

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
January 28, 2019**

Present: Chairman Thomas LaPerch; Vice Chairman David Rush; Boardmembers Michael Hecht; Jim King; Dan Armstrong; Jack Gress; Town Planner Ashley Ley; Secretary Victoria Desidero. Absent & Excused: Boardmember Eric Cyprus and Town Attorney Willis Stephens

PUBLIC HEARINGS:

REGULAR SESSION:

1. **NEW CINGULAR WIRELESS – AT&T, 185 Rte. 312** – This was a review of an application for Exemption from Site Plan and Conditional Use Permit Review. Attorney Alec Gladd of Cuddy & Feder appeared before the Board. Mr. Gladd said one housekeeping item before I jump into this application: last week you had asked whether the upgrade at Peach Lake Vail’s Grove Golf Course was 5G and it’s not, it’s just 4 additional (inaudible). Chairman LaPerch said I appreciate the follow up. Mr. Gladd said at 185 Rte. 312, this is also 100 Southeast Executive Park, which I believe is the medical offices and other suites. He said this is an upgrade to an existing facility and explained the equipment changes saying it is inside the building on the first floor and the current antennae are mounted on top of the rooftop penthouse and we are moving those closer to the edge which should lower that antenna about a foot. He said this site is not 5G but it is a FirstNet site which is a nationwide broadband network for first responders, which dedicates priority to those types of services. Mr. Gladd said so we are filing this request seeking a waiver under the Town provisions, which this Board is familiar with, and we believe this proposal meets the criteria. The site was originally approved in 1999, he said, we received two exemptions in 2013 and 2015 and we got your consultants’ memos and they also saw no issue. Chairman LaPerch said yes, we don’t think we have an issue tonight. He said is this just for first responders, I didn’t really pick up on that? They discussed what this type of facility is and Chairman LaPerch asked Boardmember Hecht about something the County just put up. Boardmember Hecht said that is more just dispatch. Mr. Gladd said AT&T is in charge of implementing that as well. Chairman LaPerch polled the Board for questions and there were none. The motion to Grant Exemption from Site Plan and Conditional Use Permit Review for New Cingular Wireless-AT&T at 185 Rte. 312 was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 6 to 0 with 1 absent.
2. **NEW CINGULAR WIRELESS – AT&T, 300-310 Route 22** – This was a review of an application for Exemption from Site Plan and Conditional Use Permit Review. Attorney Alec Gladd of Cuddy & Feder said this is another upgrade of an existing 100 ft. tall tower and AT&T is the anchor tenant at 100 ft. He said they are proposing to replace three antennae and then add three antennae. This site currently has nine, he said, which will bring the total to 12. Mr. Gladd said AT&T was originally approved in 2008 for 12 but at the time only put up six and then we got a Building Permit in 2013 to install three more antennae. Chairman LaPerch said does that max the pole out? He said yes. Town Planner Ashley Ley said for AT&T’s portion. They talked about where 300 Route 22 is and Mr. Gladd said it is near a restaurant. They determined it is near Jaipore, south of the Village. Chairman LaPerch polled the Board for questions and there were none. The motion to Grant Exemption from Site Plan and Conditional Use Permit Review for New Cingular Wireless – AT&T at 300 to 310 Route 22 was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 6 to 0 with 1 absent.
3. **PUTNAM BUSINESS PARK ADDITION, 1689 Route 22** – This was a review of an Application for a Final Approval of Site Plan Amendment. Architect Joe Mansfield appeared before the Board. He said I am just here to talk about the architecture: I don’t think you will have any questions about the engineering tonight? Chairman LaPerch said we want to know where you are

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with the whole project: how many Boards have you been to? Chairman LaPerch said have you been to the ARB (Architectural Review Board) and he said yes, we have been to the ARB. Chairman LaPerch said (Town Planner) Ashley (Ley), was there a violation on this property? She said it was cleared: it was MS4. Chairman LaPerch said just give us an overview: we have a new Board member here. Mr. Mansfield said this is the existing north end of the building and we are proposing to construct a one-story addition to a one-story building and it will line up in the back of the building, extend 33 ft. 6 in. toward the north, 178 ft. toward Route 22. He said it is set back approximately 22 ft. from the front façade of the building just to break it up a little bit. The finishes are all matching the existing, he said, it's a brick veneer that wraps across the front of the addition and he explained the materials using the visuals and talked about what is visible from various viewpoints. Mr. Mansfield explained the landscaping plan, showing the rendering, and gave the dimensions of the building. Chairman LaPerch asked Ms. Ley to explain next steps upon approval. Ms. Ley said you are on the agenda for final site plan approval and the recommendation of the performance bond. She said both the Town Engineer and I had some minor comments on the final submission so, from the Town Engineer there is going to be a condition in the resolution that says: *"Pursuant to the letter from the Town Engineer dated 1/24/19, the proposed stormwater basin shall be revised to maintain one foot of freeboard between the 100-year water surface elevation and the top of the embankment, and the spillway shall be reinforced with rip rap or turf reinforcement matting."* And then my comment had been... on my original memo I questioned the use of the building: it was originally stated it was office/warehouse use, she said, and I was questioning whether it was truly warehouse after having looked at what some of these businesses were in the building. Ms. Ley said the re-submission called it an office and craft workshop use so I called the engineer for the project and clarified that it really is a general business use so that needs to be updated on the plan as 'office/general business.' Mr. Mansfield said that's it? She said yes, that's it. He said I am sure they can do that. Chairman LaPerch said we need it memorialized. He said I am sure they can update all of that and get that to you. Chairman LaPerch said who were you talking to? Ms. Ley said I spoke to Jim Hahn, Doug Hahn and one other person. Secretary Desidero said can I just say that whatever has to be done needs to be done before the Chairman can sign the final plans. Chairman LaPerch asked the owners, who were in the audience, if they got that and they said yes. He polled the Board for questions. Boardmember Rush said I have a question on the lighting: I know you submitted something but there is additional lighting, correct? Mr. Mansfield said there is some additional lighting, yes. Boardmember Rush said I know you submitted it, did we have it checked out? Chairman LaPerch said for compliance? Mr. Mansfield showed the lighting locations on the rendering and they discussed the types of lighting and determined it is all compliant. The motion to Grant Final Site Plan Approval with the Conditions Stated in the Resolution was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Recommend a Bond to the Town Board as per the Town Engineer's Recommendation was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor.

Chairman LaPerch asked for comments on the Meeting Minutes of January 14, 2019 and there were none. The motion to approve the Meeting Minutes of January 14, 2019 as written was introduced by Chairman LaPerch, seconded by Boardmember Gress and passed all in favor with Boardmember Armstrong abstaining.

Chairman LaPerch asked Ms. Desidero for the next meeting agenda. She said the next meeting is February 11 and we have New York American Water coming in for Final Site Plan and Wetland Permit approval; we have a continued review of the Wetland Permit for Seifert on Tonetta Lake Road and we had another application but it was withdrawn today so that is all I have right now.

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

February 5, 2019/VAD