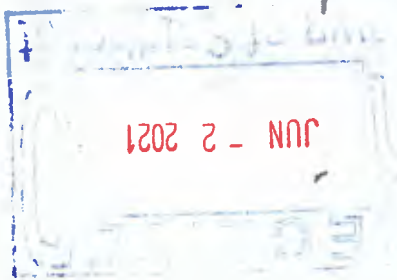


P.O. Box 37
Brewster, N.Y. 10509
May 28, 2021

Thomas LaPerch, Chairman
Town of Southeast Planning Board
Main Street
Brewster, N.Y. 10509



I just received your certified letter yesterday, Mr. LaPerch, and was horrified to learn that my next door neighbor wants to sell firearms in a residential neighborhood with children. It looks to me from the road as if he had small children. Did Sandy Hook ever happen and all the other shootings since then. Every day on the news is not enough for my neighbor and he wants more? How does he not know that they will not practice in his woods or mine to try the guns out. Bullets travel, so will I be a prisoner in my own home?

My stepfather, Dr. Carl G. Amend, bought the property in 1932. My Mother brought me up to visit, as I was his niece, many times and I lived here permanently since 1948.

CONCERNED RESIDENTS OF SOUTHEAST
PMB 145, 12 MAIN STREET
BREWSTER, NY 10509
concernedresidentsofsoutheast@gmail.com
845.216.5009

June 7, 2021

Dear Town of Southeast Resident;

A resident in your neighborhood has submitted a request to the Town of Southeast Planning Board to obtain a *Conditional Use Permit* in order to run a business out of their home located at 20 Welfare Rd. The *Conditional Use Permit* is required, as your neighborhood is *Residentially Zoned (R-160)* and *Commercial Businesses* are restricted. This restriction helps maintain the quiet, peaceful character of your neighborhood.

According to the Town Code, a Conditional Use Permit is required for "Home Occupations" such as an accountant. After receiving approval from the Planning or Town Board, any applicant can operate their business out of their home. The Conditional Use Permit being sought by the applicant at 20 Welfare Road is for the operation of an internet-based firearms sales and transfer business. Though not included in the application, the applicant has also discussed future plans to manufacture small firearm components.

Current Town Code Zoning Regulations §138-56.2 **Home occupations** state; "Permissible home occupations shall include...internet based sales where no customers visit the premises and **all pick-up and delivery occur through standard residential delivery services.**" The Statement of Use, filled out by the applicant, indicates that firearms would be transferred on the premises.

Would approval of this type of business be in the true spirit of the Home Occupations law?

A Public Hearing for this project is being held on June 14, 2021 at 7PM. The Planning Board Agenda and log on for the Zoom Meeting:

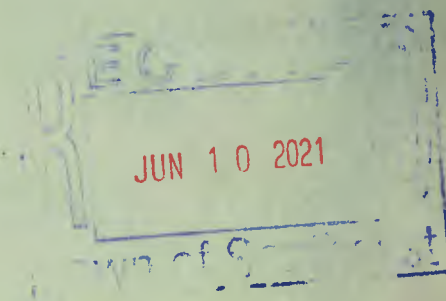
<http://www.townofsoutheast-ny.com/AgendaCenter/ViewFile/Agenda/06142021-1291>

This is a Public Hearing and you are allowed to comment during the Public Comment Period for any agenda item.

You can also email your written comments to the Planning Board at:
vdesidero@southeast-ny.gov

Or mail your comments to:

Town of Southeast Planning Board
1 Main Street
Brewster, NY 10509



If you have any questions, call or email me.

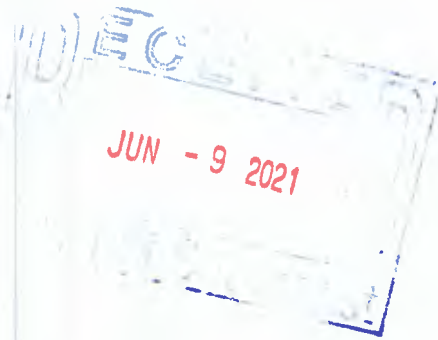
6.10.21 fwd. to PB

Victoria Desidero

From: John Martin <johnmart5@icloud.com>
Sent: Tuesday, June 08, 2021 4:33 PM
To: vdesidero@southeast-ny.gov
Subject: Conditional home permit

I'm writing with regards to the conditional home permit for an in home business at 20 Welfare Rd. It appears that they will running a firearms business (buying & selling). My only concern would be the storage of said guns and Ammo to prevent theft and assure that ammo will safely stored in the event of Fire! Otherwise I have no issues with them running a legal business out of their home. Thanks John PS I live on Farrell Dr.

Sent from my iPhone=



6.9.21 forwarded to PB

Victoria Desidero

From: kara zacconi <karazacconi@gmail.com>
Sent: Tuesday, June 08, 2021 5:43 PM
To: vdesidero@southeast-ny.gov
Subject: 20 Welfare Road- Residential Gun Selling Permit

Hello,

My name is Kara Zacconi and I live at 24 Elizabeth Ct with my husband & 7 month old son, Leo. I received your letter, and would like to express my concerns with the permit in question.

I am a 2nd amendment believer, however **ONLY WITH** properly regulated gun controls, checks & laws, training/experience etc. I do not believe in the sale of firearms at any occupancy, that can not ensure the above, especially from a residential home in my very own neighborhood.

I am **VERY** against this permit being pulled & stated. I am worried that this would first devalue our gorgeous neighborhood (who wants to live next to a home that resales firearms/weapons?), second allow for anyone to drive up/into 20 welfare road purchase guns/weapons and drive away without being permit checked, background checked, mental health check etc, and it is a 7 min walk from my home where my family lives.

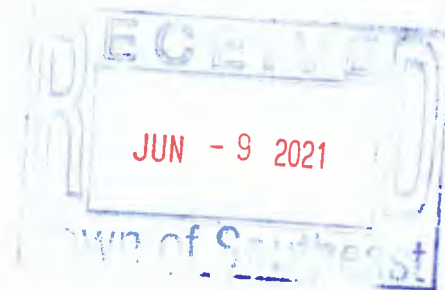
Additionally on Elizabeth Ct we have multiple families who have children all under the age of 16.

Our property backs up into Green Chimneys. where not only is there a preschool, but a day/night school for kids of all ages with IEPS, Spectrum placed & with behavioral issues. I am almost certain if the school is aware of 20 Welfare Rd they would be against it, as would their parents.

If this permit gets pulled, what is next for our neighborhood? It opens up the neighborhood to a world that no one would want to live in.

I will do my best to attend the Zoom, however it gets crazy with our son Leo as that is his bedtime. I am happy to discuss further on the phone if need be.

Thank you!
Best,
Kara Zacconi
24 Elizabeth Ct
Brewster, NY 10509



6.9.21
forwarded to PB

Victoria Desidero

From: Louis Lopez <louiefdny@yahoo.com>
Sent: Wednesday, June 09, 2021 3:01 PM
To: vdesidero@southeast-ny.gov
Subject: 20 welfare rd

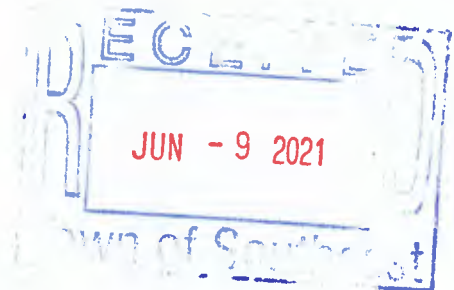
To Ricky Feuerman

In regards to the application to run a firearms business out of a Home at 20 welfare rd I would strongly oppose this for many reasons this is a residential area and if the owner would like to open up a business where people would come and go the owner can open a store in Southeast commercial designated area. As a former New York City police Officer I moved to Southeast because it's a low key quite neighborhood I don't need transient people driving up and down the road.

Thank you
Louis Lopez
7 fox hollow rd

Sent from my iPad

6.9.21 forwarded to PB



6.10.21 forwarded to TB

Victoria Desidero

From: Donald Whitman <whitman.donaldw@gmail.com>
Sent: Wednesday, June 09, 2021 8:54 PM
To: vdesidero@southeast-ny.gov
Subject: Firearms Business in Residential Neighborhood

Dear Town of Southeast Planning Board Members:

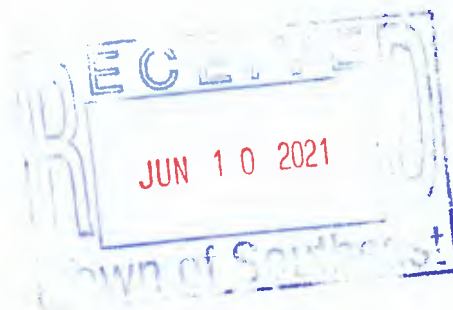
I am writing to express my deep concern and adamant opposition to the proposed firearms business at 20 Welfare Road in Brewster, NY. As a home owner on nearby Elizabeth Court with two young children, I have numerous reservations regarding this proposal:

1. A home business that plans to transfer items on the premises would greatly increase traffic on this winding and dangerous stretch of road. We have already seen the dangers of heavier traffic due to a road closure in Putnam Lake that is diverting traffic onto Welfare Road. This business would increase the number of non resident vehicles on this stretch of road.
2. A firearms business does not belong in a residential area. We purchased our home in this remote area of the town to be away from businesses and be closer to nature. Allowing this type of business to run out of a home would have a negative impact on property values in our area and change the nature of our part of the community.
3. As numerous communities in our country are reeling from recent mass shootings, the number one question becomes "how did the perpetrator get their hands on a weapon?" In many cases, the answer is from an online gun retailer. Brewster does not need to be known for enabling this type of business in our town.
4. A Google search has revealed that this business is to be called "Subtract Inc." I am appalled that a business selling weapons would choose to refer to themselves as a company by which you can "subtract" someone or something from the world. If this is indicative of the type of business they hope to run, it is further reason to block this proposal.
5. We have had an uptick in the number of gunshots throughout the woods in our area over the past year. Recently a car was struck by a bullet on Route 22. How safe are our children if firearms are being sold and potentially tested in a residential neighborhood? What type of customers would a business like this attract? What happens when someone with ill intent learns there is a stockpile of weapons at this home?

There are no positive benefits in allowing a business such as this to exist in a residential home. There should be no exemption given for this business to run. I hope that the members of the planning board will do what is right to protect the peaceful and rural community that is the heart of Southeast.

Sincerely,

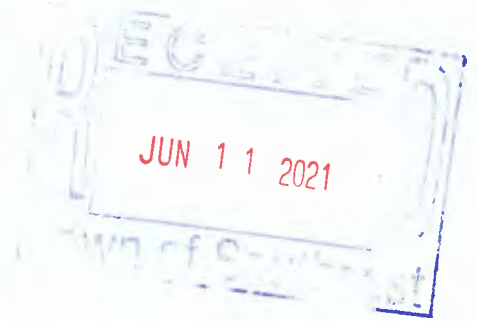
Don Whitman
20 Elizabeth Ct, Brewster, NY 10509



Victoria Desidero

From: Brian Alberghini <alberghinib@verizon.net>
Sent: Thursday, June 10, 2021 9:04 PM
To: vdesidero@southeast-ny.gov; planning@southeast-ny.gov
Subject: Subtract Inc. Conditional Use Permit Comments

Thomas La Perch
Chariman
Town of Southeast Planning Board
1 Main St.
Brewster, NY 10509



Comments Pertaining to Subtract, Inc. Conditional Use Permit Application

Mr. La Perch,

1. According to the application summary sheet, the applicant is requesting a permit for an Internet Based Firearms Sales and Transfer Business. However, in the minutes from the May 10, 2021 Planning Board meeting, the applicant when asked to describe his business, responded that they were:

"He said we are a firearms manufacturer licensed by the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives); what we plan to do is manufacture small firearm components and also bid on government contracts."

My question now is, is the applicant asking for a permit to also manufacture firearms on the premises and also to sell firearms?
2. The application clearly states that this will be an Internet Based Firearms Sales and Transfer Business. In an April 22, 2021 reviewal letter that the Planning Board received from Town of Southeast Planning Board Consultants, AKRF, the letter clearly states that the Town of Southeast Code, in regards to Internet Based Sales, does not allow for customer visits to the premises. Yet during the May 20, 2021 meeting, the applicant clearly stated that the transfer of firearms would require the purchaser of the firearm to visit the premises to sign required documents thus allowing Subtract, Inc. to turn the firearm over to the purchaser. According to the Town Planning Consultant, that is NOT a permitted use and upon its merits should disqualify the application.
3. In the Application for Site Plan Approval/Special Permit/Wetland Permit/Subdivision Approval/Lot Line Adjustment/Conditional Use Permit dated 3/24/2021 as submitted by the applicant, they claimed that the project site does not contain any wetlands, wetland buffers or other controlled areas. However, along the Sherwood Hill Road side of the property there is a stream flowing through the property. That stream should be designated as a wetland or controlled area. Will the Town of Southeast Wetland codes and setbacks be impacted by the manufacturing aspect of this application requiring wetlands permits?
4. In the Statement of Use prepared by the applicant dated March 27, 2021, the applicant clearly states that there will be no inventory on hand. Yet in the planning board minutes, the applicant stated that they will be manufacturing firearms for governmental entities which seems inconsistent with his statement of not having inventory on hand. If the applicant was to win a contract, would they then be manufacturing a single piece and shipping it and then manufacturing a second piece and so on and so on? Or would they manufacture the entire contract and then ship and, if so, wouldn't that then mean they plan on having an inventory of firearms or firearms parts onsite? Again an inconsistency in the application.

6.11.21 fwd. to PB

5. In regards to the transfer process, the property in question is a single family home atop a steep, winding driveway. Who is allowed to take receipt of the transfer firearm delivery? Must this be a direct hand over from the delivery driver to the registered agent? In case of inclement weather is the delivery person allowed to leave the package at the bottom of the driveway? The application shows an Ashley Smith and a Jason Smith under the ATF license who can receive the packages. My concern is that in a residential neighborhoods packages left are often lost or misplaced and I would not want a package of firearms to suddenly go missing.
6. In the Short Environmental Assessment Form dated 3/24/2021, the applicant states this project in section 4 will only occur on or near to "Rural" (non agriculture) land uses. While the proposed property may in fact be 13+ acres and have a neighbor with 28+ acres, to not mention that this proposed project is in a neighborhood is misleading. In the immediate area there are at least 60 private homes.
7. Section 7 of the Short Environmental Assessment Form dated 3/24/2021, the applicant states that the project will be connected to potable water supply and wastewater utilities. I believe the proposed project site is a private well and septic system. In the May hearing, the applicant stated that they plan on purchasing and installing a CNC machine in order to manufacture the firearm components. If this application does in fact include the manufacturing aspect of the project, how does the applicant plan to dispose of the effluent used during a CNC operation. Having seen metal CNC machines in operation, typically a refrigerant or cooling fluid is used. Also if milling out a piece of aluminum, say for a pistol stock or receiver, how will the applicant dispose of the metal shavings? Would this not require a waste hauler to enter the property and remove excess waste? Again the applicant states there will be no increase in traffic on local roads, yet his operation will produce waste that will need disposal.
8. In Section 13 of the Short Environmental Assessment Form dated 3/24/2021, the applicant states that no portion of the proposed action contains wetlands or other waterbodies regulated by a federal, state or local agency. There is a stream on the property that would clearly require NYC DEP and quite possibly NYS DEC approvals due to wetland setbacks.
9. In regards to manufacturing the firearm components, would these be shipped as separate pieces or as fully operational firearms? How would the shipping process be conducted if said applicant was to receive an order of forty (40) firearms? How would they be stored up to the time of shipment? Exactly what type of shipping company is used to transfer a shipment of firearm; is a common shipper such as UPS or FedEx used to provide the transportation or is a federally regulated and approved firearm shipping firm used? What size trucks would we expect on Welfare Rd and Sherwood Hill Rd?
10. What type of enforcement will the Town of Southeast provide to the residents in regards to the size of the proposed operation. Applicant stated he planned on purchasing a CNC machine, what is to prevent him from purchasing a second or third machine without the town or neighbors knowing and potentially opening a full scale manufacturing operation at the property?

Sincerely,

Brian and Janine Alberghini

93 Welfare Rd.

Brewster, NY 10509

Victoria Desidero

From: Joanne Pecor <gjpecor@comcast.net>
Sent: Friday, June 11, 2021 11:10 AM
To: vdesidero@southeast-ny.gov
Subject: 20 Welfare Rd

To Whom This May Concern,

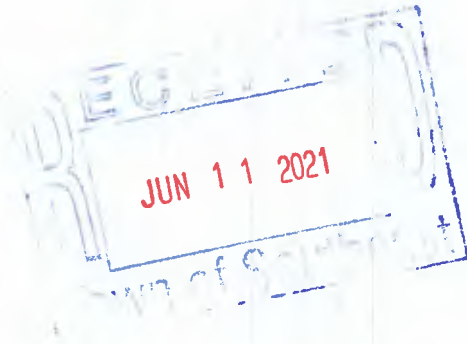
We are homeowners at 11 Sherwood Hill Rd and am expressing our concern over a proposed permit for the above referenced address to run a business out of their home.

This is a residential neighborhood and should remain as such! We are appalled at the type of business as well. Please do not allow this absurd request to go any further. Thank you for prompt attention to this matter.

Sincerely,

Gary & Joanne Pecor
(845) 279-2465

Sent from my iPad



6.11.21 fwd. PB

Victoria Desidero

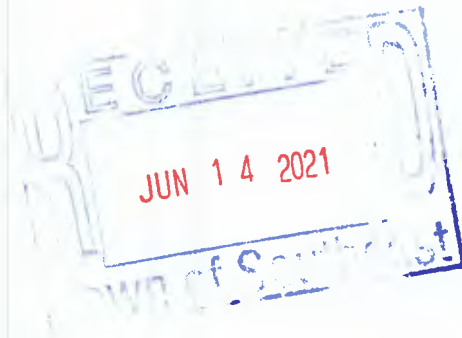
From: Tony Hay <thay@southeast-ny.gov>
Sent: Friday, June 11, 2021 3:44 PM
To: 'Tom LaPerch'; 'Victoria Desidero'
Subject: FW: permit

fyi

-----Original Message-----

From: Ray Rogers <mlrogers34@comcast.net>
Sent: Friday, June 11, 2021 3:37 PM
To: townboard@southeast-ny.gov
Subject: permit

I do not believe a permit for this kind of business at 20 Welfare Rd. is at all appropriate for our neighborhood. Ray Rogers 495 Gage RD.=



6.14.21 fwd. to PB
& Applicant

ROBERT G. ROTTKAMP

21 SHERWOOD HILL ROAD • BREWSTER, NEW YORK, 10509 • 914-282-0050

June 11, 2021

Subject: Conditional Use Permit 20 Welfare Road, Brewster, NY 10509 > Gun - Ammunition selling and Transfer


To: Town of Southeast Planning Board

I have been a citizen and taxpaying resident in the Town of Southeast for 47 years. The Residential and Business Permits are in place for good reason and in my 74 years of experience on this earth changing these safeguards usually ends in disaster.

I am totally against this subject Conditional Permit as this would violate not only our residential rights for privacy, peace and quiet, (the very reason the "Business out of Home" laws are in place), but surely increase traffic and perhaps introduce less then desirable individuals into our very living room!

How would it even be possible to monitor the transfer of these arms and ammunition to ensure that the individuals the transfer(s) are being made to have all the proper credentials, mandatory training, back checks and license? Keep this kind of thing in the existing Business Federally monitored and licensed Gun Shops etc.

Sincerely,



6.11.21 fwd PB

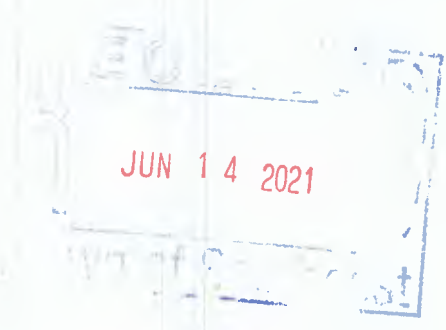
Victoria Desidero

From: Juan De La Cruz <dominicanjuan@yahoo.com>
Sent: Sunday, June 13, 2021 10:46 PM
To: vdesidero@southeast-ny.gov
Subject: Concern resident

I am writing to address the request by one of my neighbors to obtain a conditional use permit for a business in our residential zone. I'm not sure why this is even being considered, we pay a lot of taxes to maintain our neighborhood nice and residential. There are plenty of other non residential areas that are available for such business within the town of Southeast. If I wanted businesses all around my property I would have stayed in the city. Due to the construction around Putnam Lake, Welfare Rd has seen an increase in traffic with people not obeying speed limits or stop signs as it is; I can't imagine what would happened with traffic of customers or deliveries in a road that is not prepare for high volumes. Thus, I don't agree with such business in our residential neighborhood. I am unable to attend the Public hearing due to work, but I want my opinion considered.

Sincerely,
Juan Delacruz

Sent from my iPhone



6.14.21 fwd. to PB
& Applicant

Victoria Desidero

From: Courtne <cjclaudet@gmail.com>
Sent: Monday, June 14, 2021 5:28 PM
To: planning@southeast-ny.gov
Subject: OPPOSE , " The Conditional Use Permit" for 20 Welfare Rd. Southeast Planning Board - Public Hearing on June 14,2021

To Whom It May Concern at the Southeast Planning Board,

I, Courtne Claudet, am registering my opposition against The Southeast Planning Board granting a Conditional Use Permit, by the applicant residing at 20 Welfare Rd.

The Southeast Planning Board must deny the Conditional Use Permit, based on the Residentially Zoned (R-160) current and Town code 138-56.2 .

Also, due to the nature of the business, which is the internet sale and transfer of firearms. It would be alarming if the Southeast Planning Board authorized and promoted the future intent of the applicant to transfer firearms on the premises.

It is the Southeast Planning Board's responsibility to uphold Postal Service Mailability law 432.21 c-e. Along with the previously mentioned regulations.

If the Southeast Planning Board grants this application, they are willfully endangering all other residents. It is the obligation of the Southeast Planning Board to deny the above mentioned application and ensure the safety, peace and protection of their constituents. If the application for the sale, transfer and manufacturing of firearms is granted it jeopardize the safety of all.

As a resident, I would like to note that there has been an increase in gun shoots and , " unknown ,loud explosive noise" in the area. There is also a level of harassment by people driving , shouting obscenities. These actions are making residents unsafe on their own property.

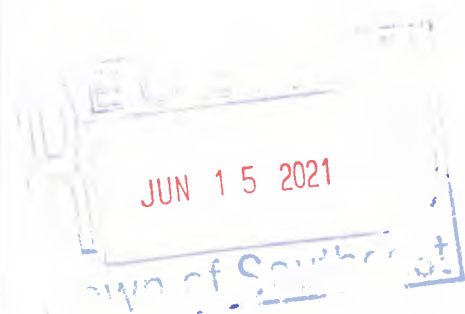
I am humbly asking, to the detriment of my personal security, to deny the sanctity of firearm sales. I setting aside my own personal right to be safe the community, to voice my opposition to the Conditional Use Permit for the resident located at 20 Welfare Dr. I am asking the Southeast Planning Board to do the same and not be derelict in their duties. To be apprehensive about voicing my concern is a troubling sign for First Amendment. This must not be allowed in Putnam County, N.Y. and must not stand.

The Southeast Planning Board must protect their constituents who chose to higher pay taxes to live in a safe community. It is my desire the Southeast Planning Board has the same sense of duty to deny any and all applications that enable the sale, distribution and manufacturing of firearms.

Respectfully,

Courtne Claudet

*6.15.21 fwd. to PB
& Applicant*



Victoria Desidero

From: ALFRED WAGNER <alwagner2@comcast.net>
Sent: Monday, June 14, 2021 6:05 PM
To: vdesidero@southeast-ny.gov
Subject: Home Sales and Manufacture of Guns

Dear Town Board Members,

I apologize for writing to you so late in the applicants request to allow home sales and manufacture of arms. It was not for a lack of interest or profound concern. I wish I could have attended in person to voice my opposition, but health issues have made that impossible for me. As a former school board trustee, I appreciate your service to our community - and know you will treat my concerns with respect.

I am unalterably opposed to the application for numerous reasons.

- 1) there are excellent gun dealerships already serving Brewster and Carmel, so there is no need for a home based dealership.
- 2) there is overwhelming evidence (NYS and Federal Government) that home based dealerships are much more prone to theft of guns compared to store front dealerships- and hence home based dealerships unnecessarily endanger the communities where they function.
- 3) home based gun dealerships have failed ATF inspections and safety criteria compared to licensed "store front" dealerships consistently.
- 4) the manufacture of arms at at home site is particularly dangerous since stolen parts will easily lead to untraceable guns.

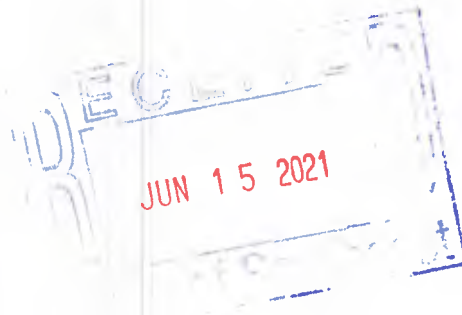
I would definitely support the applicants desire to open a store front gun dealership and manufacturing. Assuming all of the local, state, and federal regulations are met. But home dealerships. Home manufacturing of firearms. And potentially ammunition with explosives. That I cannot and will not support.

Thank you for accepting my letter, and I know you will give it due consideration.

And again, I apologize for the late submission of my letter. And for not attending in person.

Respectfully yours.

Dr Alfred Wagner
147 Overlook Dr
Brewster, NY
914-9249592
845-278-2044



FWD to TB, PB & Applicant