

**TOWN OF SOUTHEAST
1360 Route 22
Brewster, New York 10509
Monday, June 8, 2020
SPECIAL MEETING 6:00 P.M.**

**Pledge of Allegiance
Notation of Exits**

1. Resolution – Pugsley Road – Parkland Alienation
2. Set Public Hearing – Commercial Shooting Ranges – Thursday July 9, 2020

R#1

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

HOME RULE REQUEST
AUTHORIZING ALIENATION OF PARKLAND / OPEN SPACE – PUGSLEY ROAD

RESOLUTION NO. _____ / 2020

June 8, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, at the request of this Town Board certain “Home Rule” legislation has been introduced in the Senate and Assembly of the State of New York to authorize the alienation (conveyance) of certain real property currently designated as open space (parkland); and

WHEREAS, in 2007 the Town of Southeast acquired certain lands located on Pugsley Road known generally as Tax Map #45, Block 1, Lot 10 (160 Pugsley Road) and Tax Map #45, Block 1, Lot 11 (132 Pugsley Road) (hereinafter the “Pugsley Road Open Space Parcel”) and paid for such acquisition using funds raised through sale of bonds authorized for open space acquisition; and

WHEREAS, the Town of Southeast has been approached by a private land owner seeking to swap certain lands located on Starr Ridge Road (known generally as Tax Map 79, Block 1, Lot 10.1) for portions of the Pugsley Road Open Space Parcel; and

WHEREAS, if the alienation of portions of the Pugsley Road Open Space parcel is authorized by the New York State Legislature, the parcel of property located on Starr Ridge Road to be conveyed to the Town in consideration therefor will be dedicated as Parkland; and

WHEREAS, this Town Board has reviewed a long-form Environmental Assessment Form (EAF) relative to the proposed alienation; and

WHEREAS, the proposed alienation has been determined to be an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board declares itself as Lead Agency for this Action; and

WHEREAS, the Town Board has considered all reasonably related long-term, short-term, direct, indirect, and cumulative effects associated with the proposed action including other simultaneous and subsequent actions and finds no significant adverse environmental impacts associated with the proposed alienation.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast, as Lead Agency,

hereby issues its Negative Declaration pursuant to SEQRA; approves the proposed action of alienation; and requests the New York State Senate and New York State Assembly to enact the necessary parkland alienation bill during the 2020 Legislative Session; and be it further

RESOLVED, that the Town Board specifically requests that the New York State Legislature pass legislation which would authorize the Town to alienate (convey) portions of the Pugsley Road Open Space Parcel by swapping such property for open space property located on Starr Ridge Road of equal or greater value as set forth in Assembly Bill No. A.10388A and Senate Bill No. S.8256A of the 2020-2021 legislative session; and be it further

RESOLVED, that the Supervisor and Town Clerk are authorized to execute any and all Home Rule Request Forms and any further or different documentation as may be required by the State Legislature to effectuate this request; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, authorized to forward a copy of this resolution together with the requisite Home Rule Request Forms to the Town's legislative delegation forthwith.

UPON A ROLL CALL VOTE:

Councilman Alvarez _____
Councilman Larca _____
Councilman Lord _____
Councilman O'Connor _____
Supervisor Hay _____

VOTE: Resolution _____, by a vote of _____, to _____, _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution duly adopted by the Town Board of the Town of Southeast at a special meeting of said board held the 8th day of June, 2020.

MICHELE STANCATI
Town Clerk

R#1A

LBDC

M04:

PUTNCO

(Authorizing the town of Southeast, county of Putnam, to alienate certain lands used as parkland and to dedicate certain other lands as parklands)

Southeast; parklands alienation

By

Amend ASSEMBLY BILL NO. 10388 as follows:

Strike out all after the enacting clause and insert

1 Section 1. Subject to the provisions of this act, the town of South-
 2 east, county of Putnam, acting by and through its governing body and
 3 upon such terms and conditions as determined by such body is hereby
 4 authorized to discontinue as parklands and alienate the lands described
 5 in section three of this act to Proswing Sports Realty, Inc. for the
 6 purpose of developing such lands for recreational use.
 7 § 2. The authorization provided in section one of this act shall be
 8 effective only upon the condition that Proswing Sports Realty, Inc.
 9 convey to the town of Southeast, and that the town of Southeast acquire
 10 and dedicate the lands described in section four of this act as park-
 11 lands, provided that the town of Southeast has never used such lands for
 12 public open space or park purposes.
 13 § 3. The parklands authorized by section one of this act to be alien-
 14 ated are described as follows:

15 Description of Alienation of Parcel 1A (15.605 Acres)

16 ALL that certain piece or parcel of land situate, lying and being in
 17 the Town of Southeast, County of Putnam and State of New York, being a
 18 portion of Parcel 1A conveyed to the Town of Southeast as recorded in
 19 Liber 1791 of deeds at Page 437 in the Putnam County Clerk's Office,
 20 said parcel also designated as the "15.605 Acres to Alienate" as shown
 21 on a map entitled "Map of Alienation Parcel prepared for Proswing",
 22 prepared by Insite Engineering, Surveying and Landscape Architecture,
 23 P.C., being more particularly bounded and described as follows:
 24 COMMENCING at the southwest corner of the "44.854 Acres Remaining Park-
 25 land" parcel as shown on the aforementioned map, said point also being
 26 the northwest corner of lands now or formerly belonging to Putnam
 27 Seabury Partners and along the westerly line of Pugsley Road as shown on
 28 a map entitled, "Map Showing Parcels to be Exchanged for the Improvement
 29 of Pugsley Road, Zimmer Road, Barrett Road and Fields Corner Road",
 30 dated July 8, 2004, prepared by Badey & Watson Surveyors;

1 thence along said westerly line of Pugsley Road, North 14°46'25" West
2 1381.48 feet to the point or place of BEGINNING;
3 thence continuing along the westerly line of Pugsley Road the following
4 bearings and distances:
5 North 14°46'25" West 104.23 feet,
6 North 09°49'22" West 83.67 feet,
7 North 05°56'12" West 153.12 feet,
8 North 07°07'02" West 198.06 feet and
9 North 10°39'52" West 170.34 feet to the southerly line of Zimmer Road;
10 thence along said line the following bearings and distances:
11 North 68°34'08" East 102.92 feet,
12 North 64°09'18" East 34.01 feet,
13 North 66°07'08" East 64.00 feet,
14 North 71°31'08" East 42.22 feet,
15 North 68°14'28" East 136.14 feet,
16 North 71°03'28" East 35.15 feet,
17 North 65°40'18" East 29.00 feet,
18 North 72°49'48" East 65.10 feet,
19 North 65°31'08" East 40.01 feet and
20 North 68°01'58" East 365.88 feet to the westerly line of lands now or
21 formerly belonging to the County of Putnam as described in Liber 1871
22 Page 291;
23 thence along said line South 12°26'14" East 442.31 feet to the northwes-
24 terly line of the "44.854 Acres Remaining Parkland" parcel as shown on
25 of above-mentioned map entitled "Map of Alienation Parcel prepared for
26 Proswing";
27 thence along the northwesterly and northerly lines of said parcel, South
28 19°14'26" West 523.33 feet and South 80°23'07" West 668.46 feet to THE
29 POINT OR PLACE OF BEGINNING.

30 Description of Alienation of Parcel 2A (66.177 Acres)

31 ALL that certain piece or parcel of land situate, lying and being in
32 the Town of Southeast, County of Putnam and State of New York, being a
33 portion of Parcels 2A and 3A conveyed to the Town of Southeast as
34 recorded in Liber 1791 of deeds at Page 437 in the Putnam County Clerk's
35 Office, said parcel also designated as the "66.177 Acres to Alienate" as
36 shown on a map entitled "Map of Alienation Parcels prepared for Prosw-
37 ing", prepared by Insite Engineering, Surveying and Landscape Architec-
38 ture, P.C., being more particularly bounded and described as follows:
39 BEGINNING along the easterly line of Fields Corner Road, as shown on a
40 map entitled, "Map Showing Parcels to be Exchanged for the Improvement
41 of Pugsley Road, Zimmer Road, Barrett Road and Fields Corner Road",
42 dated July 8, 2004, prepared by Badey & Watson Surveyors, at the divi-
43 sion line between the lands now or formerly belonging to the County of
44 Putnam to the North and the parcel described herein on the South;
45 thence along said division line, also reputedly the division line
46 between the Town of Patterson and the Town of Southeast, North 82°46'38"
47 East 1361.15 feet to the westerly line of a parcel designated as "26.834
48 Acres Remaining Parkland" as shown on the aforementioned map entitled
49 "Map of Alienation Parcels prepared for Proswing";
50 thence along the westerly and southerly line of said "26.834 Acres Park-
51 land" parcel, South 03°00'04" East 1074.09 feet and South 66°02'42" East
52 1114.50 feet to the westerly line of Interstate Route No. 503-32 and the
53 northeast corner of lands now or formerly belonging to the County of
54 Putnam as described in Liber 1871 Page 291;

1 thence along the northerly line of lands of the County of Putnam, South
2 75°47'09" West 600.00 feet and South 12°26'14" East 350.36 feet to the
3 northerly line of Zimmer Road;
4 thence along said line the following bearings and distances:
5 South 69°15'28" West 120.68 feet,
6 South 66°02'18" West 56.25 feet,
7 North 68°10'32" West 2.97 feet,
8 South 67°14'28" West 98.15 feet,
9 South 69°02'08" West 255.42 feet,
10 South 50°17'38" West 8.30 feet,
11 South 75°15'38" West 29.41 feet,
12 South 66°45'48" West 84.01 feet,
13 South 71°47'18" West 42.24 feet,
14 South 67°28'28" West 181.09 feet,
15 South 68°31'38" West 66.08 feet,
16 South 74°50'48" West 42.45 feet and
17 North 78°16'12" West 137.86 feet to the easterly line of Fields Corner
18 Road, as shown on a the aforementioned map entitled, "Map Showing
19 Parcels to be Exchanged for the Improvement of Pugsley Road, Zimmer
20 Road, Barrett Road and Fields Corner Road";
21 thence along said line the following bearings and distances:
22 North 30°25'52" West 485.20 feet to a tangent curve, to the right,
23 having a radius of 770.00 feet, a central angle of 2°49'53" and an arc
24 length of 38.05 feet,
25 N 16°05'52" West 0.85 feet,
26 N 28°28'12" West 7.88 feet to a non-tangent curve, to the right, having
27 a radius of 770.00 feet, a central angle of 16°21'12" and an arc length
28 of 219.77 feet to a point of tangency,
29 N 10°35'52" West 578.00 feet to a tangent curve, to the left, having a
30 radius of 150.00 feet, a central angle of 20°41'28" and an arc length of
31 54.17 feet,
32 N 27°53'52" West 26.24 feet,
33 N 42°51'02" West 16.20 feet,
34 N 65°59'32" West 14.90 a non-tangent curve, to the left, having a radius
35 of 150.00 feet, a central angle of 22°04'56" and an arc length of 57.81
36 feet to a point of tangency,
37 N 74°35'52" West 23.27 feet,
38 N 70°49'52" West 26.67 feet,
39 N 83°36'32" West 11.19 feet,
40 N 74°35'52" West 43.06 feet to a tangent curve, to the right, having a
41 radius of 160.00 feet, a central angle of 55°30'00" and an arc length of
42 154.99 feet,
43 N 19°05'52" West 212.47 feet.
44 N 70°17'58" East 15.12 feet,
45 N 31°55'23" West 68.14 feet,
46 N 19°05'52" West 20.92 feet to a tangent curve, to the right, having a
47 radius of 270.00 feet, a central angle of 21°00'00" and an arc length of
48 98.96 feet,
49 N 01°54'08" East 255.00 feet to a tangent curve, to the left, having a
50 radius of 830.00 feet, a central angle of 3°51'54" and an arc length of
51 55.99 feet to the POINT OR PLACE OF BEGINNING.

52 Description of Alienation of Parcel 1B (.041 Acres)

53 ALL that certain piece or parcel of land situate, lying and being in
54 the Town of Southeast, County of Putnam and State of New York, being

1 Parcel 1B conveyed to the Town of Southeast as recorded in Liber 1791 of
2 deeds at Page 437 in the Putnam County Clerk's Office, said parcel also
3 designated as "Parcel 1B" as shown on a map entitled "Map of Alienation
4 Parcels prepared for Proswing", prepared by Insite Engineering, Survey-
5 ing and Landscape Architecture, P.C., being more particularly bounded
6 and described as follows:
7 COMMENCING at a point along the easterly line of Fields Corner Road, as
8 shown on a map entitled, "Map Showing Parcels to be Exchanged for the
9 Improvement of Pugsley Road, Zimmer Road, Barrett Road and Fields Corner
10 Road", dated July 8, 2004, prepared by Badey & Watson Surveyors, at the
11 division line between the lands now or formerly belonging to the County
12 of Putnam on the North and the "66.177 Acres to Alienate" parcel on the
13 South, as shown on the aforementioned map entitled, "Map of Alienation
14 Parcel prepared for Proswing";
15 thence along said line of Fields Corner Road the following bearings and
16 distances:
17 on a curve, to the right, having a radius of 830.00 feet, a central
18 angle of 3°51'54" and an arc length of 55.99 feet,
19 South 01°54'08" West 255.00 to a tangent curve, to the left, having a
20 radius of 270.00 feet, a central angle of 21°00'00" and an arc length of
21 98.96 feet,
22 South 19°05'52" East 20.92
23 South 31°55'23" East 68.14
24 South 70°17'58" West 15.12
25 South 19°05'52" East 212.47 to a tangent curve, to the left, having a
26 radius of 160.00 feet, a central angle of 55°30'00" and an arc length of
27 154.99 feet,
28 South 74°35'52" East 43.06
29 South 83°36'32" East 11.19
30 South 70°49'52" East 26.67
31 South 74°35'52" East 23.27 to a non-tangent curve, to the right, having
32 a radius of 150.00 feet, a central angle of 22°04'56" and an arc length
33 of 57.81 feet to a point of tangency,
34 South 65°59'32" East 14.90
35 South 42°51'02" East 16.20
36 South 27°53'52" East 26.24 to a tangent curve, to the right, having a
37 radius of 150.00 feet, a central angle of 20°41'28" and an arc length of
38 54.17 feet,
39 South 10°35'52" East 578.00 a non-tangent curve, to the left, having a
40 radius of 770.00 feet, a central angle of 16°21'12" and an arc length of
41 219.77 feet to a point of tangency,
42 South 28°28'12" East 7.88 feet,
43 South 16°05'52" East 0.85 feet, to a tangent curve, to the left, having
44 a radius of 770.00 feet, a central angle of 2°49'53" and an arc length
45 of 38.05 feet and
46 South 30°25'52" East 485.20 feet to the northerly line of Zimmer Road;
47 thence crossing said road, South 30°25'52" East 46.10 feet to a point on
48 the southerly line of Zimmer Road where the same is intersected by the
49 division line of lands now or formerly belonging to Putnam Seabury Part-
50 ners and the premises herein described, said point being the TRUE POINT
51 OR PLACE OF BEGINNING.
52 thence along the southerly line of Zimmer Road, South 80°25'00" East
53 46.13 feet and South 67°55'56" East 38.35 feet to the aforementioned
54 lands of Putnam Seabury Partners;
55 thence along said lands, South 57°54'08" West 27.81 feet to a tangent
56 curve, to the right, having a radius of 30.00 feet, a central angle of

1 91°40'00" and an arc length of 48.00' feet and North 30°25'52" West
2 30.90 feet to the southerly line of Zimmer Road and the point or place
3 of BEGINNING.

4 Description of Alienation of Parcel 2B (.347 Acres)

5 ALL that certain piece or parcel of land situate, lying and being in
6 the Town of Southeast, County of Putnam and State of New York, being
7 Parcel 2B conveyed to the Town of Southeast as recorded in Liber 1791 of
8 deeds at Page 437 in the Putnam County Clerk's Office, said parcel also
9 designated as "Parcel 2B" as shown on a map entitled "Map of Alienation
10 Parcels prepared for Proswing", prepared by Insite Engineering, Survey-
11 ing and Landscape Architecture, P.C., being more particularly bounded
12 and described as follows:

13 COMMENCING at a point along the easterly line of Pugsley Road, as shown
14 on a map entitled, "Map Showing Parcels to be Exchanged for the Improve-
15 ment of Pugsley Road, Zimmer Road, Barrett Road and Fields Corner Road",
16 dated July 8, 2004, prepared by Baley & Watson Surveyors, at the divi-
17 sion line between lands now or formerly belonging to Putnam Seabury
18 Partners on the South and the "44.845 Acres Remaining Parkland" on the
19 North as shown on the aforementioned map entitled "Map of Alienation
20 Parcels prepared for Proswing";

21 thence along said line of Pugsley Road, North 14°46'25" West 1381.48
22 feet and North 14°46'25" West 104.23 feet to a point;

23 thence crossing Pugsley Road, North 14°46'25" West 130.90 feet to a
24 tangent curve, to the left, having a radius of 830.00 feet, a central
25 angle of 7°06'33" and an arc length of 102.99 feet to the westerly line
26 of Pugsley Road where the same is intersected by the division line
27 between other lands now or formerly belonging to Putnam Seabury Partners
28 and the premises herein described, said point being the TRUE POINT OR
29 PLACE OF BEGINNING;

30 thence along said lands of Putnam Seabury Partners the following bear-
31 ings and distances;

32 on a curve, to the left, having a radius of 830.00 feet, a central angle
33 of 8°33'27" and an arc length of 123.97 feet to a point of tangency,
34 N 30°26'25" W 157.75 to a tangent curve, to the right, having a radius
35 of 30.00 feet, a central angle of 88°20'00" and an arc length of 46.25
36 feet,

37 N 57°53'35" E 48.78 to the westerly line of Pugsley Road;

38 thence along said line the following bearings and distances:

39 S 48°02'44" E 53.03

40 S 01°56'04" E 23.68 feet,

41 S 11°00'24" E 40.04 feet,

42 S 07°35'17" E 99.01 feet,

43 S 14°57'24" E 42.26 feet and

44 S 08°30'54" E 77.15 to the point or place of BEGINNING.

45 TOTAL OF ALL PARCELS TO BE CONVEYED BY THE TOWN TO PROSWING SPORTS REAL-
46 TY, INC. TOTALS 82.170 ACRES

47 § 4. Prior to the discontinuance and alienation of the parklands
48 described in section three of this act, the town of Southeast shall
49 dedicate as parklands such land described as follows:

50 Description of Proswing Sports Realty Inc. Parcel Lot A (94.884 Acres)

51 ALL that certain piece or parcel of land situate, lying and being in
52 the Town of Southeast, County of Putnam and State of New York, desig-

1 nated as Lot A as shown on a map entitled "Final Subdivision Plat
2 prepared for Proswing", prepared by Insite Engineering, Surveying and
3 landscape Architecture, P.C., approved by the Town of Southeast on
4 February 24, 2020, to be filed in the Putnam County Clerk's Office,
5 being more particularly bounded and described as follows:
6 BEGINNING at a point along the westerly line of Starr Ridge Road at the
7 southerly line of lands now or formerly belonging to Craig & Deborah
8 Cole, said point also being along the easterly boundary of the herein
9 described parcel;
10 thence along said line of Starr Ridge Road, the following bearings and
11 distances:
12 S 04°15'50" W 372.71 feet,
13 S 02°09'10" W 213.09 feet and
14 S 02°44'25" W 392.80 feet to lands now or formerly belonging to Michael
15 J. & Kathy A. Daigneault Revocable Trust;
16 thence along said lands and also along lands now or formerly belonging
17 to Edward & Yvonne Raboy Family Partnership Limited, the following bear-
18 ings and distances:
19 S 89°04'40" W 197.33 feet,
20 S 86°54'10" W 113.03 feet,
21 S 89°02'10" W 267.00 feet and
22 S 88°04'00" W 581.20 feet to lands now or formerly belonging to Ghassan
23 Atalla,
24 thence along said lands and also along lands now or formerly belonging
25 to Tonya M. Carr-Waldron & Bradley Waldron, and also lands now or
26 formerly belonging to Nasser Aqeel, the following bearings and
27 distances:
28 N 05°03'40" W 407.27 feet,
29 N 05°26'36" W 281.10 feet,
30 N 05°07'06" W 108.30 feet,
31 N 15°03'40" E 204.65 feet,
32 S 85°53'10" W 388.31 feet,
33 S 87°23'10" W 362.51 feet,
34 S 73°16'00" W 47.94 feet,
35 S 86°36'38" W 105.72 feet,
36 S 76°48'16" W 33.14 feet,
37 S 59°38'12" W 19.94 feet and
38 S 77°06'32" W 197.09 feet to lands now or formerly belonging to Barbara
39 F. & Joshua White;
40 thence along said lands and also along lands now or formerly belonging
41 to Elizabeth Echegaray, and also along lands now or formerly belonging
42 to Jeremy Sabatini and also along lands now or formerly belonging Daniel
43 Prendergast & Jennifer L. Johnston, the following bearings and
44 distances:
45 N 05°08'40" W 491.23 feet,
46 S 82°52'50" W 92.09 feet,
47 S 86°02'00" W 124.78 feet,
48 N 17°05'30" E 330.39 feet,
49 N 11°27'50" E 100.13 feet,
50 N 16°57'40" E 100.10 feet,
51 N 09°43'40" E 70.23 feet,
52 N 19°59'20" E 17.14 feet and
53 S 84°51'20" W 591.11 feet to the easterly line of Turk Hill Road;
54 thence along said line, the following bearings and distances:
55 N 10°06'18" E 138.66 feet,
56 N 03°21'11" E 259.30 feet and

1 N 48°20'17" E 48.28 feet to lands now or formerly belonging to Lawrence
2 Fryer designated as Lot 2 as shown on a map entitled "Final Subdivision
3 Plat Triple "T" Estates" filed on September 29, 2003 as map number 2937;
4 thence along said lands, the following bearings and distances:
5 N 84°25'00" E 2156.86 feet,
6 N 13°00'00" E 21.34 feet and
7 N 83°44'40" E 272.00 feet to lands now or formerly belonging to Joseph &
8 Elizabeth Kiss;
9 thence along said lands, S 06°15'20" E 500.00 feet to the northerly line
10 of Lot B as shown on the aforementioned map entitled "Final Subdivision
11 Plat prepared for Proswing";
12 thence along said Lot the following bearings and distances:
13 S 83°44'40" W 459.26 feet,
14 S 06°15'20" E 343.37 feet and
15 N 83°44'40" E 346.914 feet to lands now or formerly belonging to Craig
16 and Deborah Cole;
17 thence along said lands the following bearings and distances:
18 S 02°51'20" W 271.15 feet,
19 S 03°45'50" W 471.95 feet and
20 N 86°27'10" E 626.86 feet to the point or place of BEGINNING.

21 § 5. In the event that the fair market value of the parklands
22 described in section four of this act to be dedicated by the town of
23 Southeast pursuant to this act are not equal to or greater than the fair
24 market value of the parklands to be alienated as described in section
25 three of this act, the town of Southeast shall dedicate the difference
26 of the fair market value of the lands to be alienated and the lands to
27 be dedicated for the acquisition of additional parklands and/or capital
28 improvements to existing park and recreational facilities.

29 § 6. In the event that the town of Southeast received any funding
30 support or assistance from the federal government for the purchase,
31 maintenance or improvement of the parklands set forth in section three
32 of this act, the discontinuance and alienation of such parkland author-
33 ized by the provisions of this act shall not occur until the town of
34 Southeast has complied with any federal requirements pertaining to the
35 alienation or conversion of parklands, including satisfying the secre-
36 tary of the interior that the alienation or conversion complies with all
37 conditions which the secretary of the interior deems necessary to assure
38 the substitution of other lands shall be equivalent in fair market value
39 and usefulness to the lands being alienated or converted.

40 § 7. This act shall take effect immediately.

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R#16
SEQR

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: June 8, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Southeast Town Board as lead agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Alienation of Town Owned Parkland on Pugsley Road

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Town Board of the Town of Southeast (the "Town Board") proposes to trade 82.1 acres of public parkland located on Pugsley Road in the Town of Southeast to Proswing Sports Realty, Inc. ("Proswing") in exchange for 94.9 acres of property owned by Proswing located on Starr Ridge Road in the Town of Southeast.

Proswing contemplates future recreational development, as permitted by the Zoning Code of the Town of Southeast, on the Pugsley Road parcel. However, given the uncertainty of ownership, no specific development plans are set forth at this time. The Town of Southeast intends to acquire the Starr Ridge Road parcel for dedicated open space and parkland. Any future development on either parcel is speculative, has independent utility from the alienation of parkland and land transfer actions, and would be subject to compliance with the State Environmental Quality Review Act ("SEQRA").

The Town Board believes the Pugsley Road property, which is owned by the Town and is designated for open space, will serve a greater public benefit if it were owned and developed for recreational use by a private project sponsor. Any conveyance of the Pugsley Road site shall be specifically conditioned upon such site being deed restricted to prohibit the site from being used for any purpose other than Recreation as may be defined by the Town of Southeast Zoning Code. Further, the Town Board believes the Starr Ridge Road site will serve a greater public benefit if it were acquired by the Town for preservation as permanent open space because Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town of Southeast (§ 83-5C of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update) and has linkages to nearby open space/recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

Location: Town-owned parkland on Pugsley Road, in the Town of Southeast, Putnam County, New York, known and designated Tax Map 45, Block 1, Lots 10, 11 & 5.3.

Reasons Supporting This Determination:

The following materials have been reviewed:

- Full Environmental Assessment Form (EAF), dated January 29, 2020
- Letter from Richard O'Rourke, with enclosures, to the Town Board dated February 3, 2020
- Letter from Richard O'Rourke, with enclosures, to the Town Board dated February 13, 2020

In addition to the factors considered above, the Town 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)(ii))
- (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))
- (xii) Not result in "two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision." (§617.7(c)(1)(xii))

In conclusion, the Proposed Action will not have any significant adverse environmental impacts.

For Further Information:

Contact Person: Michele Stancati, Town Clerk
 Address: Town of Southeast Town Hall
 1360 Route 22
 Brewster, NY 10509
 Telephone Number: (845) 279-4313

A Copy of this Notice has been filed with:

- Hon. Tony Hay, Supervisor, Town of Southeast
- Michele Stancati, Town Clerk, Town of Southeast
- Putnam County Department of Planning/Development & Public Transportation, 841 Fair Street, Carmel, NY 10512

R#1c

IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE
HOME RULE REQUEST
(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the TOWN BOARD of
TOWN OF SOUTHEAST requests the enactment of Senate bill (no. 8256A),
entitled "AN ACT Authorizing the town of Southeast, County of Putnam, to
alienate certain lands used a parkland and to dedicate certain
other lands as parklands"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts
establishing such necessity are as follows: (Check appropriate box)

- The local government does not have the power to enact such legislation by local law.
- Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

- The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)
- The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

- A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, both the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.
- B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, only the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed).....
(chief executive officer)
Tony Hay
(Print or type name below signature)
Supervisor
(Title of chief executive officer)

Date: June 8, 20 20

CLERK'S CERTIFICATION

I, Michele Stancati, do hereby certify that I am Clerk of the Town
Board of the Town
Southeast and that on the 8th day of June,
20 20, such legislative body, at least two-thirds of the total membership having voted in favor thereof,
approved the foregoing request.

(SEAL OF LOCAL GOVERNMENT)

(Signed).....
(clerk)
Michele Stancati
(Print or type name below signature)

Date: June 8, 20 20

INSTRUCTIONS

Copies required:

Two signed copies of this form, specifying the final bill number and title must be filed with *each* House of the Legislature.

Examples:

- (a) If the bill has been introduced in only *one* House of the Legislature, four copies of the request form must be filed, i.e., two with the Senate and two with the Assembly.
- (b) If the identical bill has been introduced in *both* Houses, eight copies of the request form must be filed, i.e., two with the Senate and two with the Assembly for the Senate bill and the same for the Assembly bill.

Date of request:

The signing of a home rule request or the adoption of a resolution by the local legislative body approving such request cannot precede the date on which the bill is actually introduced in the Legislature. In the case of prefiled bills, the actual date of introduction is the first day of the legislative session. The request may be signed on the resolution adopted the same day as the date of introduction.

Amended bills:

Each time the bill is amended a new request must be filed (with the appropriate number of copies) and the new request must correctly identify the bill number as last amended. The signing of the request, and the date of the supporting resolution, cannot precede the date of the amendment.

Transmittal:

The signed forms should be sent as follows:

To the Senate:

Home Rule Counsel
Senate Post Office
208 Legislative Office Building
Albany, N. Y. 12247

To the Assembly:

Home Rule Counsel
Assembly Post Office
210 Legislative Office Building
Albany, N. Y. 12248

Definition of terms:

Chief executive officer.

In the case of a county, the elective or appointive chief executive officer, if there be one, or otherwise the chairman of the board of supervisors; in the case of a city or village, the mayor (not manager); and in the case of a town, the supervisor. (Municipal Home Rule Law §40)

Local legislative body.

The board of supervisors, board of aldermen, common council, council, commission, town board, board of trustees or other elective governing board or body vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws or ordinances. (Municipal Home Rule Law §2)

Local government.

A county, city, town or village (Const. Art. IX, §3; Municipal Home Rule Law §2)

Special law

A state statute which in terms and in effect applies to one or more, but not all, counties (other than those wholly included within a city) cities, towns or villages. (Const. Art. IX §3; Municipal Home Rule Law §2)

Total membership.

The total voting power of a legislative body. (Municipal Home Rule Law, § 20, 40)

R# 12

IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE
HOME RULE REQUEST
(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the TOWN BOARD of
TOWN OF SOUTHEAST (county, city, town or village)
(name) requests the enactment of ~~Senate~~ Assembly bill (no. 10388A),
entitled "AN ACT Authorizing the town of Southeast, County of Putnam, to
alienate certain lands used as parkland and to dedicate certain
other lands as parklands"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

- The local government does not have the power to enact such legislation by local law.
- Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

- The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)
- The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

- A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, both the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.
- B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, only the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed).....
(chief executive officer)
Tony Hay
(Print or type name below signature)
Supervisor
(Title of chief executive officer)

Date: June 8, 2020

CLERK'S CERTIFICATION

I, Michele Stancati, do hereby certify that I am Clerk of the Town
(print or type name) (local legislative body)
Board of the Town
(county, city, town or village)
of Southeast and that on the 8th day of June,
(name)
2020, such legislative body, at least two-thirds of the total membership having voted in favor thereof,
a majority (strike out one)
approved the foregoing request.

(SEAL OF LOCAL GOVERNMENT)

(Signed).....
(clerk)
Michele Stancati
(Print or type name below signature)

Date: June 8, 2020

INSTRUCTIONS

Copies required:

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Date of request:

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Local legislative body.

The board of supervisors, board of aldermen, common council, council, commission, town board, board of trustees or other elective governing board or body vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws or ordinances. (Municipal Home Rule Law §2)

Local government.

A county, city, town or village (Const. Art. IX, §3; Municipal Home Rule Law §2)

Special law

A state statute which in terms and in effect applies to one or more, but not all, counties (other than those wholly included within a city) cities, towns or villages. (Const. Art. IX §3; Municipal Home Rule Law §2)

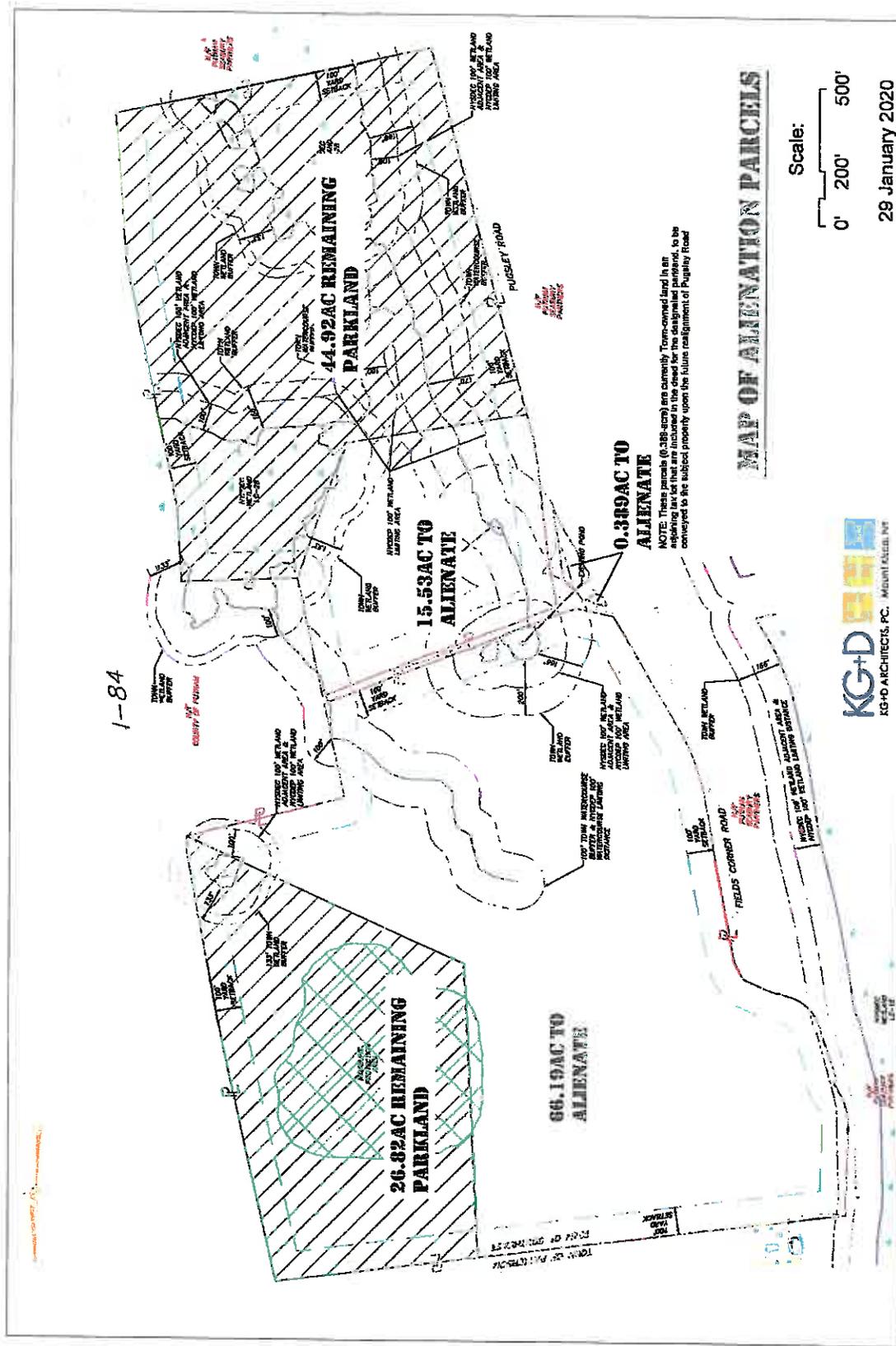
Total membership.

The total voting power of a legislative body. (Municipal Home Rule Law, § 20, 40)

R#1e

Subject Property Alienation Map

PROPERTY INFORMATION



PROPERTY OF THE TOWN OF SOUTHEAST
Pugsley Road, Brewster, NY 10509

MCGRATH & CO
REAL ESTATE APPRAISERS