

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
April 12, 2021**

Present: Chairman Thomas LaPerch; Vice Chairman David Rush; Boardmembers Eric Cyprus; Mike Hecht; Jim King; Lynne Eckardt and George Pangis; Town Planner Ashley Ley; Town Attorney Willis Stephens; Secretary Victoria Desidero;

Pledge of Allegiance

Introduction

Chairman LaPerch opened the meeting with the Pledge of Allegiance, a roll call vote (results above) and introduced the agenda items.

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. BONIELLO, 62 Stallion Trail, Tax Map ID 79.13-1-22** – This was An Architectural Review of a Single-Family House in an Approved Subdivision. Lou Boniello appeared before the Board. Chairman LaPerch asked him to tell the Board about the house. He said it is four bedrooms, three baths, finished basement, walk out, vinyl siding, Timberline roof, Andersen windows: you see the colors there. Chairman LaPerch asked what color the siding is and he said it is going to be an almond color. Town Planner Ashley Ley said there are some photos of the neighborhood and, so just as a reminder, the purview of the Board for a single-family home... the jurisdiction is whether the proposed house is excessively similar or dissimilar from the surrounding neighborhood. So the photos of some of the surrounding homes were submitted. Chairman LaPerch said it looks similar to me. He polled the Board starting with Boardmember Rush who asked some questions about the retaining wall near the garage and they discussed that this is a rendering and that the wall may be different depending on how the construction goes. They discussed the materials to be used, the height limits, paving the driveway and possible landscaping. Boardmember Rush asked about something on the side of the house and Mr. Boniello said it is for the chimney. Boardmember Rush said that is not my favorite thing and probably not something I can comment on but we don't have an elevation of that side, do we? Ms. Ley said no and, again, the limit here is whether the house is excessively similar or dissimilar to the neighborhood. Boardmember Rush said OK, I have no further comments. Boardmember Eckardt said I understand it is about similar or dissimilar but I have a question on the siding: are other homes... I wasn't sure if that neighborhood was more HardiePlank or vinyl siding? Mr. Boniello said it is a combination: they have cedar siding, some have vinyl (inaudible) which is what I am hoping to install but I don't see any HardiePlank over there. The motion to Grant Architectural Approval was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 7 to 0.
- 2. J & J AUTOMOTIVE, 1785 Route 22, Tax Map ID 46.-4-22** – This was a Review of a Site Plan Amendment to add a generator. Carlos DaEira of Echo Electric appeared before the Board. Chairman LaPerch said who is here for this application. Mr. DaEira said I am representing J&J Automotive for this application. Ms. Ley shared the site plan on her screen. Chairman LaPerch asked some questions about the location of the gas station, the generator location and details. Mr. DaEira said I provided the specs to you but it is not that large and won't be very visible. Chairman LaPerch polled the Board for questions. Boardmember Eckardt asked for the exact size and Mr. DaEira gave her the dimensions. They discussed that the generator is not really visible from the neighboring property. Boardmember King asked how often the generators will exercise in New York. Mr. DaEira said it could be programmed to exercise weekly or bi-weekly; it only runs for 15 minutes on quiet mode so the generator does not come up to full RPMs. We just have it set on a bi-weekly for 15 minutes, he said, at about 10 am so it is not disturbing anyone. Boardmember Rush asked what color he generator is and he said it is like a cream color; off-white. Boardmember Rush

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said excellent. The motion to Classify this as a Type II Action under SEQRA and a Town of Southeast Minor Project was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed by a roll call vote of 7 to 0. Chairman LaPerch said I don't believe there is anyone out in that area and it is a small generator so I have no problem waiving a Public Hearing. There were no objections. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor. The motion to Refer the Application to Putnam County Planning under GML-239m was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed all in favor.

- 3. CASAFINA, 301 Fields Lane, Tax Map ID 78.-2-95** – This was a Review of a Site Plan Amendment to add a generator. Nicholas Gaboury of Bibbo Associates appeared before the Board. Chairman LaPerch said this is another generator. Mr. Gaboury explained where the property is and why the applicant needs a generator for power outages to keep up with the larger retail establishments online. Ms. Ley shared the site plan on her screen and Mr. Gaboury talked about the location of the generator and said I don't think there are any neighbors who will see this there. Chairman LaPerch said I agree with that. He polled the Board for questions. Boardmember Pangis asked what is the color of the generator? Mr. Gaboury said it is a cream colored, off white generator, 5 ft. high total. Boardmember Eckardt said you are going to have a 275-gallon fuel tank? Mr. Gaboury said yes there is a small concrete pad next to the generator that will supply the fuel to the generator to extend the amount of time between re-filling. She asked if it is the same cream color and he said I believe it is black. They discussed that it is fuel oil. Boardmember Eckardt said this cannot be seen by any neighbor? He said no, the closest neighbor to the south is hidden behind a lot of trees and a grade change. The motion to Classify this as a Type II Action under SEQRA and a Town of Southeast Minor Project was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 7 to 0. The Board agreed with the Chairman that no Public Hearing is needed. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor. The motion to Refer the Application to Putnam County Planning under GML-239m was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor. Chairman LaPerch asked Ms. Ley why this is referred to North Salem and she said the property is within 500 ft. of North Salem. The motion to Refer the Application to the Town of North Salem was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor.
- 4. ACE ENDICO EXPANSION, 71-81, 91 & 80 International Blvd., Tax Map IDs 45.-1-29, 31.1 & 31.2** – This was a Continued Review of an Application for Final Approval of Site Plan Amendment, Subdivision, Wetland Permit and Conditional Use Permit. Tim Allen and Nicholas Gaboury of Bibbo Associates, Ted Cutler of Tecton Architects, Harold Lepler and Michael Endico appeared before the Board. Chairman LaPerch said Mr. Cutler is going to be talking about the renderings tonight? Mr. Allen said yes, this is more about the architecture than engineering... Chairman LaPerch said that is correct. He said let me just comment to the Board that I know there were some expectations that maybe there might have been a final approval pending tonight but since we took over the ARB (Architectural Review halfway through this project we really didn't get a chance to have this conversation in depth about the architecture. Everything else seems to be under control with the site plan, he said, and I think this is the final piece. Mr. Cutler presented the architecture sharing the visuals on his screen. He reviewed in detail the building addition of 225 ft. by 485 ft., part of which has two stories; the parking structure; the view shed from I-84; the entrance façade which is visible from International Drive. He detailed the dimensions, architecture, colors and materials for all of the structures. After the presentation, Chairman LaPerch thanked Mr. Cutler and said I have a couple of questions. He asked about the access to the store and they discussed that

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it is still in the same place. Mr. Endico added that they may slide the store over when they do the addition to have a better entrance to the store. Chairman LaPerch said I am asking because I see a lot of people using shopping carts and they discussed how people come and go from the store with shopping carts. Chairman LaPerch polled the Board and asked Boardmember Rush to begin with his questions. He asked about the green roof. Mr. Allen said yes we are intending a green roof on the south side of the office space for employees and so forth. Boardmember Rush asked about sidewalks from the parking and Mr. Allen said we are not intending to have sidewalks. He asked about site lighting and Mr. Allen offered to pull up the Lighting Plan. Boardmember Rush asked Mr. Cutler about the mullion colors and he showed him the color from the rendering and said the intent is to match the existing windows. They talked about the length of the parking garage, the access to it and the lighting. They talked about the “green wall” being on only one side of the building. Boardmember Rush asked about security in terms of having a parking structure rather than a parking lot. Mr. Endico said with the garage we will have safety lights with motion sensors and there probably will be a gate for safety. He continued: you mentioned the lighting before; the lighting will match what is there now. It is not a lot of light, he said, but there is some for safety in the parking lot and on the building. Mr. Allen said we had submitted a Lighting Plan a while back and I think your Board loved it. He said it was a low glow and pretty impressive and we didn’t even prepare it. Boardmember Rush asked if there will be plantings down below to soften the view from the road. Mr. Cutler said the biggest impact would be from planting at the base of the building given the way the slopes drop off. Boardmember Eckardt thanked the applicant for the presentation and said there are trees sketched below the road but I don’t remember: are those to be planted? Mr. Lepler said yes, to be planted. She said I think there are trees down there that you are not clearing, is that correct? Mr. Allen said correct, that is basically open field at the lower side of the building. He thanked Boardmember Eckardt for her help with the landscaping. She asked for a picture of the whole building including the garage and parking lots. Mr. Cutler said there is not a drawing like that. They talked a bit about what she is looking for in this drawing. How tall is the garage and how tall is the building, she asked? Mr. Cutler said the warehouse is 42 ft. tall the office building is 29 ft. tall and the parking structure, to the top of the handrail on the upper deck, is 24 ft. She asked Ms. Ley if the 42 ft. is fine in the Code and Ms. Ley said yes, they are Code-compliant. Boardmember Eckardt asked to discuss the area between the store and the garage and Mr. Cutler used the plans and said we would have walkways and there will be a paved connection. They discussed how to make it look attractive. Mr. Endico said we will definitely want it to be attractive and may put planters in there if there is enough light. Boardmember Eckardt said I think that might be good there and would like to see something to make it attractive even though it is not visible from the road. Mr. Allen said we may use pervious pavers in there. She asked what the vines will be on the other side of the garage. Mr. Cutler said we have not selected that and will work with a local source when the time comes to make sure we get something that will do well there. She expressed some concern about how it will look if it doesn’t do well and then asked about the green roof and whether the Board will see that at some point. Mr. Allen said it is not a full green roof; it is for employees and stuff like that so it was submitted at one point. Ms. Ley said the final package when it is submitted really needs to be complete and contain all of the final versions of the plans that you are seeking approval for so the Town has one complete set of documents. Boardmember Eckardt said that would be great. She asked about other outdoor areas for employee dining besides the roof and Mr. Endico said I don’t think we need more outside dining area than the green roof. She asked about the lighting in the parking garage and Mr. Endico said only a few lights will stay on all the time and the rest will be on motion sensors. Boardmember Eckardt asked if they are going to change the store entrance should it be in the plans now? Ms. Ley said if the store entrance is going to change, it should be shown on the plans and if you are not ready to make that decision yet that might be something you need to come back for at a later date. Boardmember Eckardt said that is something that I would like clarified

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because... I love that you have a parking garage but I think the area between the garage and the store could be problematic so the more we know about that the better decisions we can make.

Boardmember King said Lynne hit on a couple of things I wanted to talk about and I also wanted to ask about the space between the parking garage and the store: it seems like a place you would be able to zip through if you were just picking someone up but it is not set up for that. He said I would have no problem if there was a canopy or overhang that sheltered everybody from rain or snow when they are coming out and traversing to the garage. Boardmember Hecht asked what the plans are for the lower section of the garage in terms of fire suppression. Mr. Cutler said if the garage is an open structure and separated from other structures by either distance or ratings, it wouldn't need to be sprinklered. Ultimately the Building Code would determine that, he said, as well as the Energy Code determining exactly how the lighting performs on and off hours. He said all that would be part of the Building Code approval. Boardmember Hecht asked how close the garage is approximately to the building. Mr. Cutler said it is 30 ft. He asked Ms. Ley if we have any requirements for sprinkler systems and she said I would have to check with the Building Department. Boardmember Hecht said they should have sprinklers and a Siamese connection on the side that go to the sprinklers so if an engine pulls in, they can just provide the water, especially if there is a car fire in there because even if it is an open garage that will burn really hot. Mr. Lepler said I agree with the last comment and the discussions we've had with the Endico family have been to fully sprinkler the garage; we looked at municipal garages to be built in Putnam and we looked outside the area and the cheapest protection is to fully sprinkler that garage notwithstanding Codes that allow you to do less. He said there was no Code requirement when his other buildings were built that addressed fire protection and every new building we've done has been fully protected: fire protection, standpipes, drills with the Fire Department and it wouldn't be any different on the expansion as well as the entire garage.

Boardmember Hecht said so you are planning to do it and that's great and explained how the Fire Department will be able to work with that. Mr. Lepler talked about the multiple sources of water the Fire Department can use based on work they have done previously. Boardmember Cyprus said I share Lynne and Jim's comments about the entrance-way and doing what we can to make that more inviting and I liked Jim's idea about the covering. He said you mentioned lighting in the garage that is on all the time and some on motion; the lighting that is on all the time is that dimmer than the rest? Someone from the applicant's side said yes. Boardmember Cyprus asked about the building colors matching with the fading that has happened over time. Mr. Endico said we have actually done three expansions over time and the metal panels match so well you can't tell the difference. Boardmember Pangis asked if people often use shopping carts and Mr. Endico said yes. He said on the garage plans I do see staircases but I don't see an elevator in that garage. Mr. Endico said this store is not a high-volume store: it services mostly local restaurants although it is open to the public. He said parking would only be on the first floor for the store and employees would be on the second and third floors.

Boardmember Rush asked if they are not required to have an elevator for a three-story parking structure. Mr. Cutler explained why you do not if you can provide all the handicap accessible parking required on grade as shown on the plans and the access is on grade then there is no reason for... Boardmember Rush said so you captured all the required handicap spots on the lower level? They discussed how many handicap spots are required based on the total number of parking spots. He asked if they are providing any electric vehicle charging for employees. Mr. Allen said that is something that we are going to look into, particularly on the back spaces to the rear of the property.

Chairman LaPerch said the Board had a lot of great comments here. He said I have one final comment: are you putting any stalls for the carts or where are the carts being left? Mr. Endico said we have a small cart area outside the store designated now and I am sure we will come up with a cart area. Mr. Allen said we have 30 ft. on that side so there is plenty of room to accommodate the carts. Boardmember Rush asked if they have a generator and he said they do. Chairman LaPerch said can we just discuss what we heard here tonight so we can be productive at the next meeting. He listed

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the things he thinks need to be addressed: the sprinklers you are addressing; the canopy is an issue; handicap spaces you have to confirm; electric spaces might be something you do moving forward; the green roof needs to be elaborated more; the pavers and planters in that 30 ft. area seems like something we would like to see elaborated on... Is there anything else on the action item list, Ashley? Ms. Ley said the details on the windows, the colors on the mullions and the glass, should be specified; the color of the canopy should be specified; if there is an overhang proposed or a connection between the garage and the store, it should be specified; the cart storage should be specified and that is my list. Boardmember Hecht said what about a westbound view from I84 and Mr. Cutler said they did provide that view. Mr. Allen said the viewpoint from I-84 has been brought up many times and you know it is the same building, it's a smaller building on this side. It's kind of... you shouldn't be looking over there if you are driving on 84 even if you are a passenger, he said, and actually it is a wonderful building so what is the harm? Mr. Lepler said we had three buildings closer to 84 that were approved and are still there; the visual impacts are less with the expansion of Ace Endico as proposed than what we had prior to... Mr. Allen said that's just our comments back to the Board. Chairman LaPerch said I get it. He asked Mr. Cutler if he had any questions and he said no. He thanked him again for a very clear and concise presentation.

5. **VOLZ-CLOVERLEAF, 1051 & 1055 Route 22, Tax Map IDs 68.-1-2 & 3** – This was a Review of a Sketch Plan Application for Site Plan and Wetland Permit. Jamie LoGiudice of Insite Engineering and Owner Ken Voltz appeared before the Board. Chairman LaPerch said so this will be an overview of what they want to do and we did have a staff review meeting so for those who might not know, this is a property that is in between 684 and 84 as you are going eastbound on Route 6 right between Starr Ridge Road and Brewster Ford. Ms. LoGiudice shared her screen and explained the proposed Site Plan saying this is a conceptual review to get the Board's comments. She gave the location again showing it on an aerial map and indicated the one access point from Route 6. Ms. LoGiudice said we are proposing 72,500 sq. ft. of office, general business, warehouse with potential for contractors' uses; we have two buildings and then the loading, parking, and outside storage will be further delineated as we move forward. Also proposed are tiered parking bays on the southern side of the property, she said, which will have solar canopies over the top and there will be a roof mounted solar on each of the buildings as well. Ms. LoGiudice said the main items are the views from 684 and 84 and we have proposed screening along the accesses and also on site are some wetlands that drain from the highways and she showed where those are. he said there are significant areas of wetland and control areas which are fairly unavoidable especially with the only access onto the property so we are proposing a 1-to-1 mitigation for those disturbance areas which is about two acres of disturbance. She said there is an on-site well and described the topography of the site in detail; showing how the parking bays will be tiered; and that the buildings will require knocking down a huge amount of fill and grading. There needs to be some work to determine the water requirements based on some unknown uses, she said, and we are proposing a small septic location here and showed where the stormwater management basins are proposed. Chairman LaPerch said obviously it is a work in progress here: I read the traffic report and you still have to make some peace with the DOT (Department of Transportation) as there is a sight line issue and I think the other issue is going to be the screening on one side of that property is going to be necessary. He said my two comments are the traffic and the screening with lighting. He polled the Board for questions. Boardmember Pangis said I share the concerns about the single point of access onto and off of the property; you are estimating 200 parking spaces which means potentially up to 200 cars in and out that direction every day and right now they can only turn right and head toward Starr Ridge Road and if they want to get on the property they have to go the other direction and turn around... Ms. LoGiudice said if I could clarify the parking: the parking is anticipated for car storage for the Brewster Ford Dealership across the street so it is not anticipated that 200 cars will be going

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in and out every single day. She said the total anticipated trip generation, I think, was about 76 cars if the site was at full capacity. Chairman LaPerch said George, this Zone was created so a car dealership could store cars and 200 is not the trips... that would be craziness and they still have to make peace with DOT before anything goes on here. They discussed what types of cars are stored there and how often they will need to be accessed. Boardmember Eckardt said (Town Assessor) Laurie Bell sent in some good comments about the two lots and the DOT emergency access... Chairman LaPerch said we had that addressed today; Jamie can answer it. Ms. LoGiudice said the site is actually one parcel; per the deed... per the highway taking maps it is actually one parcel and it is not an actual DOT Right of Way that separates the two. So, there is a 20-ft. wide drainage easement, she said, so it is only an easement, not a Right of Way or emergency access agreement. Boardmember Eckardt said I know it is an enforcement issue but I was concerned that... I know used cars can't be stored on site but talk about an enforcement nightmare. She said I am sorry if I missed this but, is there fencing? Ms. LoGiudice said we do have fencing that will surround the upper areas and we will advance that further as we go along. Boardmember Eckardt asked for the key to the landscaping and she said we don't have it fully developed yet. They talked about why that has not been presented yet as this is a Sketch Plan review. Boardmember King said I wanted to say I like the idea of the covered parking garage with the solar; it seems like a fairly good use of an impossible property otherwise. He said if even one car is coming out of there every day, I am pretty sure we are going to need a change at that light at Starr Ridge Road; as somebody who lives up there, I deal with it every day and it is a miracle people don't die there every day. It seems like there needs to be turning lanes now coming both ways, he said, because it is a dangerous intersection and adding anything to it is kind of a problem for me. He said I do like the idea and I look forward to seeing more of it. Boardmember Hecht said I think everyone had some good points; I don't have any specific questions. Boardmember Cyprus said yes, I share everyone's concerns about the traffic flow and I fully understand the car storage portion of it but I doubt they are walking up there so they are using a chase car and then they are probably putting the car back in storage so 10 cars is really 40 trips and I am really concerned about that Starr Ridge intersection. He said I would like to understand at least how you intend for that traffic flow to work. Boardmember Rush said for now I am going to reserve my comments until further development but I'm glad we know it is just a storage parking lot but I am not sure how that gets deeded in. Chairman LaPerch asked is the electric generated from the solar panels just for this property? Mr. Volz said no its going to be sold back to the grid so it will be community solar. They discussed how this works. The motion to Classify this as a Type I Action under SEQRA and a Major Town of Southeast project was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor. Chairman LaPerch asked Ms. LoGiudice to include him in any meetings with the DOT and she said she would.

6. **LAKEVIEW PLAZA, 1505-1515 Route 22, Tax Map ID 46.-1-1.-1** – This was an Architectural Review of an Application for a Comprehensive Sign Program. Willing Biddle and Monica Roth of Urstadt Biddle and Gary Snyder of Studio 5 Partnership appeared before the Board. Chairman LaPerch said my understanding is Ashley (Ley) put together a memo, worked with Mr. Biddle and Ms. Roth on putting together a Comprehensive Sign Program and I think we have come to an agreement that it is in place. So, Ashley, any further comments, he asked? Ms. Ley said no, we had a Zoom meeting and they've addressed all my comments at this point. He polled the Board for questions. Boardmember Eckardt said I just want to say that I have such a problem with their renderings and I cannot enlarge them at all without them getting out of focus. Chairman LaPerch said if you have a problem, just let them know. Secretary Desidero said Gary Snyder has the ability to show it now if you would like and Boardmember Eckardt said that would be great. Mr. Snyder shared his screen and showed the different types of signs on the façade rendering. Boardmember Eckardt said so there is no restriction on color or font or anything? Mr. Snyder said no. She said that

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was very helpful, thank you. Chairman LaPerch thanked everyone for their input on this. The motion to Grant Architectural Approval of the Comprehensive Sign Program was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll call vote of 6 to 1 with Boardmember Eckardt voting no.

7. **WALTZ LOT LINE ADJUSTMENT, 305 Guinea Road and 4-8 Echo Lane, Tax Map IDs 78-1-3 & 4** – This was a Review of an Application for Subdivision for a Lot Line Adjustment. Jamie Spillane of Hogan & Rossi appeared on behalf of her client. Ms. Spillane said we have a lot line adjustment where Ken Waltz owns both lots and the plan is to change the lot line but not change the acreage of either parcel. She said they are both non-conforming and there are no improvements proposed. Essentially, Mr. Waltz is planning to sell one of the lots and he would like to make some changes so when he does, she said, he maintains the lot he has the way he wants. She said neither lot will be made more non-conforming by the change. Chairman LaPerch polled the Board for questions and there were none. The motion to Classify this as a Type II Action under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember King and passed by a roll call vote of 7 to 0. Chairman LaPerch asked if there were any objections to waiving the Public hearing and there were none. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. The motion to Grant Final Subdivision Approval for a Lot Line Adjustment was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 7 to 0.

The motion to approve the Meeting Minutes of March 22, 2021 as written was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor with Boardmember Pangis abstaining.

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

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THE FULL VIDEO RECORDING OF THIS MEETING IS AVAILABLE AT:

<https://www.southeast-ny.gov/337/Planning-Board-Audio-Files>