a referral letter that you'll receive from this Board which allows you to make an application to the Zoning Board of Appeals for an Interpretation. It's a separate application which you can find on our Website, I also have them at 1 Main Street, and can help you get through that process. The deadline for the August meeting is actually this Wednesday at noon, and the deadline for the September meeting would be... it's like the last Wednesday of August, so you can see their schedule online also, and it's... it's part of the process, I can help you get through it like we did with the first application. Acting Chairman Rush said OK, all right then, thank you very much for coming tonight, thank you very much for coming and yeah, so, next... next steps, if everyone is clear, it's going to be referred now to the Zoning Board and hopefully the application will be in there so, then we can get a reading on the... on the use. Boardmember Eckardt said anyone interested can be notified when the Zoning Board is... can sign... Ms. Desidero said that's not how it works. Boardmember Eckardt said no, no, no, on... on the Website, they can... Ms. Desidero said oh, yeah, absolutely. Boardmember Eckardt said if you could explain that. Ms. Desidero said so, yes, OK, so I thought you meant they could sign up to get a notification. Boardmember Eckardt said no... no... no. Ms. Desidero said so the way this works is that the Zoning Board meeting is a Public Hearing, so Mr. Smith will need to notify the same people

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

he was required to notify for this Public Hearing. It's... it's based on the Code, it's within 500 ft., OK, and but I think what Ms. Eckardt is saying is that if you are interested and you don't think you're within the 500 ft., you can go to the Town Website and there's a way to subscribe to agendas and minutes and then you will receive all of the agendas as I issue them for all of the Boards including the Zoning Board of Appeals, so you would see it there, she said. I have a feeling you'll, you know, be hearing from your neighbors, she said, but Mr. Smith will be notifying those same people again within the same 500 ft. Boardmember Eckardt said it's been very... it's a very helpful service, you're not bombarded with much. Ms. Desidero said no, I only issue agendas, you know, there's two Planning Board meetings a month and one ZBA meeting a month and if you only subscribe to those two, that's what you'll get or you can also subscribe for the Town Board meetings, and if you have any questions, you can call me at 845-279-7736. Acting Chairman Rush said OK, Victoria's here to help, she really is. OK, everybody, thank you very much.

- 3. PROVETTO BROTHERS FARM, 679 Milltown Road, Tax Map ID 47.-3-27** – This was a continued Public Hearing to review an Application for a Special Permit. The motion to continue the Public Hearing to August 23, 2021 was introduced by Acting Chairman Rush, seconded by Boardmember Cyprus and passed all in favor.

REGULAR SESSION:

- 1. PUTNAM BUSINESS PARK, 1689 Route 22, Tax Map ID 46.-3-17** – This was a continued Review of an Application for Site Plan Amendment. Doug Hahn of J. Hahn Engineering appeared before the Board. Acting Chairman Rush asked Mr. Hahn to give the Board an overview of his project. Mr. Hahn said we initially came in for a building addition with a parking area and told the Board where the parcel is off of Route 22. He said the addition is basically done and a lot of people have to go around the building and there is a lot of traffic so we are looking to have an access from this side so the vehicles can park in this area. He said we received comments regarding the engineering and from Ashley (Ley) and we addressed most of them; there were a couple more comments today and the engineering comments were regarding a drainage swale and associated stormwater management practices. Mr. Hahn said we will provide what they are asking for in our next submission and we will revise our Zoning table per Ashley's memo. Ms. Ley said just to clarify; the reason the Zoning table needs to be revised is because the Zoning just changed a couple of months ago from RC to OP-1 but it does appear that everything is compliant with the new regulations. Acting Chairman Rush polled the Board for questions. Boardmember Eckardt said is there any additional landscaping being put in? Mr. Hahn said so they had already put in a bunch of bushes but I believe we were going to have you come out and take a look? She said right. They discussed setting this up. Boardmember Eckardt said who provides your water? He said they have a well and this water tank is for fire. Acting Chairman Rush asked about a lighting plan and Mr. Hahn explained the only changes they made and they discussed that they are in compliance with the Code. There were no other questions from the Board. The motion to Classify this as a Type II Action under SEQRA and a Town of Southeast Minor Project was introduced by Acting Chairman Rush, seconded by Boardmember Cyprus and passed by a roll call vote of 5 to 0 with 2 absent. Acting Chairman Rush said I am fine to waive this Public Hearing if I don't hear any objections? Boardmember Eckardt said I am OK with it but I would like to go look at the landscaping. Ms. Desidero said this is not final approval. Mr. Hahn said they will definitely get in touch with you. The motion to Waive the Public Hearing was introduced by Acting Chairman Rush, seconded by Boardmember Pangis and passed all in favor. The motion to Refer the application to Putnam County Planning under GML-239m was introduced by Acting Chairman Rush, seconded by Boardmember Pangis and passed all in favor.

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

2. **DUNMORE INTERNATIONAL CORP., 3633 Danbury Road, Tax Map ID 68.-2-56** – This was a Review of an Application for Final Approval of Site Plan Amendment, Wetland Permit and Recommendation of Bond to Town Board. Jamie LoGiudice of Insite Engineering appeared before the Board. Ms. LoGiudice said we are here for final site plan approval and explained the proposed construction of a concrete pad for a new oxidizer and the use of the old pad for outside storage. She used the plans to show the changes being made to the site. Acting Chairman Rush said the landscaping we addressed? She said we proposed five white spruce trees, 8 to 10 ft. in height and showed where they will be placed and showed the views from various locations. Acting Chairman Rush polled the Board for questions. Boardmember Eckardt said once again, it is a very exciting landscaping plan but I would love to come out when it gets staked before you plant; it is in your conditions so that's all, thanks. Boardmember Hecht said the one being decommissioned and the new one; are they side by side? Ms. LoGiudice said yes and showed the two pads on the plans and said the existing pad will be used to store empty clean barrels. The motion to Grant Final Approval of Site Plan and Wetland Permit was introduced by Acting Chairman Rush, seconded by Boardmember Hecht and passed by a roll call vote of 5 to 0 with 2 absent. The motion to Recommend the Performance Bond to the Town Board was introduced by Acting Chairman Rush, seconded by Boardmember Cyprus and passed all in favor.

3. **ALCON REALTY / TALTY BAR, 14 Fields Lane, Tax Map ID 78.-2-18** – This was a Review of an Application for Conditional Use Permit. Landlord Rob Alfredo and Owner Tim Talty appeared before the Board. Acting Chairman Rush said I have eaten them and my favorite are the peanut butter and jelly. Multiple people talking. Acting Chairman Rush said do you want to explain what we are here for? Mr. Alfredo said yes, we are here for a Conditional Use Permit for an existing warehouse space that is approximately 3,900 sq. ft. and Tim's (Talty's) process, he can explain to you, but it is basically considered light manufacturing. Acting Chairman Rush asked Mr. Talty to explain what they do and he said we have a raw process where we take dried fruits, nuts and protein and assemble them, package them and send them out. He said it is fairly simple; we just sanitize everything and clean it... Acting Chairman Rush said is there a Board of Health approval for what they go through for this? Ms. Ley said I assume you have some County Health approvals? Mr. Talty said yeah, we do. Acting Chairman Rush asked if a traffic study is required and Ms. Ley indicated no. He polled the Board for questions. Boardmember Eckardt asked Ms. Ley; what is the order... we don't connect with the Board of Health about this... that's up to the applicant? Multiple people talking. Ms. Desidero said the Building Department checks that. Boardmember Hecht asked Ashley if this is a commercial Zone why does it require a Conditional Use Permit? Ms. Ley said just for the light manufacturing use; it is not one of the uses that is currently listed as of right in that district. Boardmember Cyprus said no retail, right? Mr. Talty said no retail. Acting Chairman Rush said I don't have any other questions; thank you for coming to Brewster. The motion to Classify this as a Type II Action under SEQRA and a Town of Southeast Minor Project was introduced by Acting Chairman Rush, seconded by Boardmember Eckardt and passed by a roll call vote of 5 to 0 with 2 absent. The motion to Waive the Public Hearing was introduced by Acting Chairman Rush, seconded by Boardmember Hecht and passed all in favor. The motion to Grant a Conditional Use Permit Approval was introduced by Acting Chairman Rush, seconded by Boardmember Cyprus and passed by a roll call vote of 5 to 0 with 2 absent.

4. **OUR LADY QUEEN OF PEACE HOUSE OF PRAYER, 31 North Mt. Ebo Road, Tax Map ID 46.-5-3** – This was an architectural review of an application for two signs. Patrick Fahey of Westchester Modular Homes appeared before the Board. Mr. Fahey said we are here to get permission to install this sign out by the street and change the sign on the building from the temple to... Acting Chairman Rush said since this is ARB-ish, I am going to let Lynne (Eckardt) go first.

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
July 26, 2021**

Boardmember Eckardt said I do like the sign that you are putting down below but I do have questions on the sign you are putting on the building. She said I really liked the old sign; are those similar? He said those were etched in. She said I am not crazy about the sign you are proposing... it won't cover up all the... what do you plan to do with the remaining...? He said it just needs cement... Acting Chairman Rush said it is a stucco, right? Ms. Ley said you are going to (inaudible) the whole thing? He said yes. Boardmember Eckardt said what is the sign made of? He said I think it is a plastic backing and the sign is attached to that. She explained why in her opinion it would look much better if it was a wood sign more like what they are putting out by the street. They discussed this and other options for the wall sign. Acting Chairman Rush said the new sign does need to cover that old lettering. After continued comments and discussion of the blue color, mounting, font and lighting of the wall sign, Mr. Fahey said they would be willing to revise the wall sign to either a carved wood sign or pin mounted letters directly on the façade. Ms. Ley said one comment I have on the freestanding sign is can you make the "o's" lower case on the "of's" like you have on the other sign? Mr. Fahey said OK. After additional discussion, the Board agreed it would be best to see the revised wall sign before voting on it but they could approve the freestanding ground sign. The motion to Grant Architectural Approval of the Freestanding Ground Sign Only with lower case "o's" in "of's" was introduced by Acting Chairman Rush, seconded by Boardmember Hecht and passed by a roll call vote of 5 to 0 with 2 absent.

5. **LOCAL LAW RECOMMENDATION RE: ACCESSORY APARTMENTS** – This item was on the agenda to consider a Local Law Recommendation to the Town Board. Ms. Ley explained the changes to the Town Code regarding accessory apartments in detail citing the reasons for the proposed changes. The Board discussed a change that allows accessory apartments to be approved in a sewer or water district and what approvals would be needed for that. Boardmember Eckardt asked about Airbnb's and Ms. Ley said the Code is silent on Airbnb's but potentially an owner of a property with an approved accessory apartment might rent it as an Airbnb. Boardmember Cyprus asked what drove these changes and if it was something the State recently did. Ms. Ley said it has been on the list of things we thought we needed to change for a while but the trigger was the application for Centennial Golf Course where they wanted an accessory structure for an apartment for his mother-in-law. She said it is a hot topic across the country right now and they discussed the reasons for this. Boardmember Hecht asked about houses before 1998 that have mother-in-law downstairs set ups and Ms. Ley said there was a period of time after the original law was adopted where people had time to come into compliance and that period has expired so anyone who came forward now would just go through the normal process. Boardmember Eckardt said everything has to have its own egress, correct? Ms. Ley said yes. Acting Chairman Rush asked if there were any other questions and there were none. The motion to Recommend the Local Law changes regarding Accessory Apartments to the Town Board was introduced by Acting Chairman Rush, seconded by Boardmember Pangis and passed by a roll call vote of 5 to 0 with 2 absent.

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

August 5, 2021/VAD/ JC

THE FULL AUDIO RECORDING OF THIS MEETING IS AVAILABLE AT:
<https://www.southeast-ny.gov/337/Planning-Board-Meeting-Recordings>