

**TOWN OF SOUTHEAST  
PLANNING BOARD MINUTES  
April 13, 2020**

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

**THIS MEETING WAS HELD VIA ZOOM VIDEO CONFERENCE**

**PUBLIC HEARINGS:**

**REGULAR SESSION:**

- 1. WELLINGTON II DEVELOPMENT, 400-408 Route 22** – This was a Continued Review of an Application for a Site Plan Amendment and Wetland Permit. Doug Hahn of Hahn Engineering appeared before the Board. Mr. Hahn introduced business owner John Mallon and gave an overview of the project. Chairman LaPerch asked about the fence. Mr. Mallon said it is a continuation of the fence we already have and Mr. Hahn directed the Board to the fence on C-2 of the plans. Chairman LaPerch polled the Board for questions. Boardmember Eckardt said I think the fence is important for storage delineation and they discussed that it will serve as screening as well as delineation of outside storage. Boardmember Armstrong asked if there is anything else that should be addressed on the site and Town Planner Ashley Ley said the plans they have submitted address all the issues the Town has identified. The motion to Declare Lead Agency 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 the Board about waiving the Public Hearing and Boardmember Eckardt asked if the lighting will impact the neighbors. Mr. Hahn said the closest neighbor is across the street and provided the hours of operation saying the lights are not on at night. The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. The motion to Adopt a Negative Declaration under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Hecht and passed by a roll call vote of 7 to 0. The motion to Refer the Application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor.
- 2. INTERIOR ROCK, 3903 Danbury Road** – This was a Review of an Application for Final Approval of a Site Plan, Conditional Use Permit and Wetland Permit. Peder Scott of PW Scott Engineering appeared before the Board. Chairman LaPerch said this one has been around awhile. Mr. Scott said yes and gave an overview of the project. He said we are ready for final approval tonight. Chairman LaPerch polled the Board for questions and there were none. The motion to Grant Final Site Plan, Conditional Use Permit and Wetland Permit Approval was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 7 to 0. The motion to Recommend Establishment of a Bond to the Town Board based on the Town Engineer's recommendation was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.
- 3. EUROTECH, 19 Sutton Place** – This was a Continued Review of an Application for Site Plan Amendment. Peder Scott of PW Scott Engineering represented the applicant and gave an overview of the proposed changes to the site plan and the building for his client's use. Chairman LaPerch asked about the lighting plans and comments from the consultants. He polled the Board for questions. Boardmember Eckardt asked for the hours of operation and Mr. Scott said they are open from 7 am to 6 pm. Boardmember King asked if they will get rid of the storage on the lawn and Mr. Scott said yes, this is a phased plan and the first phase is changes to the inside. Boardmember Armstrong said when this is approved will the use be limited to what is being proposed now? Ms.

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Ley said they are changing the use to General Business and no outside storage is being proposed. They talked about whether there will be limits to what is stored in the building and Mr. Scott said that would be based on Building Department requirements. Boardmember Cyprus asked if they expect to come back for outside storage in the future. Mr. Scott said the site is not really conducive to having storage outside. Mr. LaPerch asked why this project needs to go to the ARB and Ms. Ley explained that the proposed change of use exceeds 10,000 sq. ft. of gross floor area, which means it is a “major project” and all major projects require ARB review. The motion to Classify this as a Type II Action under SEQRA and Town of Southeast Major Project was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 7 to 0. The motion to Set the Public Hearing for May 11, 2020 was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor. The motion to Refer the Application to Putnam County Planning under GML-239m was introduced by Chairman LaPerch, seconded by Boardmember Cyprus 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.

4. **ACE ENDICO EXPANSION, 80,71-81 & 91 International Blvd.** – This was a Continued Review of an Application for Site Plan Amendment, Minor Subdivision, Conditional Use Permit and Wetland Permit. Tim Allen of Bibbo Associates appeared before the Board. He gave an overview of the project and asked about the traffic comment in number 10 on the AKRF memo. They discussed what the (New York State) Department of Transportation (DOT) said about traffic and Chairman LaPerch said I think we would like to get a good sense of the impact this project will have. Ms. Ley said we are trying to narrow down the impacts of various projects on this corridor. They discussed other projects in the area that have been required to do traffic studies. They discussed how the study for this project should be handled at length including the difficulty in doing any type of traffic study during the Coronavirus outbreak because traffic is so different. Chairman LaPerch polled the Board and Boardmember Eckardt said I really agree on the traffic and think more study is warranted in light of the data we have already. She asked about the parking garage in that area and the landscaping being proposed for this project. Chairman LaPerch said all good questions; they have a lot of work to do and we are early in this process.

**THE RECORDING OF THIS MEETING STARTS HERE**

**Boardmember Armstrong:** I think the traffic issue here has a piece of the action but I think the time is here now, maybe it’s passed even, when we start thinking in terms of major changes in the whole traffic pattern and access to the arteries from sites in this vicinity which have very large potential. I mean didn’t we have an application for a 300,000 sq. ft. of warehousing which is now down to 90,000? It just seems to me that the traffic issue has got to be looked at and it also has to be looked at, in my opinion, as part of the transportation because the Comprehensive Plan envisions a significant transportation (inaudible) over the tracks and mass transit is a help with reducing vehicular traffic. It’s a marketing tool. It has a lot of things going for it and I think the time has come when we should be starting to look at an overall approach to mass transit and roads and what have you because I think it is a mistake to do it piece by piece and extract from each property owner a little fix up here and a fix up there when it’s really a larger issue that should be addressed completely and in context of everything else that is going on in the area. Having said that, I have one small item. I am thinking that with regard to landscaping on these very large warehouse-type buildings and I know that the applicants make every effort to put some windows where they can and to break up the roofline and all of that... colors and all of that. But the landscaping, in my opinion, when it is put right next to the building it has the least impact because the trees, whatever you put in, I know Ace Endico put in some very large trees initially to screen the building and I give them a lot of credit for that. But, the fact is that landscaping... screening, not landscaping, is

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better on the perimeter of sites because as the tree grows up or whatever it is and you are looking out the window of your car or the bus or the train, that landscaping on the perimeter of the property does more to screen the building than a tree sitting next to a building where the building (inaudible). So that... I'm sorry to make such a long comment but I really do think we need to take a look at traffic overall and particularly in this vicinity. Since we have such good roads, such good transportation already there that could be used better than it is today and used more efficiently. That's it.

**Chairman LaPerch:** Thank you, sir. Mr. Cyprus, any questions?

**Boardmember Cyprus:** Yeah, kind of. I think Ashley (Ley) covered it well but I would just like to reiterate what I think was her last point. So, I am fine if we mostly (inaudible) that other traffic study but I'd like some clarity on exactly how this project impacts it and when because it seems like there was a little confusion on peak and non-peak. I realize we can't do a traffic study now but just some more details on exactly what this project will generate.

**Chairman LaPerch:** Thank you, Eric. Mr. Rush?

**Boardmember Rush:** I think it has already been said... how many employees did they say that this was going to add. I want to say 400, was it?

**Mr. Allen:** Yes, 400 was the number I believe.

**Boardmember Rush:** All right.

**Mr. Allen:** I don't have it right in front of me David (Rush) but...

**Boardmember Rush:** I just recall it is a sizeable number of people but I think we have got to do the traffic somehow and I realize how difficult it is with all of this but I concur with everyone else.

**Chairman LaPerch:** OK. That kind of wraps up the Board here so I only have one action here and that action is I'd like to make a motion to Declare Lead Agency under SEQRA.

The motion to Declare Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll call vote of 7 to 0.

**Chairman LaPerch:** Victoria (Desidero) anything else for this applicant to be aware of?

**Ms. Desidero:** I have nothing else.

**Chairman LaPerch:** OK. Thank you, Tim (Allen).

**5. SOUTHEAST PARKING BY WB NEW YORK, 4 & 10 Independent Way – Review of an Application for Final Re-Approval of Site Plan, Special Permit and Wetland Permit**

**Chairman LaPerch:** Who is representing this case, please?

**Ms. Desidero:** Hang on, we have several people here; we have Jeff Contelmo, we have Jamie LoGiudice.

**Chairman LaPerch:** OK, who's going to speak up here? Jamie or Jeff?

**Jamie LoGiudice:** It's going to be me.

**Chairman LaPerch:** Hi Jamie, welcome back and congratulations again.

**Ms. LoGiudice:** Thank you very much. So, Jamie LoGiudice for InSite Engineering Surveying & Landscape Architecture. As the Board is aware, we are here for Final Approval. We've addressed all of the comments on traffic. I believe those are the only comments that we had received and we were looking for Ashley's memo to have the referral for the Special Permit and potential waiving of the ARB referral, if that's correct Ashley?

**Chairman LaPerch:** There are three actions here tonight that she's proposing.

**Ms. Desidero:** I don't think it's final though, is it Ashley?

**Ms. Ley:** It's not final, it needs to go to the Town Board for the Special Permit because that expired.

**Chairman LaPerch:** And Ashley, once again for the Board's information, the reason they're back here is because the let their Site Plan expire, correct?

**Ms. Ley:** Well, they ran out of extensions.

**Chairman LaPerch:** OK.

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**Ms. Ley:** It's for re-approval and because it wasn't re-approved before the last extension, the Special Permit also expired so that's why it needs to be referred back to the Town Board.

**Chairman LaPerch:** Thank you, thank you. Thank for that update; I just learned something, thank you. OK, I have no questions. Lynne, do you have any questions on this application?

**Boardmember Eckardt:** I'm just going to ask my usual question on this one as far as because I don't have it in front of me, but there is still... nothing's changed, so there is still a sidewalk down to the station and it will be maintained by the applicant?

**Ms. LoGiudice:** Yes, that is correct. Nothing has changed on the application; it is exactly the same as it was when it was approved in 2015 and each subsequent extension after that.

**Ms. Eckardt:** Thank you Jamie.

**Ms. Ley:** Here is the sidewalk, if you can see my screen.

**Ms. LoGiudice:** Yes, that's the sidewalk.

**Ms. Eckardt:** And the maintenance is the owners, correct?

**Ms. LoGiudice:** I believe so, yes.

**Chairman LaPerch:** Great question.

**Ms. LoGiudice:** I can get clarification on that.

**Boardmember Eckardt:** It's really important because obviously in the winter people will walk down and we don't want them in the road, so I want to make sure that's all taken care of.

**Ms. LoGiudice:** Yes, I will double-check on that and get back to you.

**Boardmember Eckardt:** Jamie, I appreciate it, thank you.

**Chairman LaPerch:** Good question Lynne, thank you. Mr. King?

**Boardmember King:** I have no questions. I always thought that after a certain time the sidewalk became part of the Town but...

**Chairman LaPerch:** We're going to figure that out, good point. Any other questions? OK, Mr. Hecht, do you have any questions sir?

**Boardmember Hecht:** No questions.

**Chairman LaPerch:** Thank you, Mr. Armstrong?

**Boardmember Armstrong:** It's not clear to me and I'm sorry that I can't remember exactly the site, but has this been built or is it approved for construction?

**Ms. Ley:** It was previously approved for construction, but never built.

**Boardmember Armstrong:** OK, how many years is the permit good for, the approval?

**Ms. Ley:** A site plan approval is good for one year and then they're eligible for an extension and you can have extensions for up to a total of four years and then you need a re-approval.

**Boardmember Armstrong:** So this was approved four years ago then, more or less.

**Ms. Ley:** Yes, this was approved in 2015.

**Boardmember Armstrong:** So, my question is: what is the delay and it just seems to me that this (inaudible) is going to go on. I mean, is this really going to get built within this year's permit time or what's going on?

**Ms. Ley:** It's my understanding from conversations with the applicant that they have been going through marketing issues and trying to get contractors involved to build the project. It's basically similar to any other large scale...

**Chairman LaPerch:** It was a business decision, Dan, not to build it at this time. So, they're getting re-approved and they have another four years; each year they will have to come back though.

**Boardmember Armstrong:** OK, fine, thank you.

**Chairman LaPerch:** Thank you, Dan. Mr. Cyprus, any questions?

**Boardmember Cyprus:** Yes, just to follow up to Lynne and Jim, before we do final on this, I'd like clarity on the sidewalk and frankly especially the maintenance. Jim's comment about it eventually becoming the Town, I guess I wouldn't be a fan of. I hate to see us be responsible or liable for cleaning ice or snow on that entire sidewalk someday.

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**Ms. Ley:** We could add that as a recommendation in the Special Permit to the Town Board that it be maintained by the applicant.

**Chairman LaPerch:** OK, all right, good point. Any other questions Eric?

**Boardmember Cyprus:** No, sir.

**Chairman LaPerch:** OK, thank you. Mr. Rush?

**Boardmember Rush:** Yes, so back to the sidewalk: I don't know if we have any standards or guidelines for the lighting. I see some light posts, but I'm thinking about the Caremount extension and we wanted them to put some lighting along the sidewalk there. Do we have any guidelines for keeping that a well-lit, safe pedestrian walkway?

**Chairman LaPerch:** Ashley?

**Ms. Ley:** I'm going back to the plans for one second. There is lighting proposed for that sidewalk.

**Boardmember Rush:** But are those proposed in accordance to our lighting regulations for sidewalks, I don't know; I'm asking that question. If they are, great. If they're not, do we have any recommendation or I don't know. We've never really had this situation before I don't think. I think it would be to the owner's advantage to have it well lit because then you wouldn't feel freaked out if you wanted to walk back and forth in the dark. I'm assuming there will be curb cuts for ADA (Americans with Disabilities Act) purposes and whatnot. There should be guidelines. Maybe there are even required capital things for the wind that go up and down those. I don't know and I am asking that question.

**Ms. Ley:** Yes, there are ADA curb cuts and the tactile guidelines, which you can see here in the details.

**Boardmember Rush:** Perfect.

**Ms. Ley:** Jamie, do you know the lighting answer offhand? Here's the lighting fixtures.

**Boardmember Rush:** Bollards or are they big, tall...

**Ms. Ley:** They're not bollards, they're standard full cut off fixtures, pole mounted.

**Ms. LoGiudice:** I do believe that they meet the Town Code specifications.

**Boardmember Rush:** But is that like specifications for what Ashley?

**Chairman LaPerch:** ADA?

**Boardmember Rush:** Are those for side lots, parking lots, pedestrian walkways; I don't know.

**Ms. Ley:** Our Code doesn't get into that level of detail on location of lighting.

**Boardmember Rush:** But as far as the foot candle spread on the sidewalk as you're going through, there's coverage and dark spots.

**Ms. Ley:** I'm just pulling up the lighting plan.

**Boardmember Rush:** Is that the lighting one?

**Ms. Ley:** I'm trying to find it quickly. I have a mini screen so it's a little difficult to pan. Jamie, do you know offhand what number sheet your lighting plan is?

**Ms. LoGiudice:** I'm fearful that is on a separate sheet altogether and it is not in the set that you have right there. I'm just looking through to try to find it.

**Ms. Ley:** We can look up this detail before they come back for final. At this point it's just being referred for the Special Permit.

**Boardmember Rush:** OK, I just want to make sure we've addressed it and we're not missing an opportunity to make it either safer or better.

**Chairman LaPerch:** David, we're not going to let this go past us; we don't have it at our fingertips right now so Jamie, can you circle back to us with an answer via email?

**Ms. LoGiudice:** Yes, I can.

**Chairman LaPerch:** Thank you. Any other questions David?

**Boardmember Rush:** My last question and I don't even know if we can answer this, but it's a pretty high grade, right Ashley?

**Ms. Ley:** The hill to the parking lot to the train station?

**Boardmember Rush:** Yes.

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**Ms. Ley:** Yes.

**Boardmember Rush:** So, I'm just asking this question because I'm not sure if we're asking for a sidewalk to go up there if it is in excess to a Code compliant walk to this space, is that a problem? I'm talking about do we need ramps or are we just free-falling down there?

**Ms. LoGiudice:** That is a very good question. No, we actually don't need to have ramps. You're allowed to have a sidewalk... not to get into too much detail, but to generalize it very broadly: you're allowed to have a sidewalk run along a driveway and to keep that same steepness, slope pitch and that's exactly what we have here. Looking at the Site Plan, if you follow along the path going all the way up to the parking lot, the sidewalk is directly adjacent to the road so that's where you would be keeping with that.

**Boardmember Rush:** Yes, I would agree with you and under the circumstances it's just a little weird because it's an entire private development. That's all, does that create something different. It's not like it's the Town's sidewalk.

**Ms. Ley:** Well, it is in the Town right-of-way.

**Boardmember Rush:** Correct. OK, as long as you're comfortable with that Ashley; I think you know what I'm talking about.

**Chairman LaPerch:** All right David, fair questions. Jamie, just kind of wrap that up too tomorrow in an email to us?

**Ms. LoGiudice:** Yes, I can.

**Chairman LaPerch:** Thank you. OK, there are no further questions that I have so I have what I believe are four action items here. I'm going to start off with: I'd like to make a motion to Declare Lead Agency for this Southeast Parking application, do I have a second please?

The motion to Declare Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 7 to 0.

**Boardmember Rush:** Mr. Chairman, one more question and I will leave it alone: when you get to the bottom and you cross the roadway, do we have crosswalks?

**Ms. Ley:** At the MTA parking lot?

**Boardmember Rush:** Yes, are there stripes?

**Ms. Ley:** No, because that's not on property that's owned or controlled by the applicant.

**Boardmember Rush:** I understand but should there not be something either indicating that that's a passing way. I mean someone should talk to someone.

**Chairman LaPerch:** David, let me jump in here. I've been sitting here biting my tongue here because I think I shared with the Board members that there was a presentation, had to be a couple months back, from the MTA with pretty advanced discussions about them putting in an overpass to create a bridge over the tracks just at that point and put a parking structure up as well as a new platform on the other side. So, if this comes online there is going to be conversations between the two parties in my opinion.

**Boardmember Rush:** OK, great, thank you.

**Chairman LaPerch:** OK, good question though. I'm going to move on to item 2: I'd like to make a motion to adopt a Negative Declaration under SEQRA for this project known as Southeast Parking by W.B. New York.

The motion to Adopt a Negative Declaration under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 7 to 0.

**Chairman LaPerch:** The third action item: I'd like to make a motion to refer this plan to the Town Board for a Special Permit.

The motion to Refer the Application to the Town Board for a Special Permit was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed by a roll call vote of 7 to 0.

**Chairman LaPerch:** The final action is I'd like to make a motion to waive the referral to the ARB. Ashley, the reason is because nothing has changed, correct?

**Ms. Ley:** That's correct.

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The motion to Waive the Referral to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor

**Chairman LaPerch:** Victoria, anything that this applicant needs to do?

**Ms. Desidero:** Not that I'm aware of.

**Chairman LaPerch:** OK, good. Jamie, good night.

**Ms. LoGiudice:** Good night. I will be here for the next two.

**Chairman LaPerch:** OK, here we go Drew Realty, number six on our agenda.

**6. DREW REALTY / SITEONE, 160 & 170 Fields Lane, Tax Map IDs 78.-2-4 & 5 –  
Continued Review of an Application for Subdivision, Site Plan, Conditional Use Permit  
and Wetland Permit.**

**Chairman LaPerch:** Jamie, what do you have for us?

**Ms. LoGiudice:** Actually, Jeff (Contelmo) is going to be taking over these two; I'm just kind of hanging out in the background.

**Chairman LaPerch:** OK, is Jeff with us?

**Mr. Contelmo:** Yes, I am.

**Chairman LaPerch:** OK, Jeff, how are you doing?

**Mr. Contelmo:** Good, how are you?

**Chairman LaPerch:** Good. So, Jeff we sent you away last meeting with some items to address and I think you did a pretty good job other than a couple of items that I believe are mostly landscaping comments from AKRF. So, do you want to address those?

**Mr. Contelmo:** Basically, our resubmission included two significant items: one had to do with wetland mitigation, which we prepared a full plan for that and we did receive comments from (Wetland Inspector) Steve Coleman on that plan. He's made some suggestions. We've already had discussions on slight revisions to that to make it all workable in his eyes. We also provided just a very basic visual assessment of the propane storage and truck parking area from 684. As part of that we basically concluded, without getting into photo simulations or such, is that there will be limited seasonal view from 684. The property and the clearing for the property is going to be buffered by about 50 ft. of existing deciduous trees. We will be planting 30 evergreen trees around our perimeter based on the recommendations of the Planning Consultant. We do believe that it will be buffered fairly significantly with the existing trees and proposed evergreen buffer. I'll point out that the topography back in that area right now is kind of a small knob and that knob sticks up about 20 ft. above Route 684. We're actually cutting it down to about the same level as 684, so we're not going to be sitting up above 684 but yet right at that level. So, we think with the buffered screening we've done... and the existing deciduous trees that we have it licked to the best of our ability.

**Chairman LaPerch:** OK, what other comments do we have here? Plantings mostly, but you seem to have everything covered here so let me just go around the Board at this time. Does anyone have any questions for this applicant?

**Boardmember Eckardt:** Jeff, can I assume that the propane tanks have to be painted white?

**Mr. Contelmo:** Yes, I think (Owner) Ray Durkin did answer that question at one of the previous meetings, but I do believe there may be some other colors. It has to be a light color because of the heat gain with the sunlight. So, Ray did say that he'd consider any

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light color that the ARB or Planning Board may think is best that is suitable for the propane tank.

**Boardmember Eckardt:** I think other colors aside from white, even if it's a pale gray or something would look a lot better and hide a multitude of sins so that would be my only question and recommendation and to make sure that the screening is thick enough; it doesn't need to be over-planted but will grow in nicely and shield that view from 684 so thank you.

**Chairman LaPerch:** Good question about the tanks. Mr. King, any questions?

**Boardmember King:** No questions.

**Chairman LaPerch:** Thank you, Mr. Hecht?

**Boardmember Hecht:** No questions.

**Chairman LaPerch:** Thank you sir. Mr. Armstrong?

**Boardmember Armstrong:** Is there enough room with the trees that you're going to put in, the evergreens, instead of having them in a straight line is there any way of staggering them so that as they grow there is less screening it seems to me. I've seen it done in other places and it just seems that if you stagger them then you get more screening than if you put them in a straight line and inevitably one or three will die and maybe staggered the ones that do survive will reduce the amount of visibility. It's just a suggestion.

**Chairman LaPerch:** It's a good one Dan. Jeff, noted?

**Mr. Contelmo:** Yes, we have a sharp edge there from a grading perspective for what's falling back off, so what we tried to do was get it right at the top of the sharp edge so we took maximum benefit of elevation but we can look at staggering them a bit. We would typically stagger them if we have a flat situation or one that we can work with easier from a contouring standpoint, but we can look at that. That's a good suggestion.

**Boardmember Armstrong:** Thank you, I would appreciate that, thank you very much.

**Chairman LaPerch:** Thank you Dan. Mr. Cyprus?

**Boardmember Cyprus:** Yes, I'd just like to reiterate some of the screen concerns. It seems like all of the consultant memos feel like it's pretty good but not quite completely covered. So, whether it's staggered or some other suggestion, Jeff, if you can just do anything to make sure we are all as comfortable as we can be, I would appreciate it.

**Mr. Contelmo:** Will do.

**Chairman LaPerch:** Thank you Eric. Mr. Rush?

**Boardmember Rush:** Lynne Eckardt actually coined the phrase "police lineup" years ago when we had trees like this and that's what it is. So, Jeff, I don't think we need to beat this thing anymore, but yes, a little staggering makes it look a little more natural that's all.

**Mr. Contelmo:** OK.

**Chairman LaPerch:** All right, thank you for your comments Board members. I don't have any other questions myself and I have two action items here for Drew Realty. First one: I'd like to make a motion to adopt a Negative Declaration under SEQRA for Drew Realty/SiteOne on Fields Lane.

The motion to Adopt a Negative Declaration under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 7 to 0.

**Boardmember Eckardt:** Tom, can I say one thing about the landscaping? What really helps and I really agree even though it's hard to stagger and it's not expensive even to throw in some deciduous shrubs where there isn't enough room for anything else because that will grow in and will look a lot more natural. So, that would just be my one other comment. And then I would vote yes.

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**Chairman LaPerch:** The second action item here is I'd like to make a motion to refer this plan to the ARB.

The motion to Refer the Application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor

**Chairman LaPerch:** So, Jeff, you have your marching orders here so I think the landscaping is what we need to work on buddy.

**Mr. Contelmo:** Yes, duly noted. We will take care of it.

**7. STATELINE RETAIL CENTER / RESTAURANT DEPOT, US Route 6 – Continued  
Review an Application for Subdivision, Site Plan, Wetland Permit and Special Permit**

**Chairman LaPerch:** All right, number seven Stateline/Restaurant Depot, US Route 6. I believe Jeff (Contelmo), you're up again?

**Mr. Contelmo:** Yes sir.

**Chairman LaPerch:** All right so...

**Mr. Contelmo:** That applicant we put together a Wetland Mitigation Plan for this. We have gotten comments from Steve (Coleman), we have discussed them with Steve. I think we're getting to a good place with that. We also addressed some residual planning comments we had from Ashley (Ley) at AKRF. We've added some additional landscaping along the entrance drive between the parking area and Route 6 to continue that landscape concept that had been previously established with the large retail center. We also today got a clarifying letter from the DOT (Department of Transportation) through the efforts of Phil Greeley, I believe that was distributed to the Chairman and consultants at a minimum. We are looking to advance the process.

**Chairman LaPerch:** OK, Jeff, the one comment that jumps out for me is the outside storage, we don't want another Home Depot situation going for this kind of use out there and I see that you are proposing no outside storage, is that correct?

**Mr. Contelmo:** That is correct.

**Chairman LaPerch:** OK, all right. I have no other questions here. It looks like you satisfied all your comments for AKRF. I think there was one comment from our engineering group here, Jeff, do you have it as I don't see it here.

**Mr. Contelmo:** No, I thought we had addressed all of the engineering comments.

**Chairman LaPerch:** No, I have one here. It says 'we have previously noted bordering locations should be depicted on the grading and utilities plan.' That's one comment from (Joe) Dillon (of Nathan Jacobson).

**Mr. Contelmo:** OK, yes, we can put the locations of the properties on. No problem.

**Chairman LaPerch:** Just for housekeeping if you could put it please.

**Mr. Contelmo:** Will do, thank you.

**Chairman LaPerch:** OK, I'm going to open up to the Board for questioning so let's start, Lynne, do you have any questions for this application please?

**Boardmember Eckardt:** Just two brief ones: one is on the tree clearing, I actually had a resident get in touch with me, has all the tree clearing been done Jeff or is there more to come?

**Mr. Contelmo:** The tree clearing that has taken place were the trees that were in the DOT right-of-way and the onsite trees were identified as potential habitat so there are some remaining trees and, I'm not going to say there's a lot, but there are some remaining trees that are not habitat that were left for a later date.

**Boardmember Eckardt:** OK, all right. Is there any illustration, and I'm sorry that I haven't seen if there is, of the trash compactor and what it will look like? I know it's been mentioned that screening is necessary and just by hearing the word 'trash compactor' I'd agree, but do we have any illustrations of what it will look like or what it does look like?

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**Mr. Contelmo:** No, that remains an open comment. Ashley had that comment and we will work with the architect to get you information on the compactor itself and then whatever screening they can do that is feasible from an operational standpoint.

**Boardmember Eckardt:** OK, because I've understood also that they're not very attractive and so I think landscaping is going to be key here and that's all I have for you, thank you.

**Chairman LaPerch:** Thank you Lynne, I have one other question. Jeff, signage are you going to have any signage? This application has liked a record number of variances and one is for signage. Where are you proposing for signage for this; on the road somewhere? Have you indicated yet?

**Mr. Contelmo:** So, basically three styles of central signs that were originally approved with this. There was a large monument sign back along Route 84, which was just off of the Restaurant Depot property to the east, which has a clock in it and has potential spaces for several of the larger users, so that's the first type of sign. The second was down at the entrances to the center where the main entrance had a monument, what we call a monument sign, on each side of the main entrance and then on the future right in, right out there would also be a similar architectural element with signage if and when that entrance goes in.

**Chairman LaPerch:** OK.

**Mr. Contelmo:** So, what we envision... and then third is, of course, building-mounted signage. What we're envisioning and discussing with the architect and Restaurant Depot right now are the two signs that will go up as part of their application, which are the two monument signs at the main entrance and then the building-mounted sign. The tower sign along 84 would not necessarily get constructed as it's off this lot so that would be constructed at a later date.

**Chairman LaPerch:** Lynne, I'm going to go back to you.

**Mr. Contelmo:** We are currently actually assessing the preferred signage program from Restaurant Depot with the variance that we've gotten and we do believe there's going to need to be some interpretation of that so what we'd like to do is discuss that with the ZBA when we go see them regarding our manufactured slope area.

**Chairman LaPerch:** OK, thank you for that explanation. Lynne, I jumped in. Would you like to make any other comments regarding this issue?

**Boardmember Eckardt:** I'm just curious on hours of operation. I don't know Restaurant Depot well. What are their hours of operation?

**Mr. Contelmo:** Well Lynne, you know you're testing me, right?

**Boardmember Eckardt:** That's my job isn't it?

**Mr. Contelmo:** I can tell you that it was specifically stated in the Statement of Use and I'm going to try to pull it up really quick so if we can go with some other questions while I look.

**Chairman LaPerch:** We'll get back to that. Any other questions Lynne?

**Boardmember Eckardt:** No, that's it, thank you.

**Chairman LaPerch:** OK, thank you. Mr. King, any questions?

**Boardmember King:** No, that was a good question about the signage. I didn't know what a monument was.

**Chairman LaPerch:** Yes, he did a good job explaining it, thank you. Mr. Hecht, any questions sir?

**Boardmember Hecht:** No questions.

**Chairman LaPerch:** Thank you sir. Mr. Armstrong?

**Boardmember Armstrong:** I'm following on one of Lynne's questions: with regard to the compactor, where is the location on the site? Could you put it up on the screen?

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**Mr. Contelmo:** It's on the southwest corner of the building by the loading dock and it's really going to sit down below Route 84. Route 84 actually has like a 10 ft. berm that's in the right-of-way between us and the actual interstate and then we sit down below that almost 20 ft. so that compactor is really only going to probably be seen by the trucks coming to the loading dock and the garbage yard. I'm not downplaying the fact that we need to show you the detail of it and we need to screen it as best we can based on where you can get a view of it.

**Boardmember Armstrong:** No, I don't need that. What my point was, is it going to be visible from the highway or is it down below the highway?

**Mr. Contelmo:** Yes, so the way this site works is you're heading eastbound, you're in the far lane of 684 you're really not going to get a view down into this site easily. You'll see the top of the building maybe. From a westbound perspective, you will see the building but I don't think you're going to see the trash compactor because it's on the west end of it. Unless you turn your neck around and then there's a berm there so I really just don't think you're going to see it.

**Boardmember Armstrong:** OK, that answers my question, thank you.

**Chairman LaPerch:** Thank you. Mr. Cyprus?

**Boardmember Cyprus:** No real question. To Lynne's point, trash compactors aren't very attractive but where it is, I don't know how much they're going to screen it. It's really probably just going to look like another trailer sitting there all the time so hopefully Jeff's comments about the berm and the elevation height, but I don't know what else they could do.

**Mr. Contelmo:** Yes, I think the other thing we would do as I'm looking at it where Ashley had it up on the screen there, is really just for us to put some of that enclosure material we're using in the front or a fence just that extension of the building to the west and then this way you wouldn't be able to see it from 684, because you're not going to be able to see it from anywhere else.

**Chairman LaPerch:** It's 84 Jeff.

**Mr. Contelmo:** I would probably close that corner off.

**Ms. Ley:** It's 84. It looks like 84 is around elevation by 20 and there is a berm that goes up and then it drops and the trash compactor is at around 510.

**Mr. Contelmo:** Right, and that berm is at 530 as you can see so...

**Ms. Ley:** Yes.

**Mr. Contelmo:** I really don't think you're going to see down there but like I said to finish off the corner of the building and run a fence or something there I think would make some sense. And Lynne, just getting back to your question: Restaurant Depot's typical hours of operation are Monday through Wednesday and Friday 7 am to 6 pm; and Thursday 7 am to 7 pm; Saturday 7 am to 4 pm; and Sunday 9 am to 2pm.

**Boardmember Eckardt:** Great, thank you Jeff.

**Mr. Contelmo:** You're welcome.

**Chairman LaPerch:** Thank you. Mr. Rush please?

**Boardmember Rush:** Yes, Jeff, can you zoom back a little? I had a couple questions. I know that from the clear-cutting that I saw, are there any plans at all to reuse some of the stone walls that are on the site?

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**Mr. Contelmo:** Besides at the entrances possibly in the monument signs and with the retaining wall, at the base of the slope near the wetland area there might be some reuse of stone there but nothing beyond that, no.

**Boardmember Rush:** Because I mean it's one of the nice features. I just don't know if there is anything that could be done with that before you just stick them in a dump truck and haul them off. The other question was the parking lot in general, I mean this is a question for Ashley, we have some little median turnarounds but there is no landscaping proposed within the parking lot. I thought we had something that we were trying to do that a little bit to mix it up, is that not true?

**Ms. Ley:** They do have a little bit of (inaudible).

**Boardmember Rush:** But there's nothing in between so it's more perimeter peripheral?

**Ms. Ley:** Yes, it's more perimeter. It was one of our early comments but compared to other parking lots for large retail centers this is a fairly small parking lot so it's mostly around the perimeter and then at the islands at the ends.

**Boardmember Rush:** I like the sidewalks around the building, which are great, thank you for doing that. I think that was it for now. I know there's a lot of work to be done here still and the signage is something I'm curious to see what we're going to do there too. If we maybe have the opportunity to weigh in on how that looks, I think it would be to our benefit if it looks great from the road.

**Chairman LaPerch:** Thank you David. David, I thought you were going to ask a different question so I will ask it because normally it's something you would ask. Are the HVAC units to be up top and are they going to be screened in?

**Mr. Contelmo:** There's actually going to be some mechanicals out front, we talked about that enclosed area so they have some fairly substantial refrigeration units, which I believe is driven by that equipment and they're going to be using an architectural enclosure and screening material there, which we've submitted to the Board. My understanding is there will also be rooftop mechanicals and that will be enclosed in a similar screening material and I believe that the architectural detail showed some of that, but we can get some more information on it.

**Boardmember Rush:** (inaudible) the solar power that a green roof is. Nobody wants to do it.

**Chairman LaPerch:** Good point. That was a good answer, thank you Jeff. I have no further questions and I believe I have four action items here so let's get to them. The first one, I'd like to make a motion to adopt a Negative Declaration under SEQRA for Stateline/Restaurant Depot, US Route 6 application.

The motion to Adopt a Negative Declaration under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed by a roll call vote of 7 to 0.

**Chairman LaPerch:** The second motion I have here: I'd like to make a motion to refer this plan to the Town Board for Site Plan, Special Permit, and Wetland Permit.

The motion to Refer the application to the Town Board for Site Plan, Special Permit and Wetland Permit was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll call vote of 7 to 0.

**Chairman LaPerch:** Final one and Jeff, this is ZBA for the wall?

**Mr. Contelmo:** The manufactured slope and the signage, yes.

**Chairman LaPerch:** Thank you. I'd like to make a motion to refer this application to the ZBA. The motion to Refer the application to the ZBA was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.

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**Boardmember Cyprus:** Second.

**Chairman LaPerch:** Thank you, all in favor?

**Chairman LaPerch:** It passes, thank you. Victoria, anything for Jeff to do?

**Ms. Desidero:** I just had one question about the signage Ashley: does that not need to start in the Building Department?

**Ms. Ley:** It does, yes. They need the whole tenant sign criteria for this project and to go through the normal process.

**Ms. Desidero:** So, the referral to the ZBA that you're doing is really for the slopes.

**Ms. Ley:** It's for the slopes.

**Ms. Desidero:** Right, so the ZBA referral for the signage will come from the Building Inspector.

**Chairman LaPerch:** OK, that concludes that. Jeff, do you have anything else for us?

**Mr. Contelmo:** Yes, I just want to take a minute to thank you guys because I know you guys are going to great lengths to do this remote meeting and the applicants in these projects are very desirous to do business and continue what they're proposing to do and this is a huge help. We have other Towns that have cancelled meetings and that just puts things on hold and with everything that's going around I just wanted to say thank you and my clients and the applicants really do appreciate the extra effort you guys are doing. And thanks to Ashley and Victoria for all the hard work.

**Chairman LaPerch:** Absolutely, thank you Jeff. Goodnight and Jamie, goodnight.

**Ms. LoGiudice:** Goodnight.

**8. FLYWHEEL FARM, 4-10 Starrcobb Lane – Review of an Application for Conditional Use Permit for Accessory Apartment.**

**Chairman LaPerch:** OK, we're going to move on to agenda item eight, which is Flywheel Farm located at 4-10 Starrcobb Lane. Who is representing this please? Todd (Atkinson)?

**Ms. Desidero:** We have Todd Atkinson (of Jr Folchetti & Associates) and I also have Mr. Folchetti on the line so I'm also unmuting him in case he wants to say anything.

**Chairman LaPerch:** Welcome Todd. Wait Todd, wait, wait. We have to unmute you. There you go, start again buddy.

**Mr. Atkinson:** I also have Steve Mooney on the line, he is the contractor for the job.

**Ms. Desidero:** I'll unmute him.

**Mr. Atkinson:** Mr. Chairman, we're looking for a Conditional Use Permit for a caretaker's apartment located at 4-10 Starrcobb Lane. It's off of Starr Ridge Road. Currently on the property is a single-family residence, three bedrooms, as well as garage with a second-floor storage area, a barn as well as an indoor riding arena. What we are looking to do is create a new one-bedroom apartment for the caretaker for the horses; it's a horse farm. It's a private horse farm, it's not a commercial horse farm. But we were looking for a second-floor apartment above the garage. It's 796 sq. ft. and we've provided... I believe we've addressed Ashley's comments already; I talked to her earlier today. She had four comments and I gave her the information for each of those. We're looking tonight for Conditional Use Permit, we're looking for waiver of Public Hearing, and a waiver of ARB since we are a minor project.

**Chairman LaPerch:** OK, good job. I have no further questions. Lynne, any questions for Todd?

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**Boardmember Eckardt:** I do and you'll have to clarify, I'm sorry if I missed this, but is the only egress to the apartment through the garage?

**Mr. Atkinson:** That is correct, that's the way it's designed right now.

**Boardmember Eckardt:** OK, I'm personally, and it might be in our Code, which is fine but I just want to express that I'm a little bit concerned in case of fire and because it's a garage... of how people get out in that case. I have some concerns about the egress just from within the garage.

**Steve Mooney:** Todd, this is Steve Mooney, can you guys hear me? There is actually an egress to the outside on the left side of the building; that's what the direct access is. The access to the apartment is only from the outside. The garage is not accessible from the apartment, the two areas are completely separate. There is a door on the northern side of the building on the side facing the house, there is an egress door that comes in and goes directly up the stairs into the apartment. There is no access into the garage and there is no access from the garage into the apartment. You would have to go outside to go around, so this way we can fireproof it and fire caulk.

**Boardmember Eckardt:** Thank you for that clarification.

**Chairman LaPerch:** That was a big answer, good job. OK, any other questions Lynne?

**Boardmember Eckardt:** No, that's it right now.

**Chairman LaPerch:** OK, thank you. Mr. King?

**Boardmember King:** No questions.

**Chairman LaPerch:** Thank you, Mr. Hecht?

**Boardmember Hecht:** No questions.

**Chairman LaPerch:** Thank you sir. Mr. Armstrong?

**Boardmember Armstrong:** Assuming this is approved, I don't know exactly how it will be memorialized, but will it be for the purpose of this person is going to live there. I don't know if it's one person or a family, but they will be working for the property owner dealing with the livestock is that correct?

**Mr. Mooney:** Yes, direct care of the horses, that is correct.

**Boardmember Armstrong:** I'm just saying I don't know how, looking to the future, do we care whether this apartment is restricted to the use for someone who is working for the owner taking care of animals or whatever or do we want to leave this open so that it could be rented, might be a relative or something like that. I just don't know.

**Chairman LaPerch:** Dan, I think Ashley answered this question, but I believe it's an accessory apartment and we can't dictate who lives in it, correct Ashley?

**Ms. Ley:** Right, so with the accessory apartments you do have to have one of the units on the property that is owner occupied but other than that there are no restrictions on who lives there.

**Boardmember Armstrong:** OK, that answers the question, thank you.

**Chairman LaPerch:** There you go, thanks. OK, Mr. Cyprus?

**Boardmember Cyprus:** Nothing, Tom, thank you sir.

**Chairman LaPerch:** Thank you, Mr. Rush?

**Boardmember Rush:** No, I'm good.

**Chairman LaPerch:** Thank you and Mr. LaPerch has no further questions so I have for this application three motions that I'd like to act on. First, I would like to make a motion to classify this as a Type II and a Town of Southeast Minor Project.

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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 7 to 0.

**Chairman LaPerch:** OK, I just want to make a comment and I asked Ashley this before the meeting or Victoria. I forget who I asked, but we don't typically have public hearings for these types of applications, so I would like to make a motion to Waive the Public Hearing.

The motion to Waive the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor.

**Chairman LaPerch:** The third one is...I don't see anything going on here, well maybe I'm wrong so let's have a discussion. Referral to the ARB, your thoughts Lynne?

**Boardmember Eckardt:** I'm more concerned actually, we've waived the public hearing. I think I would want it to go to the ARB.

**Chairman LaPerch:** OK, that's your opinion. Mr. King, your thoughts?

**Boardmember King:** Yes, I think it should go to the ARB as well.

**Chairman LaPerch:** OK, Mr. Hecht?

**Boardmember Hecht:** Yes, agreed.

**Chairman LaPerch:** OK, let's go for it. I'd like to make a motion to refer this to the ARB.

The motion to Refer this Application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

**Chairman LaPerch:** Thank you, thank you Lynne.

**9. LAS MANANITAS, 1250 Route 22 – Continued Review of an Application for Site Plan Amendment.**

**Chairman LaPerch:** OK, we're moving on to number nine now. Todd (Atkinson), are you representing nine again?

**Mr. Atkinson:** No, John (Folchetti) is on.

**Chairman LaPerch:** John is, OK. Number nine Las Mananitas 1250 Route 22. Good evening John.

**Ms. Desidero:** I did unmute him.

**Chairman LaPerch:** John, going once. Todd, do you want to pinch hit?

**Mr. Atkinson:** I will pinch hit, I am here.

**Ms. Ley:** John, are you there?

**Mr. Folchetti:** I'm here.

**Chairman LaPerch:** Oh OK, welcome. You're up John.

**Mr. Folchetti:** This is the Las Mananitas Site Plan. I think we responded to the bulk of the comments. There is a parking plan, a seating plan, there is a...

**Chairman LaPerch:** John, time out, you're coming in very broken up here. Is there any way to correct that?

**Mr. Folchetti:** It's through my computer. Do you want me to call in?

**Chairman LaPerch:** Victoria is really the one that has to be able to hear this. Victoria, what is your sense or should he call in?

**Ms. Desidero:** I think it's the recording that we have to be mostly concerned about. What do you think Ashley?

**Ms. Ley:** It is really broken, so I think if you can call in from your cell.

**Chairman LaPerch:** John, can you call in?

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**Mr. Folchetti:** Calling in now.

**Item 10: March 9, 2020 Meeting Minutes:**

**Chairman LaPerch:** Can we get in the minutes of the meeting in, do we have time?

**Ms. Desidero:** You can do that now; I'll get the vote.

**Chairman LaPerch:** OK, I'd like to make a motion and I'd like any comments regarding the minutes of March 9, 2020 meeting. Any comments? Thank you, if not I'd like to make a motion to approve the minutes as written from March 9, 2020.

The motion to Approve the Meeting Minutes of March 9, 2020 as written was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

**Chairman LaPerch:** OK, any comments on the minutes of March 23, 2020? OK, I'd like to make a motion to approve the minutes as written for the meeting of March 23, 2020.

The motion to Approve the Meeting Minutes of March 23, 2020 as written was introduced by Chairman LaPerch, seconded by Boardmember Armstrong and passed all in favor.

**Item 9 - Las Mananitas continued:**

**Chairman LaPerch:** Has John rejoined us?

**Ms. Desidero:** I'm looking for a phone number coming in, I don't see one yet.

**Chairman LaPerch:** OK. He's highlighted there, is he on?

**Mr. Folchetti:** OK, how's that?

**Chairman LaPerch:** Much better.

**Mr. Folchetti:** OK, let me just mute this TV screen. How's that Tom?

**Chairman LaPerch:** Sounds good John, you're on.

**Mr. Folchetti:** OK, so as I was saying, we made the revisions and we provided an updated parking plan, a seating plan, the valet parking plan. We've essentially backed out of the expanded seating thing so while we provided the updated water use, we're not looking for additional seats.

**Chairman LaPerch:** OK.

**Mr. Folchetti:** It looks like we've addressed most of Ashley's comments. Ashley and I corresponded today regarding the directed valet plan and basically, I think we're in agreement that we're going to provide an updated table showing a new number of spaces.

**Ms. Ley:** That's correct.

**Mr. Folchetti:** So, we have to revise the Zoning table and there's a comment from Jacobsen's office regarding the slopes of the parking lot.

**Chairman LaPerch:** Yes.

**Mr. Folchetti:** When I look at those grades, I realize that that's how I re-graded the site when we were looking to park over the property line on the lease. So, we're going to revise the grading and I'll get it over to Joe(Dillon at Jacobson) and I think we can work that out.

The grades are not nearly as steep as what they are portrayed.

**Chairman LaPerch:** Yes, just get him comfortable with that. He's has pointed it out that they are pretty steep, but please work with him on that John.

**Mr. Folchetti:** Yes, we will, that's what I'm saying. The grades that are shown on that plan are really proposed grades, they're not the actual ones. I missed that, that's on me. So, we will fix that within so I guess on that I'd like to request a waiver of the Public Hearing, Negative Declaration, and a referral to ARB and ZBA.

**Chairman LaPerch:** Say that again?

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**Mr. Folchetti:** I said I would like to...

**Chairman LaPerch:** Waive the Public Hearing?

**Mr. Folchetti:** Yes sir, that's what I'm asking for.

**Chairman LaPerch:** I don't think so John. This is too high profile and it's been around a while. I need to get this all tucked in and there have been too many hiccups along the way here and I just want to get some public comment here. So, before we even go there let's start with my Board and see if they have any comments first. Lynne, do you have any comments please?

**Boardmember Eckardt:** Quick question and it may have been answered earlier, but the capacity is limited to 200 and that means even with special events. I just want to be clear on that, is that correct?

**Mr. Folchetti:** Yes, it is.

**Boardmember Eckardt:** OK and I feel really strongly about a Public Hearing because when I was on the Town Board I did receive complaints about noise from residents and while this would seem to have nothing to do with noise, it could affect the restaurant so I feel pretty strongly about the Public Hearing, thanks.

**Chairman LaPerch:** Thank you. Mr. King had dialed in. He lost contact with us but he's on a phone, Jim, can you hear us?

**Boardmember King:** I can hear you fine.

**Chairman LaPerch:** OK, thank you. Any comments to do with this application?

**Boardmember King:** No comments.

**Chairman LaPerch:** All right, thank you sir. Mr. Hecht?

**Boardmember Hecht:** Yes, I think we should have the Public Hearing as well with the houses in the back strip. I'm good with that.

**Chairman LaPerch:** All right, good, thank you. Mr. Armstrong any comment please?

**Boardmember Armstrong:** What was the waiving of the Zoning Board? What was that about?

**Mr. Folchetti:** No waiver of the Zoning Board sir.

**Chairman LaPerch:** He didn't say Zoning.

**Mr. Folchetti:** There is the question of the waiver of the Public Hearing and a referral to zoning.

**Boardmember Armstrong:** Oh, OK.

**Chairman LaPerch:** It's an action item here Dan. We are proposing an action to the ZBA.

**Boardmember Armstrong:** OK, thank you.

**Chairman LaPerch:** All right, thank you. Mr. Cyprus, any questions sir?

**Boardmember Cyprus:** I have no questions.

**Chairman LaPerch:** Thank you, Mr. Rush?

**Boardmember Rush:** No sir.

**Chairman LaPerch:** OK. We have four actions here. The first one is I'd like to make a motion to set the Public Hearing for May 11, 2020.

The motion to set the Public Hearing for May 11, 2020 was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor.

**Chairman LaPerch:** OK, it passes, thank you.

**Ms. Ley:** Tom, because you're having a Public Hearing typically the Board doesn't do the Negative Declaration until after the Public Hearing so the other actions are on hold.

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**Chairman LaPerch:** OK, the ARB and ZBA still, right?

**Ms. Ley:** No, we wait until the Negative Declaration to make those referrals as well.

**Chairman LaPerch:** So, that is the only action for tonight?

**Ms. Ley:** It's only setting the Public Hearing.

**Chairman LaPerch:** All right, thank you. John, do you have any questions?

**Mr. Folchetti:** That's it, no sir, thank you.

**Chairman LaPerch:** Thank you. I don't believe there are any other items here. That was a pretty long agenda. We earned our money tonight. I thank you all for paying attention. You did a great job and I think Jeff (Contelmo) is correct; we are one of the few Towns that are open for business and are doing a great job and I appreciate everyone's effort in hanging in there after today. So, I am going to make a motion to close tonight's meeting.

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

**May 6, 2020/CC/VAD**

**THE RECORDING OF THIS MEETING IS AVAILABLE AT:**  
<https://www.southeast-ny.gov/337/Planning-Board-Audio-Files>