

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
MAY 11, 2009**

Present: Chairman Tom LaPerch; Boardmembers Dennis Sullivan, Edwin Alvarez, Jim DiBella, Phil Wissel, David Rush, Dan Armstrong; Town Planner Ashley Ley; Wetland Inspector Steve Coleman; Secretary Laurie Fricchione

PUBLIC HEARING:

1. SEVEN SUTTON PLACE LLC AMENDED SITE PLAN – This project was on the agenda for amended site plan approval. Michael Beyer appeared before the Board on behalf of his client, Sisca Group. The existing 20,000 square foot is undergoing amended site plan because the applicant did not follow the previously approved site plan. The applicant has added many trees insofar as is possible due to some constraints with on-site wetlands and stormwater management basins. The applicant is also working with the ARB in an effort to bring the building into visual agreement with the approved plan. Ms. Ley reviewed the landscaping plan and feels it is sufficient in this application. In the audience, Lynne Eckhardt asked what the caliper of the trees proposed to be planted are. They will be approximately 2 ½ to 3 inches, 6 to 8 feet tall. There being no further questions or comments, the motion to close the public hearing was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 7-0 in favor.

REGULAR SESSION:

1. TWO STARR RIDGE OFFICE BUILDING SITE PLAN – This project was on the agenda for a sketch and wetland permit review. Don Rossi, Esq. of Hogan & Rossi, the applicant, Joe Buschynski of Bibbo & Associates and Beth Evans, Wetland Consultant appeared before the Board. Proposed is the construction of an office building with associated parking, stormwater management practices and individual well and septic area. There are some wetlands on the north end of the property, which is where a stormwater facility will be installed to mitigate any negative impact. Beth Evans stated that the wetland was created by previous excavation and therefore, not naturally created or functional. The applicant will be planting native vegetation in the basin to make it visually pleasing and more appropriate given some constraints of the property. There will also be many improvements to this property regarding the installation of piping along the front to be caught in an existing storm drain on Starr Ridge Road.

2. STARR RIDGE FARMS (now Bajrakarti Property) – This item was on the agenda for a review of landscaping plans as a result of deviation from existing landscaping not consistent with the approved site plan. Ken Rhones, Esq. of the Sayegh Law Firm appeared before the Board on behalf of his client. The engineering review letter revealed some issues that need to be resolved before this project can be signed off on.

3. BREWSTER/SOUTHEAST JOINT FIRE DISTRICT SITE PLAN, 390 Milltown Road – This item was on the agenda for a Determination of Significance for purposes of SEQRA, a Referral to the Town Board for a Wetlands Permit, a Referral to the Town Board for the establishment of a performance bond, a Referral to Putnam County under §239M Review as well as to Highway Facilities, a Referral to the ARB, and a Referral to the Historic Sites Commission. Don Rossi, Esq. and Michael Liguori, Esq. of Hogan & Rossi appeared before the Board on behalf of the Fire District. Ms. Ley started out by explaining a draft of a Negative Declaration incorporating the concerns of the public's comments raised at the April 27, 2009 public hearing.

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Also addressed in the Negative Declaration is the fact that referrals will be made to Putnam County Highways & Facilities, Putnam County Planning Department for their input regarding signalization, whether there will be flashing lights, signs and look at traffic impacts as well as to the ARB, Historic Sites Commission and Town Board for a Wetland Permit. Ms. Ley went through the draft document point by point. She also stated that the Determination of Significance could be a Conditioned Negative Declaration, meaning that this project's approval would be conditioned upon the mitigation of potential traffic impacts as designated by the County. Mr. Rossi stated that it was on the County's shoulders to determine traffic mitigation. He stated that the onus should not be on the applicant to generate any type of traffic study. Boardmember Sullivan asked if the Planning Board could suggest to the County that a traffic study be conducted; again, it was the decision of the County. The difference between the Conditioned Negative Declaration and one that is not is that the Planning Board puts more weight on the County's opinion for a Conditioned Neg. Dec. Boardmember Sullivan stated that a traffic study should be performed because traffic issues were the main concern of those who live on Milltown Road and did not feel that Putnam County should answer the question; rather the Planning Board should dictate to the applicant to have a traffic study done. Mr. Rossi stated that the concerns regarding traffic and safety were more of an engineering design concern as far as sight distances turning out each way. Ms. Ley again stated that the Conditioned Negative Declaration would be conditioned on the findings of the Putnam County Department of Highways & Facilities that any potential traffic impacts could be mitigated through additional signage and/or roadway widening. Boardmember Rush asked about sirens and was reminded that there will be no sirens. He also had concerns regarding the need to have this substation. The conditioned Negative Declaration was introduced by Boardmember DiBella, seconded by Boardmember Wissel and passed 7-0 in favor. The referral to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. The referral under §239M [to Putnam County Department of Highways & Facilities because Milltown Road is a County road] was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 7-0 in favor. The Wetland Permit referral to the Town Board was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 7-0 in favor. The referral to the Historic Sites Commission was introduced by Chairman LaPerch, seconded by Boardmember Alvarez and passed 7-0 in favor.

4. CERLICH RE-SUBDIVISION, Pine View Drive – This item was on the agenda for a Determination of Significance for purposes of SEQRA, a Referral to the Town Board for a Wetland Permit, a Referral to the Town Board for a 280a Open Development Designation as well as a Referral to the ARB. Harry Nichols appeared before the Board on behalf of his client, Mr. Cerlich. The resolution for the Negative Declaration was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. The resolution for the 280a referral to the Town Board was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor. The Wetland Permit referral was introduced by Boardmember Armstrong, seconded by Boardmember Rush and passed 7-0 in favor. The referral to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 7-0 in favor.

5. PUTNAM PRECISION PRODUCTS, INC, 3859 Danbury Road – This item was on the agenda for a one-year extension of their previously approved site plan. Peder Scott appeared before the Board on behalf of his client. The applicant is requesting a one-year extension because Putnam Precision has not received enough orders to warrant the commencement of this addition to

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house a large piece of equipment used to produce their surgical instruments. The resolution granting the requested extension was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 7-0 in favor.

A motion to accept the minutes of the April 27, 2009 meeting was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 6-0 in favor, 1 abstention [Wissel]

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

**May 19, 2009
L.F.**