

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
SEPTEMBER 14, 2009**

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

**PUBLIC HEARINGS:**

**1. VALLEJO HOME KENNEL SPECIAL PERMIT, 145 Maple Road** – This project was on the agenda for a special use permit and site plan public hearing. Unfortunately, the public hearing notice mailing was not properly done, so a motion to continue the public hearing to October 26, 2009 was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor.

**2. BREWSTER HONDA SITE PLAN, 2-4 Allview Avenue** – This item was on the agenda for a Declaration of Lead Agency resolution for purposes of SEQRA after the closing of the continued public hearing as well as to discuss the referral to the Town Board for the zoning change petition recommendation and report. Richard L. O'Rourke, Esq., the applicant's attorney and Tim Allen of Bibbo & Associates, the applicant's engineer, appeared before the Board on behalf of their mutual client. The Town Planner submitted a draft of changes in the zoning regulations as it relates to uses for the NB-1 Zone to the Planning Board so that they could identify how the zoning code regulations could be changed. In the audience, Keith Greene of Meadow Lane stated that a lot has changed since last month and that the intent of the Comprehensive Plan was not meant to specifically tailor certain uses for specific applications. Rene Diaz stated that Brewster Honda dropped off a load of cars at 4:00 a.m. and had no one to call to complain about it. Brian Beanland, the manager of Brewster Honda, stated that he was notified about the off-hour drop-off and immediately purchased chains to padlock the entrance gates for deliveries and also posted signs indicating hours during which deliveries are to be made. Lynne Eckhardt stated that perhaps the property is better off zoned GC because it does back up to a residential area and it is not fair to say that it was improperly zoned at the time of the Comprehensive Plan Review. Laura Greene stated that Boardmember Armstrong said there was not going to be an increase in traffic, but since Brewster Honda is expanding, there definitely will be more traffic. Boardmember Armstrong stated that the bulk of the traffic is already there and there may or may not be an increase in traffic. Ms. Ley stated that a traffic study has already been submitted and is under review. Supervisor Rights asked what measures are being taken in the design concept to be invisible and silent. Mr. O'Rourke stated that the driveway has been moved to the farthest point [behind the building] from the residential properties as well as extensive landscaping to provide a buffer. He also stated that Special Use Permit conditions can be placed on the project indicating hours of operation and hours to receive deliveries. Also, there will be no public address system, as was in the case at the former Dill's Best site. The Board felt that the draft of the recommendation and report regarding the zoning changes should be amended to incorporate the changes brought up previously. Once the re-written draft is distributed to the Planning Board, the recommendation and report will be voted on at the September 28, 2009 Planning Board meeting. The motion to close the public hearing was introduced by Chairman LaPerch, seconded by Boardmember Sullivan and passed 7-0 in favor. The Declaration of Lead Agency resolution was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed 7-0 in favor.

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**REGULAR SESSION:**

- 1. BREWSTER CORPORATE PARK SITE PLAN, Route 22** – This item was on the agenda for a Determination of Significance for purposes of SEQRA as well as for a Referral to the ARB. Terri-Ann Hahn of LADA appeared before the Board on behalf of her client. A letter from NYSDOT indicating their approval of road improvements for ingress and egress of the proposed site was submitted at the meeting. The resolution for the Negative Declaration was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed 7-0 in favor. The motion for the referral to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 7-0 in favor.
- 2. LOT #1 SUTTON CORPORATE PARK AMENDED SITE PLAN, 7 Sutton Place** – This item was on the agenda for Final Amended Site Plan Approval. Michael Beyer of Beyer & Associates appeared before the Board on behalf of his client. The resolution granting Final Amended Site Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 7-0 in favor.
- 3. BOROWICK SUBDIVISION, Foggintown Road** – This item was on the agenda for Final Subdivision Approval. Richard L. O'Rourke, Esq. appeared before the Board on behalf of his client. The resolution granting Final Subdivision Approval was introduced by Boardmember Armstrong, seconded by Boardmember Wissel and passed 7-0 in favor
- 4. McNAMARA SITE PLAN (f/k/a DYKE'S LUMBER SITE PLAN), Fields Lane** – This item was on the agenda for Final Site Plan Approval as well as for a Referral to the Town Board for the Establishment of a Performance Bond. Joe Buschynski appeared before the Board on behalf of his client. The resolution granting Final Site Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember DiBella and passed 7-0 in favor. The referral to the Town Board for the establishment of a performance bond was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 7-0 in favor.

The motion to accept the minutes of the August 10, 2009 meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed 5-0 in favor, 2 abstain [Wissel, Alvarez]

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

**September 17, 2009**

**L.F.**