

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
MARCH 9, 2009**

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

PUBLIC HEARING:

1. **BREWSTER CORPORATE PARK SITE PLAN, Old Route 22** – This item was on the agenda for a Site Plan and SEQRA public hearing. Terri-Ann Hahn of LADA appeared before the Board on behalf of her client. Proposed is a construction of a 90,000 square foot office warehouse with 147 parking spaces on a 10-acre parcel of property. A traffic report has been submitted and is still under review. In the audience, Carol Wesche had drainage concerns since the construction of the first building and said her property is a muddy mess as a result of it. She also stated that her basement has taken on water for the first time since she has lived there. She questioned if the problem will be compounded with the construction of this proposed building. The Town Engineer in the past has recognized a pre-existing problem with the drainage piping and stormwater runoff. Due to the above mentioned conditions, Ms. Hahn stated that she would look into rectifying the situation by speaking to the Town Engineer as well as the Highway Superintendent. She also stated that this project will not be back in front of the Planning Board until these problems are resolved. Chairman LaPerch suggested the public hearing should continue for a future date. Lynne Eckhardt asked what the percentage of the building will be office and warehouse. The warehouse portion will be 64,000 square feet and 26,000 square feet office. A motion to continue the public hearing to April 27, 2009 was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 7-0 in favor.

REGULAR SESSION:

1. **STATELINE RETAIL CENTER, Danbury Road** – This item was on the agenda for a presentation of new visuals of the proposed architectural and landscaping design. Chris Robbins of Tim Miller Associates, Jeff Contelmo of Insite Engineering and Fred Koelsch, Esq. of Camarda Realty Investments appeared before the Board on behalf of their client. The overall disturbance has been reduced by approximately ½ acre, impervious surfaces have been reduced and wetland buffer incursion has also been reduced. Also, there have been stormwater design improvements. The placement of Building “D” has been moved further out of the wetland buffer and pervious pavers are proposed for a part of the parking area closest to the buffer. There will be a combination of national retailers and smaller retail stores with possibly a “mom and pop” store or two mixed in. Boardmember Wissel asked about outside storage. He stated that if the applicant is not going to commit to not having outside storage, then he would like to know where and how much outside storage they are proposing. There have been identified areas which are proposed to have delineation from a change in pavement material in the 25-foot wide sidewalk to show the limit of the area to ensure it does not expand. The applicant feels that there will be approximately 6 tenants, although of course, the amount of tenants is market driven. From the perspective of driving along I-84, you will not be able to see the rooftop of the structure, but you will be able to see the small identifying tower structure through the very heavy tree line between the back of the building and 84. From Route 6, you will not be able to see the parking lot due to the change in

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elevation and the two stepped retaining walls which will be heavily landscaped at both levels. At this point, a computerized 3-D rendering was presented showing all possible views of this proposed development; from the front, back, side, west to east, east to west, from 84, from Route 6 and also an aerial perspective. It was also mentioned that perhaps this 3-D rendering could be downloaded to the Town's website for all those who are interested to view for themselves. The applicant will be in touch with the Wetlands Inspector who will visit the site and make comments regarding the wetland permit that is needed for wetland buffer incursion.

2. NY SMSA d/b/a VERIZON WIRELESS TELECOMMUNICATIONS FACILITY, 3925 Danbury Road – This item was on the agenda for a determination of significance for purposes of SEQRA as well as for a referral to the Zoning Board of Appeals for height, lot size, lot width and setback variances. Keith Betensky, Esq. of Snyder and Snyder appeared before the Board on behalf of his client. After the applicant's last appearance, a letter from the DEP was sent to the Planning Board indicating that the comments and concerns previously mentioned in their original review letter had been addressed and rectified to their satisfaction. The resolution for the Negative Declaration was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. The referral to the Zoning Board of Appeals was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 7-0 in favor.

3. PEACH LAKE SEWER DISTRICT SITE PLAN – This item was on the agenda for a review of the overall project, to set a public hearing date, to confirm the Town of North Salem's Conditioned Negative Declaration and a referral to the ARB. Sarah Cwikla of Stearns and Wheler appeared before the Board on behalf of her client. Proposed is the construction of a wastewater treatment plant designed to handle approximately 170,000 gallons daily in the Peach Lake area. There are 470 residences and a small commercial parcel of property. An approximate daily usage of the homes is 110,000 gallons. It was specifically understood that with these numbers, there will be no expansion in terms of extra bedrooms so as to increase the capacity of the plant. The treatment plant is situated in the northeastern portion of the lake. In terms of breakdown, 26% of the homes are situated in the Town of Southeast, with the balance of 74% being in North Salem. The plant will be operational with a construction timeframe of approximately 2 years. The cost will be approximately \$1,200 per household annually for 30 years. An Inter Municipal Agreement is in place between both towns. The Town of North Salem is the lead agent for purposes of SEQRA. The motion to set April 13, 2009 for the SEQRA, site plan and wetland permit public hearing was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 7-0 in favor. When it came time to vote for the re-affirmation of the Conditioned Negative Declaration, the Boardmembers questioned why the Planning Board was doing this in light of the fact that North Salem was lead agent and they decided that there was not going to be a significant adverse impact on the environment. This project is a coordinated review in addition to a municipal project. The resolution for the re-affirmation was introduced by Chairman LaPerch, seconded by Boardmember Alvarez and was denied by a vote of 4-3 in favor [LaPerch, DiBella, Armstrong]. The motion for the referral to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 6-1 in favor [Sullivan].

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The motion to accept the minutes of the February 23, 2009 meeting was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 6-0 in favor, 1 abstention [Rush].

The motion to close the meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 7-0 in favor.

March 13, 2009

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