

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
July 11, 2016**

Present: Chairman Tom LaPerch; Boardmembers Paul Jonke, Michael Hecht, Phil Wissel and David Rush; Town Planner Ashley Ley; Secretary Victoria Desidero. Absent and Excused: Boardmembers Eric Cyprus and Dan Armstrong; Town Attorney Willis Stephens

**PUBLIC HEARINGS:**

**REGULAR SESSION:**

1. **MACO LAND PROPERTIES, 1651 Route 22** – This was a review of a Request for the Establishment of a Performance Bond. Engineer Joe Buschynski of Bibbo Associates and Owner Representative Jim McNamee appeared before the Board. Chairman LaPerch asked if there were any questions from the Board and there were none. The motion to Recommend a Performance Bond to the Town Board as written by the Town Engineer was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.
  
2. **BRAVCOR, 65 Fields Lane** – This was a review of an Application for Site Plan Amendment. Engineer Joe Buschynski of Bibbo Associates and Owner Rob Alfredo appeared before the Board. Chairman LaPerch recused himself due to the involvement of someone in his office with the property and left the dais. Acting Chairman Rush asked for the location of the project. Mr. Buschynski said we are here for a site plan amendment and the property is on Fields Lane adjacent to the Brewster Ice Arena and Brewster Sports Center. He said it is a 9.64 acre site that was originally reviewed by this Board as Dykes Lumber Company, then it was McNamara Site Plan and now it is BRAVCOR. He said it is the same building as originally approved but a little bit smaller and now we are asking for loading docks in the back of the building because the tenants would very much like to have their loading in the back. Acting Chairman Rush asked if this is no longer the auto storage use. Mr. Buschynski said no, they are no longer in the picture. He explained the need for expanding the pavement in the northerly direction near the loading docks and said, unfortunately, it has to occur within the setback for parking in the OP-1 district which is 25 ft. and we are asking for an encroachment of up to 20 ft. into that setback. He said the other provision we have in the application is to raise the building by 2 ft. Acting Chairman Rush asked Town Planner Ashley Ley if they had any comments other than what was in their memo. Ms. Ley said we just pointed out the process and we recommended that the Board affirm lead agency status and circulate the EAF (Environmental Assessment Form) to interested agencies. She said since this was originally a major project we recommend it keep that status so it will need to go the ARB (Architectural Review Board) for the loading dock elevations and after that it would need to go back to the Town Board for them to vote on the ARB's recommendation. She said it also needs to go to the ZBA and the Board can set a Public Hearing tonight. Acting Chairman Rush said so tonight we would affirm lead agency and set a Public Hearing as this is a whole new application? She said right. Mr. Buschynski said can we discuss the ARB for a second? He said the back of the building previously had overhead doors and it is still a loading area... Ms. Ley said it is still a site plan amendment and the Code is pretty broad about any changes to a site plan requiring ARB review. He said OK. Acting Chairman Rush said they will also want to see any changes to the lighting and so forth. Mr. Buschynski said there are none. Secretary Desidero asked for clarification that the applicant needs to go to both the ARB and Town

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Board and Ms. Ley said that is correct, as a major project. Boardmember Jonke said those loading docks would be for tractor trailers? Mr. Buschynski said yes. He said it seems a little tight back there. Mr. Buschynski used the plans to show him how the trucks will back into the loading docks at an angle and the docks will actually be platforms on an angle. Boardmember Jonke said and then they will swing back and go around the building? Mr. Buschynski said yes, exactly. Acting Chairman Rush said the guy in the third stall there won't be able to, right? Mr. Buschynski said he has to be a good driver: his maneuver would be to be able to back in and then swing this way (pointing to the plan). Acting Chairman Rush said well, maybe it's only for box trucks then. The motion to Affirm Lead Agency status under SEQRA and set a Public Hearing for August 8, 2016 was introduced by Acting Chairman Rush, seconded by Boardmember Wissel and passed by a roll call vote of 4 to 0 with 2 absent and 1 recused. Mr. Buschynski asked when they will be able to refer them to the other Boards and Ms. Ley said when a SEQRA determination is made. They discussed possibly doing that at the August 8 meeting but it was determined that is not enough notice for the other agencies.

3. **FORTUNE RIDGE RECREATION CENTER, 8 Stonehollow Drive** – This was a review of requests for Final Site Plan and Wetland Permit Approval and Establishment of a Performance Bond. Attorney Richard O'Rourke of Keane & Beane and Engineer Brian Hildebrand of Kellard Sessions appeared before the Board. Chairman LaPerch said we are trying to get to the finish line here. He asked if everyone saw Mr. Coleman's (Town Wetland Consultant's) memo and everyone said yes. He asked the Board if they had any questions and no one did. The motion to Grant Final Site Plan and Wetland Permit Approval was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed by a roll call vote of 5 to 0 with 2 absent. The motion to Recommend a Performance Bond to the Town Board as written by the Town Engineer was introduced by Chairman LaPerch, seconded by Boardmember Jonke and passed all in favor. Chairman LaPerch asked Mr. O'Rourke how long it took to get through the application process and Mr. O'Rourke said five years... Ms. Ley said there was a rather long hiatus in there and Mr. O'Rourke said yes, that's true. They discussed the timing of the application from start to finish and when the developer may begin building the Recreation Center. Ms. Desidero reminded the applicant to call the Town Supervisor to get on a Town Board agenda for the Performance Bond. Mr. O'Rourke said he has to talk to Chris (Munch of Fortune Home Builders) because there are some significant outstanding bonds and securities they have with the Town and maybe they will be able to work something out with one of those. Ms. Desidero said I think you have to take one back and establish another unless it is written differently in this recommendation.

Chairman LaPerch introduced a motion to approve the Meeting Minutes from June 20, 2016. Boardmember Wissel said he has a question: since he recused himself on the Santucci application, he can't really vote on the Minutes because that is the majority of what is in there. Chairman LaPerch said that is a good point. Ms. Ley said yes, it might be better to wait until there is a quorum of members present who were involved in that discussion.

Chairman LaPerch asked for the next meeting date and agenda and Ms. Desidero said the meeting is July 25th there is the Santucci Public Hearing. He asked Ms. Ley what the Board needs to

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accomplish if all goes well at that Public Hearing? She said the Board needs to make a determination as to whether or not a Special Permit is required so that would be the first determination. Then you would have to determine, she said, whether or not a complete application had been made so you could issue a determination on that Special Permit and, at this point, I don't think we have a complete application. Chairman LaPerch said we would like your opinion because we know you aren't going to be here so is there any way I can get that memorialized somewhere? She said yes, I can write a memo. He asked if they can vote the same night as the Public Hearing and she said yes you can vote the same night as to whether or not it needs a Special Permit. At this point, the Town Engineer and the Building Inspector have put forth their opinion that it does need a Special Permit, Ms. Ley said. Ms. Desidero said that is another question for the Board: we will have the Town Engineer here and Special Counsel will be here and does the Planning Board have any desire to have the Building Inspector here? Chairman LaPerch said no, just Tom (Fenton) and we need to keep it at a high level. The staff will discuss how to present the Santucci information to the Board at its next staff meeting, Ms. Desidero said.

Chairman LaPerch asked about the staff review meeting and Ms. Desidero said we have Jim Hahn coming to represent the people who bought the nursery on Route 22 who originally wanted to do an Apple Farms but now just want to do a produce market. Chairman LaPerch and Ms. Ley discussed the issues with sewer and water for this applicant. Ms. Desidero said Jamie from Insite Engineering sent an e-mail about the 4 Hardscrabble Heights property and Ms. Ley said that is the veterinary clinic. Ms. Desidero said I didn't know that was the address for them but she hasn't gotten back to me yet to say if they are coming.

Boardmember Wissel said he may not come to the next meeting if the only item on the agenda is Santucci. Chairman LaPerch said understandable. Ms. Desidero said you will see the agenda in advance so you will know.

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

**July 20, 2016/VAD**