

---

**TOWN OF SOUTHEAST PLANNING BOARD AGENDA**

**March 26, 2018**

**CIVIC CENTER, 1360 Route 22**

**7:30 p.m.**

---

**PUBLIC HEARINGS:**

**REGULAR SESSION:**

- 1. SOUTHEAST EXECUTIVE PARK - PARKING, 185 Rte. 312, Tax Map ID 45.-1-3** – Review of an Application for Site Plan Amendment
- 2. STATELINE RETAIL CENTER, US Route 6, Tax Map ID 68.-2-48.2** – Review of an Application for Site Plan, Special Permit and Wetland Permit
- 3. Approve Meeting Minutes from March 12, 2018**

**March 19, 2018**

**VAD**

**Agenda Subject to Change**

**FOR MORE INFORMATION ON MAJOR PROJECTS UNDER PLANNING BOARD REVIEW, CLICK ON THE LINK BELOW:**

<http://www.southeast-ny.gov/322/Major-Planning-Board-Projects#>

**PLANNING BOARD  
TOWN OF SOUTHEAST, NEW YORK  
RESOLUTION TO AFFIRM LEAD AGENCY STATUS  
AND SET A PUBLIC HEARING**

INTRODUCED BY: LaPerch

DATE: March 26, 2016

SECONDED BY: Armstrong

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of an applications for Site Plan approval, Special Permit and Wetland Permit, and other supporting documents, for a project entitled **STATELINE RETAIL CENTER**; and

**WHEREAS**, the Applicant, PLI, LLC, proposes the construction of an approximately 184,800 square foot retail center and a 14,800 square foot, 2-story office building on two undeveloped parcels of land totaling approximately 44 acres and land located on US Route 6/202 to the east of Old Nichols Road, to the west of Dingle Ridge Road and immediately north of Interstate 84, in the Town of Southeast, Putnam County, New York, and identified as tax map numbers 68.-2-48.1 ("Lot 1") and 68.-2-48.2 ("Lot 2"), and zoned Special Route 6 (SR-6); and

**WHEREAS**, the Planning Board, as Lead Agency, previously conducted a Coordinated Review for this Type I Action and issued a Statement of Findings on or about May 8, 2009; and

**WHEREAS**, the Planning Board, as Lead Agency, affirmed its Statement of Findings on or about April 28, 2014; and

**WHEREAS**, the Planning Board issued the original Site Plan Approval for the Stateline Retail Center on Lot 2 on or about April 26, 2010; and

**WHEREAS**, the Applicant exhausted all extensions and was granted a new Site Plan Approval for the Stateline Retail Center on Lot 2 on or about June 9, 2014; and

**WHEREAS**, the third and final extension of such approval was granted on or about May 8, 2017; and

**WHEREAS**, the proposal has not changed, and pursuant to §617.6 of the State Environmental Quality Review Act (SEQRA), the Planning Board hereby affirms its Lead Agency status; and

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Southeast will serve as Lead Agency for purposes of SEQRA for this Type I and Coordinated Action as previously declared.

**BE IT FURTHER RESOLVED**, that the Planning Board hereby schedules a public hearing on the proposed project for April 23, 2018.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman  
P. Wissel, Boardmember  
E. Cyprus, Boardmember  
E. Larca, Boardmember

yes  
no  
absent  
yes

D. Rush, Vice Chairman  
D. Armstrong, Boardmember  
M. Hecht, Boardmember

yes  
yes  
yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board



**TOWN OF SOUTHEAST**

Planning Board  
1 Main Street  
Brewster, NY 10509

March 27, 2018

Director  
Putnam County Division of Planning and Development  
2 Route 164  
Patterson, NY 12563

Re: Stateline Retail Center  
GML §239-m

Dear Sir/Madame,

The Planning Board of the Town of Southeast is considering an application for re-approval of a Site Plan, Wetland Permit and Special Permit by Stateline Retail Center for the proposed construction of an approximately 184,800 square foot retail center and a 14,800 square foot, two-story office building on a ±44 acre undeveloped parcel of land located on US Route 6/202 to the east of Old Nichols Road, to the west of Dingle Ridge Road and immediately north of Interstate 84, in the Town of Southeast, Putnam County, New York, and identified as Tax Map IDs 68.-2-48.1 and 68.-2-48.2., in the GC-2 Zoning District.

The Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQRA), is herewith referring the subject application to the Putnam County Division of Planning and Development pursuant to General Municipal Law §239-m.

Enclosed is the application for your review.

Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845)279-7736, if you should have any questions.

We thank you for your consideration and review of this application.

Sincerely,

  
Thomas LaPerch, Chairman  
Town of Southeast Planning Board

Attachment

cc: Town Attorney  
Town Clerk  
Insite Engineering

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

Present: Chairman Tom LaPerch; Vice Chairman David Rush; Boardmembers Dan Armstrong (joined the meeting at end), Eric Cyprus, Eric Larca, Michael Hecht and Phil Wissel; Town Planner Ashley Ley; Secretary Victoria Desidero; Town Attorney Willis Stephens;

**PUBLIC HEARINGS:**

**REGULAR SESSION:**

1. **NEW YORK AMERICAN WATER, 85 Fieldstone Drive** – This was a review of an Application for Site Plan Amendment and Wetland Permit. Mike Shortell of WSP USA and Richard Ruge of New York American Water appeared before the Board. Chairman LaPerch said what are we looking at here? Mr. Shortell said this is a topo map of the general area to give the members an idea where the site is. He used the map to point out various landmarks around the site in and around the Mt. Ebo Development. He said the next one is the site plan... Chairman LaPerch said before we get to the Site Plan, tell the Board why you are doing this: what's the need for this well please? Mr. Ruge said we need more water for our customers: right now we are deficient in the summertime. Some of the existing wells, he said, especially if we go a long period without any rain, will pump air. He said so we know we need to increase our capacity. Mr. Shortell said so we just need to supply more water to meet our customers' demands. Chairman LaPerch said and this is for not the new project, Barrett Hill, this is for? They both said existing customers. Chairman LaPerch asked if this has been a recurring problem? Mr. Ruge said since we bought the system about three or four years ago we have experienced summers where we noticed our wells have been running dry. Chairman LaPerch said we noticed that there was a test well dug and are the results in? Mr. Shortell said yes, we conducted a 72-hour pumping test and subsequent water quality sampling and water quality is generally good, turbidity is a little elevated which resulted in a little elevated iron concentration but we expect that with additional development of the well, the turbidity and the iron will be reduced. He said we are only talking about chlorination in terms of treatment and right now we are not planning on putting any iron treatment in it. Chairman LaPerch said what is your site plan calling for? Mr. Shortell said we are constructing a new 15 by 20 ft. pre-fabricated building; our total area of disturbance is plus or minus 8,800 sq. ft. which includes trenching from a transformer for electrical service. What we are doing, he said, is the well is right here, we will construct this 15 by 20 building with a paved area surrounding it, run a water main down the driveway and down the existing driveway to the Waste Water Treatment Plant back here. He said we are going to connect with the existing distribution system. Chairman LaPerch said this is for everything but Barrett Hill: whose on this system? Mr. Ruge said we have all of Fieldstone East, everything off of Doansburg Road and also on the other side, the nursing home... Chairman LaPerch said that's what I wanted to know so Barrett Hill has their own water system, I guess my question is? Mr. Shortell said that I don't know: where is Barrett Hill? Chairman LaPerch said it is between the Temple and the Nursing Home, the lot that is vacant in there. Mr. Shortell said so they probably have their own system and are not connected to the Ebo system. Chairman LaPerch polled the Board for questions. Boardmember Cyprus said I was wondering if it was just for Fieldstone or if it was for the other parts of Mt. Ebo and I guess you are saying it is for all of that. Mr. Shortell said we have our water tank on the top of Mt. Ebo. Boardmember Cyprus said but it is also the commercial properties on Mt. Ebo and he said yes. Boardmember Armstrong said how did you choose this particular site? Mr. Shortell said the well site was chosen... I wasn't involved in that aspect of it, that was the geologist portion of it but they had this existing parcel, American Water owns this parcel and we tried to find acceptable locations that met sanitary set back requirements which is generally 200 ft. He explained the testing they did to find the right spot for the well. Boardmember Armstrong said you already determined that this, from the standpoint of producing water, is a good site? Mr. Shortell said this is a good well. Boardmember Armstrong said how many gallons per minute does it... Mr. Shortell said 45. Boardmember Rush asked if

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

there is a timeframe that you are trying to get this done? Mr. Shortell said we are looking to start construction during the springtime with hopes of having the well online by summertime peak demand: I realize it is an aggressive schedule. Chairman LaPerch said why is it aggressive? I mean what other approvals do we need other than this Board, he asked, is this a... Town Planner Ashley Ley said they need ARB (Architectural Review Board) review but that's it and then outside agencies. Boardmember Rush said my only question was do they need a lighting plan or landscaping plans? Ms. Ley said typically they would have a landscaping plan but they haven't proposed any as part of the package they submitted. Mr. Shortell said we need a landscaping plan? Chairman LaPerch said yes, please. He said OK. Ms. Ley said it is something that the ARB will look at and one of the things you could present to the ARB is the visibility of this building to the townhouses and other buildings nearby. Mr. Shortell said this is a heavily wooded area and driving down this road, you would never even see it. Chairman LaPerch said I get that but a couple of plants would be nice. The motion to Classify this as a Town of Southeast Minor Project was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed all in favor. The motion to Classify this as a Type II Action under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 7 to 0. Chairman LaPerch asked for comments on waiving the Public Hearing and Boardmember Armstrong said how close is the nearest residential unit? Mr. Shortell used the map to show where the transformer and the pump house are and said I believe the nearest townhouses would be on Essex Court or perhaps on this street over here and I'd say that is 1,000 to 1,500 feet. Boardmember Armstrong asked how big is this structure? He said 15 by 20, ceiling height inside is 9 ft. with a peaked roof so maybe 15 ft. high. He asked what color it will be and Mr. Shortell said we haven't selected that yet. Chairman LaPerch said the ARB is going to get a shot at this. Boardmember Armstrong said OK. Boardmember Rush said I think it's OK to waive the Public Hearing as long as the ARB is getting a stab at it. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed all in favor. The motion to Refer the application to the Architectural Review Board was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed all in favor. Ms. Ley asked Mr. Shortell if he got her memo and he said yes. She said one of the questions was how high the fence is and then in relation to the setbacks: is the fence compliant? Mr. Shortell said I haven't had time to evaluate that yet: we just got the letter. He said I will respond to that. Ms. Ley said because if you need a variance then the Board would need to refer you to the ZBA (Zoning Board of Appeals). Chairman LaPerch said is that Code, the height of your fence? Mr. Shortell said it is 10 ft. high. Chairman LaPerch said is that your desire or could it be lower? Mr. Ruge said 10 ft. is a suggestion from Homeland Security because it is a water supply so we try to... Chairman LaPerch said you would need a variance. Ms. Ley said potentially: if they are far enough back from the property line they wouldn't need a variance. Mr. Shortell said well it is a 43 acre parcel so I think we can stay back. Chairman LaPerch said just respond to the e-mail, to her comments? Mr. Shortell said yes, I will. Secretary Desidero said it is a timing issue because if they don't get the referral tonight... Ms. Ley said yes, if you don't get the referral and you do need it that's going to set you back a couple of weeks. Ms. Desidero said a month depending on the ZBA deadline as they only meet once a month. Ms. Ley said you could do the referral subject to verification of fence height and setbacks. Mr. Shortell said well what would be... I mean we are set off from the road by at least... we are at least 200 ft. off of the property line. Ms. Ley said OK, yes, that's fine. She asked what about from the south and he said this is a 43 acre parcel and pointed out where the property boundaries are. Ms. Ley said then it is most likely compliant.

- 2. LAKEVIEW PLAZA, 1508-1515 Route 22** – This was a continued review of an Application for Site Plan Amendment and Wetland Permit. Attorney Richard O'Rourke of Keane & Beane and Dennis Lindsay of H2M Architects + Engineers appeared before the Board. Chairman LaPerch

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

said it has been a while since we've seen you: welcome back and you've got good news for us? Mr. O'Rourke said we do and introduced himself, Mr. Lindsay and Cosmo Marfione who is the owner's rep and a professional engineer. He said we have been studying the most efficient, environmentally sensitive way to repair a retaining wall that is collapsing in the back of the shopping center. Mr. Lindsay said I will go through this fairly quickly and he gave an overview of the project saying there have been slight changes to the design. He showed the location of the existing wall on the property, saying it is at its highest point about 50 ft. tall and it is about 1,400 ft. long. He explained the previous design concept and explained what happened when they started looking for contractors and pricing this wall. As a result of safety, cost and constructability issues, he said, we looked at different options. Mr. Lindsay explained the new design approach in detail using the plans. He showed where they will need to take out a row of parking spaces so they can grade the property. Chairman LaPerch said that's the day care area, right? Mr. Lindsay said that's the day care area all the way up to the nail place, almost up to ACME. They discussed where the wall stretches and where the parking spaces need to be removed. Mr. Lindsay explained the way the wall is engineered in detail. He said the application has been amended as requested to include some landscaping following AKRF's memo of 2011 and showed on the plans where they will put trees and plant the islands. Boardmember Larca asked about snow removal and whether that may have impacted the original wall failing? Mr. Lindsay said we have shown areas here for snow stockpile locations and he pointed to them on the plan. Boardmember Hecht said if you are facing the wall, from the bottom down by the reservoir, is it coming closer toward the reservoir? Mr. Lindsay said yes, we are coming out and it varies how far along the wall but between 35 to 44 ft. He said we are staying on the property but we are coming out and we have filed an amended application with the DEP and explained there used to be a wall out about 25 to 30 ft. Boardmember Hecht asked if there would be any structural issues with the ground there or support issues? Mr. Lindsay said we've had some boring work along there but not as much as we'd like and that's why we have those soil nails I pointed out. He explained that they will do additional borings when they build the construction road and may be able to eliminate some of the soil nails. Boardmember Armstrong said putting aside the issue of the structural integrity of the wall, how much is the preservation of parking driving the design of this wall: is it significant or is it small? Ms. Ley said they provided a parking analysis and the parking that was required at the time this was approved, the ratios were significantly higher than what's required by the Code today. She said so they still have an excess amount of parking. Boardmember Armstrong said OK, so have you eliminated some parking? Mr. Lindsay said yes. He asked so that gave you more flexibility with the design of the wall? Mr. Lindsay said yes, if we didn't need to remove the parking we wouldn't have done so. Boardmember Armstrong said frankly, I have been back there many times and the parking is underutilized no matter when you are there. Mr. Lindsay said even with the reduction in parking, we are still more than 128 spaces over. Boardmember Armstrong said do you encourage employees to park back there? Mr. Lindsay said I don't know that. Boardmember Armstrong explained why he thinks businesses should encourage their employees to park in the back rather than take up spaces that customers should use. Mr. O'Rourke said that's an enforceability issue as well. He explained what he has seen done at other locations to keep the parking open for customers rather than employees. They discussed this briefly. There were no other questions from the Board so Chairman LaPerch asked Ms. Ley: are there any other issues we should discuss before we take these actions? Ms. Ley said at the last meeting the Board classified this as a Type II Action and a Minor Project and I am still recommending that it be classified as a Type II Action but I am recommending that the Board re-classify it because the type of the wall has changed and this new wall has a larger footprint and involves a lot of fill. She said I think it makes sense to have it re-classified and referred back to the DEP (Department of Environmental Protection) and DEC (Department of Environmental Conservation) and County Planning. Mr. O'Rourke said by re-classification do you mean not making it a Type II? She said no classifying it as a Type II but again: treating it as a new application. Chairman LaPerch said

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

because a new design came through. Mr. O'Rourke said that's fine: we're trying to build a wall as quickly as possible. Ms. Ley said well the action is on the table today so can you wait five minutes? Chairman LaPerch said what was your feedback from DEP on this design? Mr. Lindsay said we sent the new application to them just recently and we haven't heard anything yet. He said we did get originally their comments. Chairman LaPerch said yes, I know but that is to Ashley's (Ley's) point. Ms. Ley said the point being that you have a lot of fill that is going to be required and it is right next to a reservoir and you are now going to require an Erosion & Sediment Control Plan and SWPPP, which you didn't before, so I think those are reasons referring it back to DEC and DEP is prudent. Chairman LaPerch said I agree. Boardmember Armstrong asked if there is some kind of determination if you are doing "X" amount of cubic yards of fill that you have to go to DEC or is there some trigger? Ms. Ley said the amount of disturbance they are proposing is enough to trigger MS4. Boardmember Armstrong said according to regulations? Mr. Lindsay said in my review of the regulations, I think we are required to do a SWPPP but the SWPPP takes different forms and for a slope stabilization project, which I believe this one is, under the Table A that they have, the SWPPP consists of a Soil Erosion and Sediment Control Plan and we have submitted a Soil Erosion and Sediment Control Plan and I think that is all that is required. Ms. Ley said the Southeast Code recommends you be referred to DEP and DEC, as well. The motion to Classify this as a Type II Action under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 7 to 0. The motion to Classify this as a Town of Southeast Minor Project was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. The motion to Set the Public Hearing for April 9, 2018 was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed all in favor. The motion to Refer the application to County Planning under GML 239-m was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed all in favor. The motion to Refer the application to the Department of Environmental Conservation and the Department of Environmental Protection for comments was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. Mr. O'Rourke said so far as the mailings are concerned, as soon as I get a notice I will do those. The motion to Refer the application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by all in favor.

3. **FWL GROUP, LLC, 200 & 280 Fields Lane** – This was a review of an Application for Site Plan Amendment and Wetland Permit. Jamie LoGiudice of Insite Engineering appeared before the Board. Chairman LaPerch said give us a kind of geographic... where are we? Ms. Desidero asked Ms. LoGiudice to please speak up and she said she would. She said the property is located at 200 and 280 Fields Lane, just adjacent to the 684 rest area so between Fields Lane and 684. She explained the project saying there are several wetland areas around the property and the project area was previously disturbed as part of that when it was used as a staging area by the DOT (Department of Transportation). Ms. LoGiudice explained the current state of the site saying there is debris and previous disturbance of the wetlands. As part of this project, she said, we are proposing a 30,000 sq. ft. building that will be used for office, general business and warehouse. We are proposing associated parking areas and loading with access onto Fields Lane at two separate access points, she said. There is a proposed individual well and septic, she said, and as far as stormwater we are still in the development stages of that. Ms. LoGiudice used the plans to show where they are constrained on the site due to wetlands and said we will clean up the disturbed areas and do mitigation as needed. Chairman LaPerch said we've seen this a couple of times haven't we? She said I believe so, yes. He asked what is the line through the middle of the map? Ms. LoGiudice said that is a lot line, the whole property itself is two separate lots: it was part of the Orchard Ridge subdivision and is in the OP-1 Zoning District. She talked about other potential permits they may require. Chairman LaPerch asked Ms. Ley: merge the two? Ms. Ley said I would recommend that they merge the two lots. Ms. LoGiudice said also noteworthy: Fields Lane currently runs through a

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

portion of the property and looking at old deeds there was a non-executed dedication to the Town for the road itself. She said we are proposing a new dedication to the Town so that Fields Lane will actually be... Chairman LaPerch said owned by the Town? She said of course. Boardmember Hecht said it sounds like the DOT made a little bit of a mess and you guys are going to pick up responsibility to clean it up? She said yes, as part of the project and she explained there are concrete slabs and used the aerial to show several areas of disturbance that need to be cleaned up. The Board discussed that this disturbance occurred many years ago when they built 684. Boardmember Cyprus said (Wetland Inspector) Stephen Coleman's letter felt like you had some options where you wouldn't disturb as much wetland, do you think you will come back with changes or stay with this? She said we're going to take a look and provide you with an alternative that doesn't encroach into any of the buffers but based on the size of the property as a whole, the two lots actually equal 13 acres and we really only have development in this area here so we will take a look at it but most likely it is going to be very close to what you see here. Chairman LaPerch polled the rest of the Board and there were no other questions. He asked Ms. Ley if there were any other issues and she said no, the primary issue is the wetlands and she outlined the actions she proposes the Board take tonight. The motion to Classify this as a Town of Southeast Major Project was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. The motion to Declare the Planning Board's Intent to be Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 7 to 0. Chairman LaPerch said next steps? Ms. Ley said they should take a look at the consultant memorandums and come back with any changes to respond to those comments and then they would be filing for Preliminary and, at that time the Board could consider setting a Public Hearing.

4. **LOWER TERRACE REALTY, 250 Route 22** – This was a continued review of an Application for Site Plan Amendment and Conditional Use Permit. Todd Atkinson and Paul Pelusio of JR Folchetti & Associates appeared before the Board. Chairman LaPerch said where is this located? Mr. Atkinson said this is about 200 feet south of the Jaipore restaurant on Route 22. Chairman LaPerch said and it has been cleared already? Mr. Atkinson said it has been cleared already; we received an Erosion & Sediment Control and stormwater Acceptance Form from the DEC as well as the Town's stormwater consultant. Chairman LaPerch said how big is the building? Mr. Atkinson said 3,120 sq. ft., two floors, so 1,610 per floor. It's a smaller building on the site, we've made some changes since the last time we've been here: we actually reduced the impervious surface by putting in pervious pavers so that was a big change and we are down to 2,000 sq. ft. of actual additional impervious surface minus the building which will be... stormwater for that will be handled as part of the infiltrator system that is also proposed. Chairman LaPerch said OK, good. We met with the DOT this past Tuesday, Mr. Atkinson said, and we are working through the process with them and we made some changes to the plan which will be submitted as part of the next... Chairman LaPerch said what are their recommendations? He said their recommendations are to handle any water that builds up behind the wall and bringing it down and across to the north of the site to ensure it is getting as close to the catch basin as possible so a clog in this culvert will not result in any water going onto the roadway. He explained the conversation they had with the DOT regarding the entrance locations. We are waiting on final approval from the Putnam County Department of Health, he said. Chairman LaPerch said and landscaping? Mr. Atkinson said we did talk about landscaping and we provided a landscaping plan but we didn't receive any comments on it so we can discuss that. Chairman LaPerch said so it is fencing and screening? He said yes and showed the landscape plan and explained what they are proposing in terms of plantings. Mr. Pelusio said the outdoor storage areas on the site are fully fenced in. Chairman LaPerch said so the demarcation will be the fencing? They said yes. The Chairman polled the Board for questions. Boardmember Armstrong said are you replacing pavement or are you creating a newly paved site? Mr. Atkinson said there was pavement years ago when this was actually an old mill with two little

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

buildings and we have a temporary permit from the DOT so we laid stone over the top of that but we will place about 2,000 sq. ft. of paving on top of that so I think we are increasing the impervious surface about 500 or 600 sq. ft. Boardmember Armstrong talked about two sites that used pervious pavers. He said they can have a problem heaving so you have to get it pretty deep but the two that I am aware of have not had problems so it might be something to look at. Mr. Atkinson said we are doing pavers through this whole area and we stopped them at this location because DOT requires a section of the driveway coming in be asphalt. The motion to Set the Public Hearing for April 9, 2018 was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. Mr. Atkinson asked if the Board declared lead agency and Ms. Ley said they declared their intent on December 11 but they haven't declared lead agency but we could do that today by voice vote. The motion to Declare the Planning Board Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed by a roll call vote of 7 to 0. Mr. Atkinson asked if they could be referred to the ARB and Ms. Ley said the Board has to complete its SEQRA review before that and typically that happens after the Public Hearing.

- 5 LAS MANANITAS, 1250 Route 22** – This was a review of an Application for Sketch Plan. John Folchetti of JR Folchetti & Associates appeared before the Board. Chairman LaPerch said we met with Mr. Folchetti and Luis (Sanchez), the owner, at a staff review and we went through a lot of different things and John (Folchetti) is going to recap what they are doing. Mr. Folchetti said there are several items... we all know Luis (Sanchez) has been here on more than one occasion and the Chairman and Miss Ashley (Ley) have been saying repeatedly listen, tell us everything you want to do so that is kind of what we came to the table with and, subsequent to our meeting, Luis came back with four or five more changes which I will recap but are not necessarily portrayed on these plans. Mr. Folchetti used the plans to show that last summer they paved the parking lot and said that was cause for violation so on one of the site visits with (Town Engineer) Mr. Fenton and (Highway Superintendent) Mr. Bruen, a suggestion was made to improve the parking which sent us on a long set of negotiations with the neighboring property to the north to try to acquire access to a chunk of that land so we could square off this parking area, which is essentially what we are portraying. He said for removals, the big rock pile on the west side of the parking lot and a substantial piece of the rock pile where the wood stack is now behind the split rail fence is going to be broken down and leveled. He said the split rail fence will come out and be replaced with another stone wall. Mr. Folchetti explained using the plans what the site would look like with those changes. He said the total parking portrayed on the site now is 95 spaces and we are proposing to fill the north driveway in the egress section; and he (Mr. Sanchez) is requesting the addition of a matching pillar at the south side of the entrance. Mr. Folchetti said and a 1,000 sq. ft. storage building in the area where the rock pile is going to be beaten down. He said he wants to re-side the residence so it matches architecturally with the restaurant siding. Mr. Folchetti said the new stuff is: he also wants to match the roof of the residence to the roof of the building and basically add a portico in front of the residence, so no change in square footage, no change in roofline other than the application of shingles. The big deal, Mr. Folchetti said, is he wants to put a deck out the back door and he explained that they Previously had addressed some Town concerns about handicap access, and then about fire safety by adding a back door out of the bar with stairs that go down. He said but now I think it could be made better so we are proposing... if you are standing with the bar to your left and you are looking at the big plate glass window, a set of double fire doors, probably glass, but a 72-inch wide set of fire doors out to approximately 100 sq. ft. of deck in order to be able to egress people out those fire doors without having to crowd up the doorway, then more deck-age and a double wide stair in place of the little tiny platform and the single wide 36-inch stair that currently exists. Mr. Folchetti said I am not going to lie to you: my guess is that during good weather there's people going to be standing outside to have a cigarette and a drink, as of right now there is not any chairs or tables proposed because the primary purpose of this thing is fire safety because crowding

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

the place up with tables and chairs is going to detract from that. Chairman LaPerch said how many square feet? He said probably 400 give or take. Mr. Folchetti re-capped the items he covered with the Board. Chairman LaPerch said do you have a business relationship with the neighbor to lease the land? Mr. Folchetti said he has a signed agreement. They discussed that is all done and will not hold anything up further. Ms. Ley said when do you anticipate doing the test pits for your stormwater? He said everyone recognizes that we are doing new impervious surface to some degree, although some of it was rock already, when we finally got the contract done with the neighbors there was 30 inches of frost on the ground and now we will get another 30 inches of snow on the ground. Mr. Folchetti continued: hopefully within the next two weeks I will be able to get out there and dig some test holes because we think we're going to have to do something with the additional impervious surface and the runoff and, the reality of it is, the only spot that's dirt on the entire site is the north edge of the driveway and when you look at this yard for the hotel the rock is coming out the top of the grass so I just don't know. He said I also want to dig some holes under these... in the new impervious areas because we may end up going with some impervious pavers depending on what kind of separation I have from existing grade to top of the rock and what can I do with that water that infiltrates and percolates in there: can we get it out someplace else to discharge it? Chairman LaPerch said so before you come back to us, you need to figure it out... Mr. Folchetti said we need to address the stormwater related issues in order to make this a complete application. Chairman LaPerch said OK, so Ashley (Ley), nothing can happen until that happens? Ms. Ley said right so what they filed for, just to get in front of the Board, was a Sketch so once they've done their test pits they will be able to file for Preliminary but this gives the Board an opportunity to comment on what they are proposing and offer any suggestions. Chairman LaPerch said is the ARB going to handle the other items that are not Planning Board related regarding the roofs and the siding? Ms. Ley said that would be part of the ARB's review: the roofs and the siding and any new landscaping. They discussed what the Planning Board would review: the deck, the parking and the pillars and the road re-surfacing. Chairman LaPerch asked for Board questions. Boardmember Larca said we talked about this and was it not feasible or did you guys look at improving the entrance and some of the sight lines to the property? Mr. Folchetti said we spent quite a bit of time subsequent to our initial meeting with Mr. Fenton and Mr. Bruen excavating this hillside looking at various lines of sight so the absolute best place for this driveway to be is right out the middle of that rock because it is truly the only place on the entire site where you have adequate line of sight in both directions from a sitting position. He said but he is not in violation for that and we brought in the guy who broke up all of the rock who said there is week's worth of rock breaking there and that is just an expense that doesn't work. He said and we looked further to the north quite extensively and the line of sight is actually worse to the north but, more importantly, it reduces the line of sight for southbound traffic when there is someone attempting to make a left turn. He explained how the line of sight works now in that spot and said it's actually pretty good for cars approaching from the south when someone is making that left turn. Boardmember Larca said something else I think we talked about and, I don't know who would be responsible for this, but it was putting some sort of... when someone is trying to make a left off that property heading south to kind of put a bit of a bypass so traffic could keep moving on 22 and also maybe a little suicide area to pull out... Mr. Folchetti said we would have to approach DOT on that so... Chairman LaPerch said I think we went down that road but it is really a tough place to get anything done because of the confines of both property sides. Boardmember Hecht said where you negotiated that triangle is that the hotel or a different owner? Mr. Folchetti said it's the Blacks who own that. Boardmember Hecht said it is land or a residence there? He used the plans to show where the lots are for the hotel and for the Blacks and explained where the access is from Route 22. Boardmember Cyprus said what's the new 1,000 sq. ft. building for? Mr. Folchetti said storage. He said just for the restaurant? Mr. Folchetti said I'll bring you up there and take you on a tour through the basement if you want... it's for stuff accumulated over time. Boardmember Cyprus said it seems like a fairly visible spot

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
March 12, 2018**

just for storage. Mr. Folchetti said it will be from the parking lot but when you get the rock broken down it will be somewhat depressed so it won't be sitting up on top of that rock. Boardmember Armstrong said did you say that there are 95 spaces now? Mr. Folchetti said there's literally no spaces now: there will be 95 marked when it is done. Boardmember Armstrong said there is parking all over the place. He said there is but there are no spots. Boardmember Armstrong said there is no striping? He said yes. Boardmember Armstrong said are you going to stripe the rest of the parking or just the area where you are taking the rock out? Mr. Folchetti said yes. He said is that going to be paved then? He answered: it is paved now; there will be new pavement put in the new areas... Boardmember Armstrong said so you are going to bring it up to Code with arrows and striping and all that stuff? He said yes and signage, yes. Boardmember Armstrong said so this parking is going to be to the north and west of the restaurant itself? He said correct. So how much of what's there now is going to look the same as far as the parking, he asked, is it going to change dramatically; is it going to be one flat parking area? Mr. Folchetti said it's not going to be flat, the slope will be the same. Boardmember Armstrong said but it will look unified, in other words, it will look like one parking lot? Mr. Folchetti said it will. Boardmember Rush said the handicap spots? Mr. Folchetti showed where they are on the plan saying you can see them when you are standing at the door of the restaurant looking out at the walk in cooler. They are right there, he said, because that is the flattest, straight shot to the front door. Boardmember Rush said the Building Department probably checks your seating capacity and all that but the doors you are talking about adding in the bar area, is it going to be panic hardware on those doors? Mr. Folchetti said absolutely, double panic hardware. Chairman LaPerch said so there are no other actions right? She said there are no actions this evening. Chairman LaPerch said so you have to get back to us once the conditions allow you to do the testing, please? Mr. Folchetti said yes, thank you.

Chairman LaPerch polled the Board for questions about the Meeting Minutes and there were none. He said thank you Cathy (Chiudina) for help with the Minutes. The motion to approve the Meeting Minutes of February 26, 2018 as written was introduced by Chairman LaPerch, seconded by Boardmember Wissel and passed all in favor.

Chairman LaPerch asked Ms. Desidero for the next meeting agenda and she said the next meeting is March 26 and we have Southeast Executive Park - Parking, 185 Rte. 312 Site Plan Amendment and Stateline Retail Center coming back to start their approval process again for a Site Plan, Wetland Permit and Special Permit. She said all of their extensions have expired. Boardmember Hecht said is that just an extension they are seeking? Ms. Ley said no, they have exhausted all of their extensions so this is the second time they will be coming for re-approval since their original approval. He said do they have any intent... are they going to do anything or just get their approval again? Ms. Ley said my understanding is that they are not proposing any changes. Chairman LaPerch said all indications are it is the same site plan with updated information

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

**March 22, 2018/VAD**