

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
JUNE 8, 2009**

Present: Chairman Tom LaPerch; Boardmembers Dennis Sullivan, Edwin Alvarez, David Rush, Phil Wissel, Dan Armstrong; Town Planner Ashley Ley; Town Attorney Willis Stephens, Esq.; Wetland Inspector Steve Coleman; Secretary Laurie Fricchione. Boardmember Jim DiBella was absent and excused.

**PUBLIC HEARINGS:**

**1. BREWSTER CORPORATE PARK SITE PLAN** – This item was on the agenda for a continuation to the June 22, 2009 meeting, but the applicant has not yet submitted for review the requested traffic study regarding this project, so a motion to continue the public hearing to July 13, 2009 was introduced by Boardmember Armstrong, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

**REGULAR SESSION:**

**1. DYKEMAN'S CORPORATE PARK** - This item was on the agenda for a one-year extension of this project's Final Site Plan Approval, which resolution was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

**2. QUEST PROPERTIES (Diversified Transport), Independent Way** – This item was on the agenda regarding a recently filed zone change petition, to commence the SEQRA process and to set a public hearing date. Richard O'Rourke, Esq., the applicant's attorney and Paul Pelusio of J. Robert Folchetti & Associates, the applicant's engineer, appeared before the Board on behalf of Mr. Quinn, the owner/applicant. This project, first submitted in 2000, got through the planning process and had obtained all outside agency approvals to construct a 15,000 square foot office/warehouse. At the time of application, this project was zoned OP-2, which was a permitted use for what the applicant wanted to construct. It was subsequently rezoned to RC, which does not allow the proposed use now; which is why the applicant is petitioning the Town Board in conjunction with site plan approval to have the property rezoned to OP-2. The site plan as it is presented is identical to that which was originally pursued. This is a unique situation in that because there was a zone change petition filed with the Town Board, the Planning Board approval process must be pursued concurrently. Once this project has received a Determination of Significance for purposes of SEQRA, then it will be referred to the Town Board for consideration of the zone change petition with either a positive or negative recommendation to the Town Board by the Planning Board. If the applicant is granted the requested zone change in their favor, then the applicant will come back to the Planning Board for Final Site Plan Approval. This project will be reviewed under the context of OP-2 zoning to make sure it conforms to those bulk regulations. Also, the Wetlands Inspector will be visiting the site to determine if there any changes to the parameters of wetlands that were not noted on the original site plan drawings in the intervening years between then and now. The resolution for the Intent to Declare Lead Agency was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 5-0 in favor, 1 abstention [Armstrong], 1 absent. The motion to set July 13, 2009 for the public hearing regarding the zoning change petition and site plan was introduced by Chairman LaPerch, seconded by Boardmember Sullivan and passed 6-0 in favor, 1 absent.

**3. BREWSTER HONDA SITE PLAN, Allview Avenue** – This item was on the agenda for a sketch review as well as to commence the SEQRA process. Richard O'Rourke, Esq., the

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applicant's attorney and Tim Miller of Bibbo & Associates, the applicant's engineer, appeared before the Board on behalf of their client. This project is also the subject of a zone change petition filed with the Town Board [from R-60 and GC-2 to OP-2] to allow Brewster Honda to build a 25,000 square foot automobile preparation and service center with associated outside storage for new vehicles in conjunction with their existing sales center across the street. Mr. Allen stated that he is discussing with the Village of Brewster the possibility of connecting into the sewer system as there is a manhole directly in front of this property for hook-up. The entrance to the building, which is approximately 1,000 feet in length, will be heavily landscaped so as to significantly reduce the headlight spillage and noise produced onto neighboring lots. It is the applicant's intention to accept deliveries of new cars during normal business hours; not in the middle of the night. Also, there will not be a public address system as in the case of the former Dill's Best Lumber site. The resolution for the Intent to Declare Lead Agency was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The motion setting August 10, 2009 for the public hearing [to discuss both the site plan and zoning change] was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent. The Town Board will not be able to act on the zoning change petition until such time as the Planning Board issues its Determination of Significance for purposes of SEQRA as for the site plan with the pretext that this project is reviewed under the proposed zone for which the zoning change petition was filed.

**4. PEGASUS THERAPEUTIC RIDING, INC., 310 Peach Lake Road** – This item was on the agenda for a referral to the Town Board for a reduction in this project's performance bond, which was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

**5. NEW CINGULAR WIRELESS PCS, LLC ("AT&T"), Vails Grove Golf Course** – This item was on the agenda for amended site plan review to re-locate the previously approved location of a telecommunications facility. Christopher Fisher, Esq. of Cuddy & Feder appeared before the Board. The motion to set July 13, 2009 for the public hearing was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 5-0 in favor, 1 abstention [Sullivan], 1 absent.

**6. SOUTHEAST MEMORIAL PARK SITE PLAN, Main Street** – This item was on the agenda to bring the Planning Board up to date as to the status of this project. The DEP has indicated that they want the applicant to flip the project as far as swapping the parking area with the ball field. They will be on future agendas as the dynamics of this project have been completely changed around.

The motion to accept the minutes of the May 11, 2009 meeting was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 absent.

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

**June 18, 2009**

**L.F.**