
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

August 27, 2018

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. NYSEG TILLY FOSTER METROPOLITAN TRANSPORTATION AUTHORITY PROJECT, (See Attached Map) – Review of an Application for a Wetland Permit**
- 2. NORTHEAST INTERSTATE LOGISTICS LOT LINE ADJUSTMENT, 51 Pugsley Road, Tax Map ID 45.-1-4 and 45.-1-5.3 – Review of an Application for Final Subdivision Approval of a Lot Line Adjustment (no new lots would be created)**
- 3. NORTHEAST INTERSTATE LOGISTICS, 51 Pugsley Road, Tax Map IDs (See Exhibit A - Attached) – Discussion of Planning Board Comments on the Draft Environmental Impact Statement**
- 4. LOCAL LAW entitled “A Local Law to Amend the Zoning for Home Occupations” – Discussion and Recommendation to Town Board**
- 5. Approve Meeting Minutes from August 13, 2018**

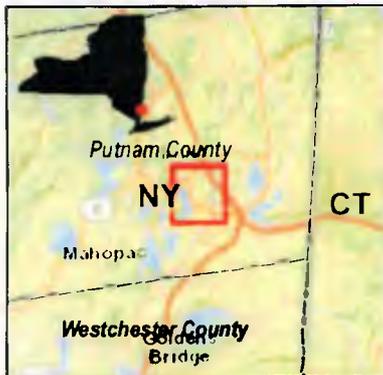
August 23, 2018

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#>



Legend

Distribution Lines To Be Worked

— 431 Circuit Rebuild

— 532 Circuit New

- - - 532 Circuit Rebuild



Sources: ESRI, NYSEG



Tilly Foster MTA Project

Figure: 1

Location Map

Town of Southeast & Village of Brewster
Putnam County, NY

Created
1/24/2017



10 Maxwell Drive
Clifton Park, NY 12066

Exhibit A

#	Tax ID #	#	Tax ID #	#	Tax ID #
1	45.-1-4	53	45.-3-46	105	45.-3-98
2	45.-1-5.2	54	45.-3-47	106	45.-3-99
3	45.-1-5.3	55	45.-3-48	107	45.-3-100
4	45.-1-8.1	56	45.-3-49	108	45.-3-101
5	45.-1-8.2	57	45.-3-50	109	45.-3-102
6	45.-1-8.3	58	45.-3-51	110	45.-3-103
7	45.-1-12	59	45.-3-52	111	45.-3-104
8	45.-1-13	60	45.-3-53	112	45.-3-105
9	45.-3-1	61	45.-3-54	113	45.-3-106
10	45.-3-2	62	45.-3-55	114	45.-3-107
11	45.-3-3	63	45.-3-56	115	45.-3-108
12	45.-3-4	64	45.-3-57	116	45.-3-109
13	45.-3-5	65	45.-3-58	117	45.-3-110
14	45.-3-6	66	45.-3-59	118	45.-3-111
15	45.-3-7	67	45.-3-60	119	45.-3-112
16	45.-3-8	68	45.-3-61	120	45.-3-113
17	45.-3-9	69	45.-3-62	121	45.-3-114
18	45.-3-10	70	45.-3-63	122	45.-3-115
19	45.-3-11	71	45.-3-64	123	45.-3-116
20	45.-3-12	72	45.-3-65	124	45.-3-117
21	45.-3-13	73	45.-3-66	125	45.-3-118
22	45.-3-14	74	45.-3-67	126	45.-3-119
23	45.-3-15	75	45.-3-68	127	45.-3-120
24	45.-3-16	76	45.-3-69	128	45.-3-121
25	45.-3-17	77	45.-3-70	129	45.-3-122
26	45.-3-18	78	45.-3-71	130	45.-3-123
27	45.-3-19	79	45.-3-72	131	45.-3-124
28	45.-3-20	80	45.-3-73	132	45.-3-125
29	45.-3-21	81	45.-3-74	133	45.-3-126
30	45.-3-22	82	45.-3-75	134	45.-3-127
31	45.-3-23	83	45.-3-76	135	45.-3-128
32	45.-3-24	84	45.-3-77	136	45.-3-129
33	45.-3-25	85	45.-3-78	137	45.-3-130
34	45.-3-26	86	45.-3-79	138	45.-3-131
35	45.-3-27	87	45.-3-80	139	45.-3-132
36	45.-3-28	88	45.-3-81	140	45.-3-133
37	45.-3-29	89	45.-3-82	141	45.-3-134
38	45.-3-30	90	45.-3-83	142	45.-3-135
39	45.-3-32	91	45.-3-84	143	45.-3-136
40	45.-3-33	92	45.-3-85	144	45.-3-137
41	45.-3-34	93	45.-3-86	145	45.-3-138
42	45.-3-35	94	45.-3-87	146	45.-3-139
43	45.-3-36	95	45.-3-88	147	45.-3-140
44	45.-3-37	96	45.-3-89	148	45.-3-141
45	45.-3-38	97	45.-3-90	149	45.-3-142
46	45.-3-39	98	45.-3-91	150	45.-3-143
47	45.-3-40	99	45.-3-92	151	45.-3-144
48	45.-3-41	100	45.-3-93	152	45.-3-145
49	45.-3-42	101	45.-3-94	153	45.-3-146
50	45.-3-43	102	45.-3-95	154	45.-3-147
51	45.-3-44	103	45.-3-96	155	45.-3-148
52	45.-3-45	104	45.-3-97	156	45.-3-31

Notes:

(1) Tax Lot 45.-3-148 does not appear on the Town of Southeast Tax Map.

**PLANNING BOARD
TOWN OF SOUTHEAST, NEW YORK
RESOLUTION – INTENT TO DECLARE LEAD AGENCY**

INTRODUCED BY: *LaPerch*

DATE: August 27, 2018

SECONDED BY: *Armstrong*

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a Wetland Permit, and other supporting documents for a project entitled **NYSEG TILLY FOSTER MTA PROJECT**; and

WHEREAS, the project involves the construction of new double circuit distribution lines on multiple parcels between the MTA railroad line in the Village of Brewster and the NYSEG Tilly Foster substation at the corner of NYS Route 6 and NYS Route 312; and

WHEREAS, two routes are proposed and one route would generally follow NYS Route 6 from the Village of Brewster to the NYSEG Tilly Foster Substation, and the second route would generally follow Putnam Avenue from the Village of Brewster to the existing NYSEG Right of Way east of the Putnam County Rail Trail to the NYSEG Tilly Foster Substation; and

WHEREAS, the Proposed Project involves the development of 2.04 miles of new double circuit distribution line (new 532 Circuit and rebuild 441 Circuit), 0.67 miles of new double circuit distribution line (new 531 Circuit and rebuild 441 Circuit), 1.40 miles of new distribution line (531 Circuit), 0.07 miles of new underground distribution line (351 Circuit), and 0.07 miles of new underground distribution line (352 Circuit). The Project will require work on 151 structures; and

WHEREAS, pursuant to §617.6(b)(3) of the State Environmental Quality Review Act (SEQRA), the aforementioned information must be mailed to all involved agencies notifying them that a Lead Agency must be agreed upon within thirty (30) calendar days of the date that the aforementioned information is mailed to involved agencies, and

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast hereby authorizes the mailing to all Involved Agencies of the aforementioned information, together with Notice that the Planning Board of the Town of Southeast intends to declare itself Lead Agency for purposes of SEQRA for this Unlisted and Coordinated Action, unless objection to such designation is received within thirty (30) days.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<i>yes</i>	D. Rush, Vice Chairman	<i>yes</i>
D. Armstrong, Boardmember	<i>yes</i>	E. Cyprus, Boardmember	<i>yes</i>
M. Hecht, Boardmember	<i>yes</i>	E. Larca, Boardmember	<i>yes</i>
J. Gress, Boardmember	<i>yes</i>		

The resolution was *passed* by a vote of *7* to *0*, with *0* absent.

T. LaPerch

T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

August 28, 2018

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

Re: NYSEG Tilly Foster MTA Project
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for a Wetland Permit by NYSEG to develop 2.04 miles of new double circuit distribution line (new 532 Circuit and rebuild 441 Circuit), 0.67 miles of new double circuit distribution line (new 531 Circuit and rebuild 441 Circuit), 1.40 miles of new distribution line (531 Circuit), 0.07 miles of new underground distribution line (351 Circuit), and 0.07 miles of new underground distribution line (352 Circuit). The Project will require work on 151 structures. Two routes are proposed and one route would generally follow NYS Route 6 from the Village of Brewster to the NYSEG Tilly Foster Substation, and the second route would generally follow Putnam Avenue from the Village of Brewster to the existing NYSEG Right of Way east of the Putnam County Rail Trail to the NYSEG Tilly Foster Substation.

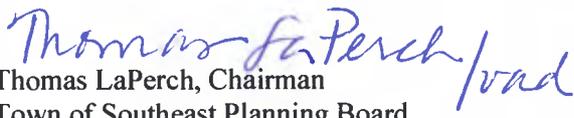
The Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQRA), is herewith referring the subject application to the Putnam County Division of Planning and Development pursuant to General Municipal Law §239-m.

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
TRC



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

August 28, 2018

Village of Brewster
50 Main Street
Brewster, NY 10509

Re: NYSEG Tilly Foster MTA Project

To Whom It May Concern:

The Planning Board of the Town of Southeast is considering an application for a Wetland Permit by NYSEG to develop 2.04 miles of new double circuit distribution line (new 532 Circuit and rebuild 441 Circuit), 0.67 miles of new double circuit distribution line (new 531 Circuit and rebuild 441 Circuit), 1.40 miles of new distribution line (531 Circuit), 0.07 miles of new underground distribution line (351 Circuit), and 0.07 miles of new underground distribution line (352 Circuit). The Project will require work on 151 structures. Two routes are proposed and one route would generally follow NYS Route 6 from the Village of Brewster to the NYSEG Tilly Foster Substation, and the second route would generally follow Putnam Avenue from the Village of Brewster to the existing NYSEG Right of Way east of the Putnam County Rail Trail to the NYSEG Tilly Foster Substation.

The Town of Southeast Planning Board is herewith referring the proposed project to the Village of Brewster due to its proximity to the Village boundary. Enclosed is the application for your review.

The Planning Board has set a Public Hearing for this application for 7:30 pm on September 24, 2018 at Town Hall, 1360 Route 22, Brewster, NY.

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.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
TRC

WHEREAS, in addition to the factors considered above, the Planning Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

- (i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))
- (ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;" (§617.7(c)(1)(iii))
- (iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;" (§617.7(c)(1)(iii))
- (iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))
- (v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))
- (vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))
- (vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))
- (viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))
- (ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))
- (x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))
- (xi) Not result in "changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Town of Southeast, acting as Lead Agency, and having reviewed the EAF and all supplementary information, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.

For Further Information:

Contact Person: Victoria Desidero
Address: Town of Southeast Planning Department
One Main Street
Brewster, NY 10509
Telephone Number: (845) 279-7736

A Copy of this Notice has been filed with:

INVOLVED/INTERESTED AGENCY	
Putnam County Department of Health 1 Geneva Road Brewster, New York 10509	SEQR Unit New York State Department of Transportation Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603
Highway Superintendent 10 Palmer Road Brewster, NY 10509	E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509
Putnam County Highways & Facilities 842 Fair Street Carmel New York 10512	Putnam County Department of Planning/Development & Public Transportation Putnam County Transit Facility 2 Route 164 Patterson, New York 12563

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>no</u>
D. Armstrong, Boardmember	<u>abstain</u>	E. Cyprus, Boardmember	<u>yes</u>
M. Hecht, Boardmember	<u>no</u>	E. Larca, Boardmember	<u>yes</u>
J. Gress, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 4 to 2, with 1 ~~absent~~ abstaining

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

**Town of Southeast
Planning Board**

One Main Street
Brewster, NY 10509

August 27, 2018

Hon. Tony Hay, Supervisor
Town of Southeast
1360 Route 22
Brewster, NY 10509

Re: A Local Law to Amend the Zoning for Home Occupations

Dear Supervisor Hay:

The Town of Southeast Planning Board (Planning Board), pursuant to §138-93 of the Code of Southeast, would like to recommend amendments to the Zoning Code for home occupations. The Planning Board has found that the existing regulations for home occupations are outdated and do not adequately address the types of businesses that residents seek to operate from their homes. The Planning Board recognizes that home-based businesses serve an important need for residents and entrepreneurs within the Town, but that they should be regulated so as not to create a nuisance or safety hazard within residential neighborhoods. The draft local law is attached for your consideration.

The Planning Board looks forward to assisting the Town Board in maintaining a business-friendly environment in the Town of Southeast, while continuing to protect community character, and greatly appreciates your consideration in these matters.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

CC: Town Board
Town Clerk
Town Attorney
Zoning Board of Appeals

Town of Southeast, Putnam County, NY
Local Law No. ___ of 2018

A LOCAL LAW entitled: “A Local Law to Amend the Zoning for Home Occupations.”

Be it enacted by the Town Board of the Town of Southeast, Putnam County, New York, as follows:

SECTION 1: LEGISLATIVE INTENT

The Town Board of the Town of Southeast proposes to amend the Code of the Town of Southeast as it relates to home occupations. The Town Board recognizes that home based businesses serve an important need for residents and entrepreneurs within the Town, but that they should be regulated so as not to create a nuisance or safety hazard within residential neighborhoods.

SECTION 2: AMENDMENTS TO CHAPTER 138, “ZONING,”

Section 138-4.B, “Definitions” is hereby amended, in part, to add the following definitions:

HOME OCCUPATION

~~A customary personal service occupation, such as dressmaking, millinery and home cooking, conducted principally by members of the resident family and in the main building only. Beauty parlors, barbershops, hairdressing and manicuring establishments shall not be deemed to be home occupations.~~

The accessory use of a portion of a dwelling unit or accessory residential garage or barn for income producing non-residential purposes by members of the resident family.

RESIDENTIAL DELIVERY SERVICE

Customary governmental and commercial delivery services that distribute mail and packages to residential properties during normal operating hours from a box truck or van and requiring no heavy equipment.

Section 138-56.2, “Home Occupations” is hereby added as follows:

A. All home occupations shall be subject to the following conditions:

- (1) A home occupation shall be clearly accessory to the principal residential use of the dwelling and shall not change the character thereof.
- (2) Permissible home occupations shall include: art or craft studio; dressmaking; tailor; baking, cooking, and preparation of goods for off-site sale and consumption; office for a clergyman, lawyer, physician, dentist, architect, landscape architect, designer, engineer, data technician, real estate agent, consultant, or accountant; tutoring and teaching, with music, dance and other instruction limited to four pupils at a time; and internet based sales where no customers visit the premises and all pick-up and delivery occur through standard residential delivery services.

- (3) Home occupations shall exclude: clinics and hospitals; barbershops, beauty parlors, hairdressing, and manicuring; tattoo parlors; restaurants and bars; animal hospitals; animal grooming; kennels; commercial animal breeding; taxi, limousine, or livery service or yard; contractor yard; retail, wholesale, private, or rental sales where customers visit the premises; towing or motor vehicle service; massage parlors; adult uses; funeral homes; and palm reading and fortune telling.
- (4) All home occupation activities shall be conducted within the enclosed space of the principal building or accessory residential garage or barn. No outside storage or display is permitted.
- (5) The total floor area dedicated to the home occupation shall not exceed 30 percent of the gross floor area of the principal dwelling unit.
- (6) The home occupation shall not produce or emit noise, vibration, smoke, dust, odors, heat, or glare detectable beyond the parcel boundary, or offensive or detrimental to the immediate neighborhood.
- (7) No more than one non-resident employee shall be permitted to work on the premises at any one time.
- (8) The home occupation shall not be open to the public earlier than 8 am or later than 7 pm on any day.
- (9) The home occupation shall not sell, produce, or dispose of any lethal, toxic, or hazardous substance.
- (10) One commercial vehicle may be used for the home occupation in addition to any personal vehicles used by members of the household. No vehicle used for the home occupation shall be larger than a cargo van or pickup truck.
- (11) All parking associated with the home occupation shall be in the driveway, garage, or barn where the home occupation is located. No parking, including employee or customer parking, is permitted in the street or yard.
- (12) No more than twelve (12) customer vehicles shall visit the premises of the home occupation per day.
- (13) With the exception of alterations required for handicapped accessibility, alteration of the residential appearance of the premises to accommodate the home occupation is prohibited.
- (14) In granting a conditional use permit for a home occupation, the Planning Board may impose reasonable conditions consistent with preserving the character of the neighborhood, public health, safety, and general welfare of the community. Among the limitations which may be imposed are:
 - (a) A limit on the number of visitors per hour;
 - (b) A limit on the hours and days of operation;
 - (c) A requirement that visitors must have scheduled appointments; and
 - (d) Other conditions as appropriate to the application.
- (15) Any permit granted by the Planning Board shall apply only to the use described in such permit, and it shall expire upon the termination or modification of such use or the sale of the property.

B. Exemptions.

- (1) No permit shall be required for a seasonal yard, garage, or tag sale, or the equivalent sale of personal property on an internet based sales platform, provided that the proceeds of such sales do not qualify as a business under the Internal Revenue Service (IRS) regulations.

Section 138 Attachment 3, Town of Southeast Table of General Use Requirements, Residential Zoning Districts is hereby amended, in part. As follows:

Row R-160, column C, “Conditional Uses by Planning Board”

1. ~~The office of a doctor, dentist, lawyer, clergyman or other member of a recognized profession and customary~~ A home based-occupation.

Row R-80, column C, “Conditional Uses by Planning Board”

1. ~~The office of a doctor, dentist, lawyer, clergyman or other member of a recognized profession and customary~~ A home based-occupation.

Row R-80, column E, “Accessory Uses Permitted by Right”

6. Notwithstanding the provisions above, a horse or pony may be kept on a lot of not less than two acres, and one additional horse or pony may be kept for each acre by which the lot exceeds two acres, up to a maximum of 15 horses. Any building in which a horse or pony is kept shall not extend within less than 100 feet of any property or street line. Any boarding of any horse or pony for compensation, ~~or in conjunction with a home based occupation~~ ~~veterinary practice~~, shall require a conditional use permit from the Planning Board and shall not be considered an accessory use permitted by right.

SECTION 3: VALIDITY

The invalidity of any word, section, clause, paragraph, sentence, part, provision of this Local Law shall not affect the validity of any other part of this Local Law that shall be given effect without such invalid part or parts.

SECTION 4: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
August 13, 2018**

Present: Chairman Tom LaPerch; Vice Chairman David Rush; Boardmembers Dan Armstrong, Michael Hecht; Eric Larca; Jack Gress; Town Planner Ashley Ley; Town Attorney Willis Stephens; Secretary Victoria Desidero; Absent & Excused: Boardmember Eric Cyprus

PUBLIC HEARINGS:

1. **INTERIOR ROCK, 3903 Danbury Road** – This was a Public Hearing to review an application for a Site Plan, Conditional Use Permit and Wetland Permit. Peder Scott of PW Scott Associates appeared before the Board. The motion to Open the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. Chairman LaPerch said while you are getting set up, please make sure it is facing the audience, and did you receive all the correspondence from our consultants? Mr. Scott said yes, I did. Chairman LaPerch said why don't you give your presentation and I will give you a couple quick things I had in mind, if you don't mind. Mr. Scott introduced himself and said I am representing the applicant at 3903 Route 6; it's a company called Interior Rock and, basically, they specialize in equipment for work in the New York City area and we are anticipating a project where the building will stand over time; its in two phases. He said the property is located between Route 121 and the Connecticut border on Route 6. So, it's a phased project, its two phases, he said, a lower level which is phase 1 and a second level would be phase 2. Mr. Scott said I'd like to speak in regards to the second phase, which is the culmination of the structure design. He said the subject project is about 3.8 acres: we are disturbing about 1.8 acres and the site has a couple of (inaudible) we should address. The first item, he said, is on the western side and it is wetlands and they have been flagged by the Town's consultant and that basically has established a red line on the site plans which is the 166 ft. wetland buffer. The property is somewhat constrained in terms of frontage and our only access is on the far west side where, of course, the wetlands are located, he said. Mr. Scott continued: to make the project work we had to propose encroachments within the wetland buffer to extend our building site as depicted on the site plan and we also, within these confines of development, we proposed a fully compliant stormwater management system which is an array of sedimentation basins and bio retention basins and a rain garden at the entrance itself. He said the plan is fully compliant with the New York State stormwater management regulations and the septic system is located up on the rear of the site and fronts onto US-84 and the septic system has basically been tested by Putnam County Department of Health and New York City DEP (Department of Environmental Protection) and its an adequate size for this proposed (inaudible). He said the site's been inspected by New York State DEC (Department of Environmental Conservation) and we are compliant with setbacks from their wetland, which happen to be across the street. We've also been inspected by New York City DEP for the watercourses, he said, and the watercourse is showing on the western side and we are in compliance of more than 100 ft. away with any disturbance (inaudible). We've also been to the New York State DOT (Department of Transportation) with regards to utilizing a curb cut on Route 6 and we've located the curb cut, as best we can, across from (inaudible) to afford a left-hand turn; that discussion is still ongoing with New York State DOT, he said. Mr. Scott said we have submitted preliminary documents to New York State DOT indicating that there was no change level occurred with our project to add to the traffic on this particular divided highway so we are deemed a (inaudible) on this... There is a building proposed on the property, he said, and we'll have to appear before the ARB (Architectural Review Board) and basically, it's a two-story building in phase 2 from the front and one-story from the back with isolated parking. He said there is a requirement for Zoning which will be necessitated with this application and that variance is for a retaining wall in the front yard and we may need other area variances for other phases but we still need a retaining wall in front because of the fact that we are along a very wide New York State DOT buffer and need a wall to demarcate our (inaudible). We have attempted to contact New York State DOT about potentially purchasing the land, he said, but those efforts have not led to any decisions from

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
August 13, 2018**

them at this point in time. Mr. Scott said that completes my... Chairman LaPerch said all right, Peder (Scott), I think we made some good progress here since the last time we met, couple of things: I guess (Wetland Inspector) Steve Coleman is looking for some calculations, as well as AKRF (Town Planner) regarding the stormwater? Mr. Scott said I know stormwater is in the comments from Mr. Fenton (Town Engineer) and he is waiting for Mr. Fenton to agree to the water balance, which is in the stormwater report, yes. Chairman LaPerch said OK, and what's the latest with the DOT, I know you had responded but we didn't hear back from Mr. Bentley yet? Mr. Scott said I spoke with him directly, the representative, both the agent and the review engineer and the discussion is this: Stateline is potentially out there to the west of us and currently, we've done a study that shows that we have no impacts on the roadway with our proposed traffic counts or that of the roadway itself. There is a minor increase in traffic along this line, he said, if Stateline was ever built but, then again, since we are not really impacting the project and we are such a low traffic generator, we have prepared documents for New York State DOT to allow a left-hand turn. Mr. Scott said in terms of SEQRA though, again, we've been able to show him, that is DOT, that we won't impact and we use the highway manual for that and, in addition, if worst case scenario, we didn't get a left turn, "A" we'd be the only person on the whole corridor who does not have a left hand turn but it wouldn't impact our project: we would just be restricted to a eastbound direction only but that's the worst case so it's not a real SEQRA issue, it's a permitting issue with the DOT. Chairman LaPerch all right, so progress. He polled the Board for questions. Boardmember Armstrong said is this here because it's a site plan amendment? Town Planner Ashley Ley said it's a new site plan. Mr. Scott said no, it's a new application. Chairman LaPerch said a brand new application, we don't have... Boardmember Armstrong said is the building going to be on cement blocks or is it going to be a foundation or what? Mr. Scott said sure, it's a standard foundation... Chairman LaPerch said show the public that rendering please. Mr. Scott said yes, so to answer your question, this site was once was excavated for materials for... and they were removed off-site so there is a big void on the property, so within that void, we've placed our building which is in a big cut and we're going to have a standard foundation with this building. The rear will act as a retaining wall for the building itself, he said, that is the building is built into the hillside and for phase one all we have in the rear on the property is an access road going to the septic system. It will just be graded with an access way going to a septic system, he said, but in phase number two we're going to enhance the rear of the property on this rendering with a parking lot for a future phase of the building, a second floor. Boardmember Rush said you haven't gone to the ARB yet, right, that's after this? Mr. Scott said we can't. Boardmember Rush said I just want to make sure you show them all of your equipment on that building, penetration, things like that. Mr. Scott said yes, that's correct. Chairman LaPerch said Ashley (Ley) any other issues before we go public? Ms. Ley said no. Chairman LaPerch opened the Public Hearing. Town Councilwoman Lynne Eckardt said just a quick question, I know you need some variances, correct but no variances for retaining walls, they will all be within the height? Mr. Scott said just one in the front; that's the only retaining wall. She said so there is one in the front too? He said yes. She asked if that is reflected in the... Ms. Ley said and that does need a variance. (Multiple people talking.) Ms. Eckardt said when do you think you will hear from the DOT? Mr. Scott said well, we've already heard from the DOT... we submitted everything to them to show that we are exempt and our next step is that if we had a Neg Dec (Negative Declaration) then we could fulfill a permit requirement with them to pursue that, curb cut or no curb cut. He said at this point in time, all we can do is submit documents that show we are exempt from a traffic report and analysis. Ms. Eckardt said and that's just because of the low usage? He said yes, low usage both on the road and low usage of our generators. She said OK, thank you. Chairman LaPerch said that was a loaded question about the DOT. Ms. Eckardt said well we've been hearing from them... Chairman LaPerch said I know, you are right. Ms. Eckardt said we've had quick response times from the DOT so I am a little surprised on that. Ms. Ley said he (Mr. Scott) just submitted it last week. Chairman LaPerch said all right, I think we

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have enough information that I think... by the way, any other public comment? He said I think we have enough to close the Public Hearing and move on so, unless I hear otherwise, I'd like to make a motion to close the Public Hearing. Boardmember Armstrong seconded the motion and the vote was all in favor. He asked Ms. Ley for next steps for the applicant and she said the next step is to resolve the outstanding items in the Coleman and Jacobson memos and, if you can get a response in writing from DOT acknowledging the receipt of your e-mail and attachments and that they are OK with what you provided at this point in time, I can also follow up with a phone call before the next meeting, but once those issues are addressed, then you can come back for a Determination of Significance. Chairman LaPerch said all right? Mr. Scott said if we get it done quickly is it possible to get onto the next meeting? Chairman LaPerch said the balls in your court. Ms. Desidero and Ms. Ley discussed the deadlines... Chairman LaPerch said once again the ball is in your court and we would like to help you move it along: just do your job. Ms. Desidero said the deadline for the August 27 meeting was August 6. Chairman LaPerch said so the earliest he can get on is when? Ms. Desidero said September 24; the deadline is September 5. Chairman LaPerch said OK, so we are making progress here.

2. **FWL GROUP, LLC, 200 & 280 Fields Lane** – This was a Public Hearing to review an application for a Site Plan, Subdivision and Wetland Permit. Jamie LoGiudice of Insite Engineering appeared before the Board. The motion to Open the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. Chairman LaPerch said just turn that board to the public if you don't mind. He said this is an oldy but favorite, it's been around a while. Ms. LoGiudice said not too long. Chairman LaPerch said so for everyone here and the public it is located on the bend of Fields Lane, correct? She said yes. He said and it is on the side of 684, right, it abuts 684? She said right. Ms. LoGiudice said I am here on behalf of the FWL Group for the project located on Fields Lane; Fields Lane essentially borders the property on the southern side... Chairman LaPerch said excuse me and asked Mr. Durkin would you mind shutting that door? Thank you, sorry, he said. Ms. LoGiudice continued: 684 is bordering on the properties... there are two properties for this project that we are proposing to merge: 280 and 200 Fields Lane. We provided a lot merger map as part of the project, she said, and the project proposes a 28,500 sq. ft. commercial building with warehouse, storage and some offices. We do propose parking spaces outside (inaudible), stormwater management areas in the form of infiltration systems underground which is a shift from what was previously being proposed which were stormwater basins. Ms. LoGiudice said these will allow us to minimize the disturbance to the wetland buffers based on comments from Mr. Coleman (Wetland Inspector) and we have also provided location plantings that I believe (inaudible)... those mitigation plans provided are one-to-one so that we provide enough mitigation to offset the disturbance to buffer areas. She said those mitigation areas essentially wrap around the development in the center of the property, basically buffering it from... Boardmember Armstrong said with all due respect, this is a Public Hearing and I can hardly hear you and I don't know if the audience can hear you, could you just speak up a little bit please? Ms. LoGiudice said yes. She said we have also provided a lighting plan that essentially complies with the Zoning Code; we've provided that for you as well. Chairman LaPerch said OK. She said we are in receipt of the three comment letters and we will address them and adjust the plans in a future submission. Chairman LaPerch said I don't see anything here much other than you have some housekeeping to do. He said so you have basically one 30,000 sq. ft. building, is it going to be a spec building... there is a discrepancy between 28 and 30,000 in your submission. She said we are firmly at 28,500 so we will make sure that is applied everywhere. He said OK, thanks, and polled the Board for questions. Boardmember Hecht said is there a planned tenant or use for this building? Ms. LoGiudice said not at this time: there was a former tenant that was a potential and he wanted to have an office and a nursery-type use but the nature of the nursery didn't fit into the disturbance of the site and how it was... with the property itself and also (inaudible) so it just didn't work out. So,

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at the moment there is not a use or a tenant proposed, she said. Chairman LaPerch asked Ms. Ley for any questions or issues? Ms. Ley said there was one comment in Steve Coleman's letter about retaining walls being used to mitigate... or to lessen the amount of wetland disturbance, is that something that you are considering? Ms. LoGiudice said we are not considering that at this time, only because the cost of the building alone being the very odd shape that it is to fit into the development area that we have allowed on this property, retaining walls would add an extra cost that are beyond essentially what the applicant is willing to do. She said we have looked into it and there is not (inaudible) within the buffer to warrant having retaining walls. Chairman LaPerch said well, our consultant says so and I always get nervous because just because you don't want to do it because it's going to cost money but... She said we can look into it... He said you've got to really look into it because that was not a good answer. He said I don't really get that answer being... we don't do things based on economics, we are trying to do the best for the Town here so if it costs this person a couple of extra bucks to do it right and our consultant is asking for it, I know you are just the messenger here, but please tell your client that we are looking for a wall. Ms. LoGiudice said I can understand that; I do want to point out that this site has been previously disturbed before... Chairman LaPerch said I get that but we have a consultant that is saying that they want to see something, if you can come up with an alternative that he is satisfied with, I'm all in but we just can't dismiss it because it's an economic issue. She said oh no, we're not necessarily saying that... He said basically that's what I heard is that it was an economic issue that you didn't want to build a wall. She said I'm sorry... (inaudible). Chairman LaPerch said I just want to clear the air here because if it's an economic issue of the wall, that's not acceptable to us, you've got to figure it out. We are here to work with you, he continued, but it's not my concern if it is going to cost him extra money to do it right. Ms. LoGiudice said sure, no and I completely understand that and its not necessarily the only issue and again, there's not a lot of (inaudible)... Chairman LaPerch said it's a tough site, that's why I say it's been around a long time, I know it's a challenging site but if we are going to get something built there, let's do it right and let's figure it out if there are other methods to get achieve that, it's all I am saying. She said OK, we'll look at it. He said thank you, that's all, I'd like to open this to the public... Boardmember Rush said I'm sorry but Jamie (LoGiudice) did you mention about the paving? She said paving was another option that we were looking into, to do porous pavement in the areas that are located within the buffer area and we are still investigating that. Boardmember Rush said OK, so we've got to put a bow on whatever that solution is because... Chairman LaPerch said good point, good pick up. He opened the Public Hearing. Town Councilwoman Lynne Eckardt said I just want to re-iterate what Tom (LaPerch) said because I think it's really important and I feel like there's some Public Hearings recently that aren't quite... they aren't quite where I think they should be to be heard by the public even though we are asking questions so... She said I really agree with Tom (LaPerch) and if you have to minimize the building and I understand the shape and I am really glad you are working with that but I really think if our consultants ask for something, it should be done and that's all. So, I just like to re-iterate, she said. Town Councilman John Lord asked: will the Public Hearing be closed now or since there are questions... Chairman LaPerch said well I'm going to suggest it is, I think there is... Mr. Lord said aren't there still some questions that you have? Chairman LaPerch said it is mostly housekeeping if you look at the consultant's record... it's cleaning up the maps and some things being memorialized unless I am missing something... Ms. Ley said so I think the only things that would require a change to site plan, beyond some of the housekeeping items, would be the addition of retaining walls if that were to change the shape of the parking lot and the addition of porous pavement: those could affect the layout. Chairman LaPerch said OK, that's fair. Mr. Lord said but that will be answered to your satisfaction before it is... Chairman LaPerch said at some point, yes, we are going to get results. There were no other questions from the public. Chairman LaPerch said since there is a question about whether we just have housekeeping or substantial issues, let's hear what the Board thinks: does anyone have any issues with closing the Public Hearing? Boardmember

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Gress said no, I do not. The rest of the Board members all said no as well. The motion to close the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed all in favor. Chairman LaPerch said Jamie (LoGiudice) you've got some work to do, all right? She said yes.

REGULAR SESSION:

1. **SPRINT PCS, 171 Joe's Hill Road** – This was a review of an application for Exemption from Site Plan and Conditional Use Permit Review. Attorney Leonard Cohen of Snyder & Snyder appeared before the Board and said we are here tonight for a Zoning exemption. Chairman LaPerch said right, why? Mr. Cohen said we are proposing three antennas on existing mounts on the tower. Chairman LaPerch said on Joe's Hill Road? He said yes. Chairman LaPerch asked if everyone knows the area and then asked the applicant: how many are there left? They discussed that Sprint is already a user on the tower and are just adding equipment to existing mounts on the pole. He polled the Board for questions. Boardmember Larca said this is the same tower that Verizon was in for last month? Ms. Ley said yes. Boardmember Hecht said the antennas, the three you are going to put in, are they similar to the other ones there? Mr. Cohen said these are actually a bit smaller, not much of a noticeable difference but a bit smaller. Boardmember Armstrong said I wasn't clear, how many are on there now? Mr. Cohen said Sprint antennas, there are three on there currently. Boardmember Armstrong said and how many... what's the maximum? Mr. Cohen said we are proposing three additional. Boardmember Armstrong said is there any prohibition against anything more than three... in the ordinance? Ms. Ley said when it was originally approved it was approved for four users and then each... they approved the mounts for the maximum number of antennas. Mr. Cohen explained how the pole is constructed and houses a number of antennas. Boardmember Armstrong said you will have a total of six? He said yes. He asked is there any other that has six already? (Multiple people talking.) Boardmember Armstrong said I just wondered how we came to the magic number of how many we would permit and it is not a big deal, I am just curious. Ms. Ley said the maximum number of users is defined in the Code as four and there is a maximum height in the Code so this particular user, when it was originally approved, they approved six mounts. Boardmember Armstrong said does user mean antenna or... Ms. Ley said carrier. She said so Sprint, when they came in and got their original approval, there are three antenna mounts that come out and so there is one on each sector right now and they are going to add another one to the sector heads that are already there. Boardmember Armstrong said and these are all Sprint? Mr. Cohen said these are Sprint antennas, yes. Boardmember Rush said you are not modifying any of the structure because it's already pre-existing, right? Mr. Cohen said right and a structural report has been submitted with the application, confirming that the tower can support the additional antennas. Boardmember Rush said is this new equipment... how is it going to help, is it 5G stuff or what is it? Mr. Cohen said it is all part of Sprint's improving their service. Chairman LaPerch said that's a good question, you should know that answer. Mr. Cohen said well, there are a number of factors and different types of coverage objectives so it will improve service but whether or not it is 5G, I am not certain. Chairman LaPerch said that's a fair answer. The motion to Grant Exemption from Site Plan and Conditional Use Permit Review was introduced by Chairman LaPerch, seconded by Boardmember Gress and passed by a roll call vote of 6 to 0 with 1 absent.
2. **TRINITY LUTHERAN CHURCH CLOTHING SHED, 2103 Route 6** – This was a review of an Application for Site Plan Amendment. Alex Hillis of St. Pauly Textile, Inc., represented the Church before the Board. Mr. Hillis said we are seeking to partner with the Church in this clothing shed project which is, in a nutshell, we provide a wood framed shed, most of you have seen the pictures from our application, to the Church so the Church can use for collecting clothing donations in partnership with us and cleanliness is of the highest priority in the way that we do this because I'm sure you have all seen metal donation bins out there that are poorly maintained and

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unfortunately that can be a problem where stuff is left outside those bins. So, he said, our business model is not only do our teams pick up donations from the sheds that we have and, by the way, we have over 1000 of these sheds across several different states in the northeast, primarily with Churches, but not only are we picking up clothing donations on a weekly basis but members of the Church are actually responsible for maintaining the shed as well in terms of moving donations from the donation chute within the shed, keeping things organized, they may use stuff for community needs and regional needs as well. He said in addition, we will also be providing to the Church so it is kind of a community outreach, community service, funding opportunity for the Church and the company I work for, by the way, is a business: it's a for profit company, St. Pauly Textile, Inc., so we send this clothing worldwide and we actually sell it very cheaply in very large bulk quantities to many different types of agencies who then redistribute it in a lot of different ways for people that need it and require it. Chairman LaPerch said how often do you pick up? Mr. Hillis said at least weekly. Chairman LaPerch said what is your closest residential neighbor? Mr. Hillis said I don't know the name of the owner. Joy Brigetta (from the Church) said Hughson. Chairman LaPerch asked the Board if they have any questions. Boardmember Hecht said in relation to your question, there is a condo unit there and I am wondering if it's backing up to that and what the distance is. Chairman LaPerch said if I remember the topo, you're below the grade of Route 6? Boardmember Larca said it is below grade to the neighboring properties as well and I think there are a bunch of shrubs. Mr. Hillis said it's not really visible from any neighboring property. Boardmember Armstrong said my questions have to do with our role: you say you represent about 1,000 of these kinds of pick up places? Mr. Hillis said the company that I work for, yes. Boardmember Armstrong said OK, in your experience is it typical that this kind of use comes before the Planning Board and goes through a very vigorous review process? Mr. Hillis said not often, I would say maybe 5% of the time. Boardmember Armstrong said in my opinion this is overkill and I really don't understand what we're accomplishing. He said typically what happens, the Building Department reviews it in 90% of the communities. Chairman LaPerch said you don't have to answer it. Mr. Hillis said I don't mind. He said in New York State I would say 50% of the time it's a Building Permit and 50% of the time no permit is required. Ms. Ley said the reason it's here is because the shed is considered a structure under the Zoning Code and any time you change any commercial or institutional property it requires a Site Plan review. She said it would be different if it was a single family home as it would just require a Building Permit. Boardmember Armstrong said because it's attached to the building? Ms. Ley said because it's a structure on an institutional property. Boardmember Armstrong said I don't want to get into it but it seems to me that we are spending a lot of time and this organization and Church are spending a lot of time and money to do something that could be done administratively. He said if it takes a change in the Law, so be it and we have two Town Board members here and maybe they should think about it. Boardmember Rush said no, but I know we're being asked to possibly waive the Public Hearing and I would defer to your logic on that only because of the proximity to the neighbors. Ms. Ley said the Planning Board's practice has been if it's in a residential neighborhood or it's close to houses that they hold Public Hearings. She said this is on Route 6 where those that will see it mostly will be on Route 6. She said is it an existing parking lot that is a little downhill from Route 6 and will probably be seen right as you drive by. 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 Armstrong and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Refer this 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 Town of Carmel was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. The motion to Refer the Application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

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Mr. Hillis said what is the next step? Ms. Ley said the one item that I requested clarification on that I think is most relevant to this Board is confirmation that the addition of the shed is not going to be putting them over the lot coverage in the Code because then that would trigger a variance. She said I don't think that it will but we will need to check the calculation. She said the next step is to go to the Architectural Review Board and they will review the shed, plantings and lighting.

3. **CHASE BANK – CLOCKTOWER COMMONS, 700 Clocktower Commons** – This was a review of an application for Site Plan Amendment. Travis Telemaque of TPG Architecture and Joe Bastone of Metropolis Group, Inc., appeared before the Board. Mr. Telemaque said the proposed work for the exterior portion is to remove the vacuum tube system, repair the existing middle concrete island curb, and install a new exterior ATM. He said we will have to truncate power, which requires us to re-stripe the drive-thru and put new signage there. All the exterior lighting is to remain, he said. Mr. Bastone said their engineer created a document that shows that we are not making any changes or improvements for your review. Chairman LaPerch asked the Board if they had any questions. Boardmember Larca said can you tell us about the lights again? Mr. Telemaque said we are not replacing the lights, although we do have a civil engineer looking into changing the lights to LED for more efficiency. Ms. Ley said if you're going to make any changes to the lighting, we would need to see the new foot candle levels on the lighting plan. Boardmember Rush said and color temperature. Boardmember Armstrong said I use this branch quite a bit; with the westerly access because people are backing out of that first space it's sometimes difficult to get in and out and I'm just wondering if you could take a look at that to make it more functional? Ms. Ley said some of these lighting levels are a bit high and are they under the canopy... as you have some that are 31? Mr. Telemaque said that's correct, under the canopy. 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 Armstrong and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Refer this to County Planning under GML 239-m was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. 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 ARB was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. Ms. Desidero told the applicant: I need the application on a disk sent as soon as possible for the referral to County Planning.
4. **GREEN CHIMNEYS SCHOOL, 269, 287 & 301-305 Doansburg Road** – This was a review of an Application for Site Plan Amendment and Wetland Permit. Jamie LoGiudice of Insite Engineering appeared before the Board. Ms. LoGiudice said we are redoing an existing building, which is an existing barn located by the Country Store. She said it will be completely renovated into their new kitchen facility so their existing vocational training will continue within that area while also utilizing that new kitchen space as their kitchen for their campus. She said they are kind of doing a two-fold deal where they're going to redo their kitchen on the actual Green Chimneys Campus and change this barn back into their vocational training facility. Chairman LaPerch said you have septic, water and such on that property? Ms. LoGiudice said there is a stream that comes underneath and wetlands all over the property. She said DEP has been onsite and we are coordinating with them for a Wetland Validation Map and we will provide it in a future submission. Ms. LoGiudice said we are proposing a new septic and will provide additional information in the submission. She said we are looking into the possibility of merging the three lots because they are being utilized by the same owner for the same purpose and there is a right-of-way in between being investigated to figure out what that is and who is using it. Ms. LoGiudice said we are here for Sketch Plan Review. Chairman LaPerch asked the Board if they had any questions. Boardmember Armstrong said you're looking at all of Mr. Coleman's suggestions? Ms. LoGiudice said yes, we

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are. 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 Gress and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Refer this to County Planning under GML 239-m was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. The motion to Refer the Application to the Town of Patterson was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. The motion to Refer the Application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. Ms. Ley said I am not recommending you set or waive the Public Hearing until the Wetland issues are better defined. Ms. Desidero requested two disks from the applicant.

5. **PUTNAM BUSINESS PARK, 1689 Route 22** – This was a review of an Application for Site Plan Amendment. Frank Annunziata of James J. Hahn Engineering appeared before the Board. He said the owners of the Putnam Business Park are proposing a 4,000 sq. ft. part replacement, part expansion of their building. He said out of the 4,000 sq. ft., almost 1,900... almost 2,000 sq. ft. is replacing some of the existing structure. The proposed uses would be Office as it is now with Craft Workshop as warehouse doesn't quite fit. Chairman LaPerch said is there is a violation on the property right now? Ms. Ley said it was cleaned up. Chairman LaPerch said are you requesting any variances? Mr. Annunziata said I don't think it's necessary and don't anticipate any. Ms. Ley said you'll be providing an updated Statement of Use? Mr. Annunziata said yes. Chairman LaPerch asked the Board if they had any questions. Boardmember Armstrong said is there any use here that needs additional parking? Mr. Annunziata said there will be some additional parking provided but there would be no use changes. Boardmember Armstrong said so whatever the required parking is will be provided. Mr. Annunziata said yes. Boardmember Armstrong said are we required to ask for pervious surface, can we ask for that? Ms. Ley said you can ask. Mr. Annunziata said they're proposing to pave an existing area that's for storage vehicles and some materials and is presently gravel. Boardmember Armstrong said I'm not sure if it's required but would you consider a pervious surface for whatever additional parking you provide? Mr. Annunziata said yes. He said we saw the engineer's comments about looking into stormwater mitigations so we'd like to speak to him directly. Boardmember Armstrong said the inverted concrete blocks, they work fine. 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 Hecht and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Refer this to County Planning under GML 239-m was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Gress and passed all in favor. The motion to Refer the Application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor. Ms. Desidero said I need a disk for County Planning from you as well.

The motion to approve the Meeting Minutes from July 23, 2018 as written was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

Chairman LaPerch asked for the agenda for the next meeting and Ms. Desidero said the next meeting is August 27 and we have on the regular session Barrett Hill coming in for final approval, Northeast Interstate Logistics for discussion of the Planning Board comments, Northeast Interstate Logistics Lot Line Adjustment for final, and Durkin Water 3 at 120 Fields Lane and they are coming in for Site Plan Amendment.

Chairman LaPerch asked Ms. Ley to tell the Board what the plans are for the Northeast Interstate Logistics Center discussion at the next meeting. Ms. Ley said the Planning Board will relay their comments to the

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applicant on the record during the Public Comment period so it will be a dialogue between the Planning Board and the applicant and it will be open to the public for the public to listen. She said if the public has additional comments, they will have until the end of the month to submit them in writing. Boardmember Hecht said if I wanted to submit in writing my comments ahead of time? Ms. Ley said that would be fine.

Chairman LaPerch said we have a Staff Meeting on August 30 and there are three or four people looking to attend.

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

August 24, 2018/VAD/CC