

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
JUNE 9, 2008**

Present: Chairman Tom LaPerch; Boardmembers Dennis Sullivan, Edwin Alvarez, Jim DiBella, Phil Wissel, Dan Armstrong; Town Counsel Willis Stephens, Esq.; Town Planners Graham Trelstad and Ashley Ley; Wetland Consultant Don Cuomo; Secretary Laurie Fricchione. Boardmember David Rush was absent and excused.

WORK SESSION:

1. BOROWICK SITE PLAN – This project was on the agenda for a conceptual review for a wetlands permit review. David Sessions of Kellard Sessions, the architect; Richard O'Rourke, Mr. Borowick's attorney; Mr. Fusco, the design architect appeared before the Board. This project is located at 194 Foggintown Road and involves the construction of a salt-water pool, a pool house, and the demolition and re-building of a larger home. Also proposed is a subdivision by way of lot line adjustment. Currently there are six tax lots: Lot #1 is 13 acres; Lot #2 is the existing pond which is 2.8 acres; Lot #3.1 is the residence on 2.7 acres; Lot #3.2 is 0.1 acres; Lot #4 is approximately 2/10's of an acre; lot #5 is 11.9 acres. Some of the lots will be merged thereby creating a 13.7 acre vacant lot with enough road frontage, the pond parcel remaining the same, and the residential parcel will be 14.6 acres. The 2/10's parcel will remain the same. The proposed home is not closer to the pond than the existing home. This project will be placed on a future agenda for a subdivision/lot line adjustment application, wetland application and eventual referral to the Town Board for a wetland permit.

PUBLIC HEARING:

1. 100 EXECUTIVE DRIVE SITE PLAN – This was a public hearing for SEQRA, Site Plan and Wetland Approvals. A court stenographer was present and will provide a transcript for the Planning Board file.

REGULAR SESSION:

1. STATELINE RETAIL CENTER, Route 6 – This item was on the agenda for a DEIS completeness review. Representing this project was Paul Camarda, the applicant; his attorney, Fred Koelsch, Esq.; Theresa Ryan of Insite Engineering; Chris Robbins of Tim Miller & Associates. Ms. Ryan started out by giving a brief description of the project: approximately 183,000 square feet in size on a 44 acre parcel of land. The anchor building is 135,000 square feet; the second building is about 25,000 square feet; the third building is 11,000 with 2 stories. A portion of the third building will be for community functions in addition to office space. There was a discussion regarding traffic patterns, signage and lights. Artistic renderings of the front elevations were shown. There was a discussion regarding the architectural design to include windows, etc. The resolution deeming this project's DEIS as complete was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The motion setting July 14, 2008 for the Public Hearing and keeping it open was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

2. ARBORSCAPE, Fields Lane – This item was on the agenda for a review and discussion of Final Site Plan Approval as well as to commence the SEQRA process with the Intent to Declare Lead Agency. Stefan Karlson, the owner/applicant as well as Richard O'Rourke, Esq., Mr. Karlson's attorney, appeared before the Board. Mr. O'Rourke gave a brief

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history of this application regarding litigation arising out of Town Board minutes discrepancies. This project involves the demolition of an existing, dilapidated barn and the construction of a new barn within the wetland buffer. The barn will be used for storage of landscaping equipment and materials. A review letter from Mr. Cuomo revealed that, in his opinion, there are egregious disturbances of the site and that Mr. Karlson built a footbridge crossing the Holly Stream. Mr. O'Rourke stated that he had visited the site, took pictures which were presented to the Board that depict an 8-foot long, 2x12 plank atop two rocks that span a narrow portion of the stream. The resolution for the Intent to Declare Lead Agency was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent. The motion to set July 14, 2008 for the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent.

3. ALCON, LLC, Fields Lane – This project was on the agenda for final site plan approval and a referral to the Town Board for the establishment of a performance bond. Appearing before the Board was Rob Alfredo, the owner/applicant; Theresa Ryan of Insite Engineering and Richard O'Rourke, Esq., Mr. Alfredo's attorney. The resolution granting Final Site Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The motion for the referral to the Town Board for the establishment of a performance bond was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent. Mr. Alfredo asked to speak to the Board. He stated that the amount of the performance bond amounts were high. Mr. Stephens stated that the construction cost calculations from professional contractors are higher than what an applicant would cost out himself if the applicant were a contractor, as in this particular instance.

4. DURKIN WATER CO., Fields Lane – This project was on the agenda for an extension of final amended site plan approval as well as for a referral to the Town Board for the establishment of a restoration bond. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. This project involves the replacement of underground tanks with a larger, above-ground water tank. The resolution granting the extension was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent. The referral to the Town Board for the establishment of the bond was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

5. STRAZZA LOT LINE ADJUSTMENT, Doansburg Road – Continued Review and Discussion regarding revised layout; request for waiver of tree and forest preservation plan. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. The revised drawings reflect moving the access road farther from the wetland buffer. Stormwater calculations will be submitted to both the DEP and the Town Engineer for their review.

6. TENTH JAM SUBDIVISION, Simpson Road & Old Barrett Road – This project was on the agenda for an extension of final subdivision approval. Theresa Ryan of Insite Engineering appeared before the Board on behalf of her client. The resolution granting the extension was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 6-0 in favor, 1 absent.

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
JUNE 9, 2008**

7. FISHER SUBDIVISION, Nelson Blvd. – This item was on the agenda for final subdivision/lot line adjustment approval as well as a referral to the Town Board for the establishment of a performance bond. Terri-Ann Hahn of LADA as well as her client, Mrs. Fisher, appeared before the Board. The resolution granting final subdivision & lot line adjustment approval was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent. The referral to the Town Board for the establishment of a performance bond was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 absent.

8. LYONS PROPERTY, Welfare Road – This item was on the agenda for continued review and discussion, but the applicants took themselves off based on the need to further investigate alternative layouts.

9. CERLICH RE-SUBDIVISION LOT #5, Pine View Drive – This item was on the agenda for continued review and to commence the SEQRA process with the Intent to Declare Lead Agency. Harry Nichols as well as his client, Mr. Cerlich appeared before the Board. The resolution for the Intent was introduced by Chairman LaPerch, seconded by Boardmember Alvarez and passed 6-0 in favor, 1 absent. The motion to set July 14, 2008 for the public hearing was introduced by Chairman LaPerch, seconded by Boardmember Alvarez and passed 6-0 in favor, 1 absent.

A motion to accept the minutes from the 5/12/08 meeting was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

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

**June 16, 2008
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