
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

January 27, 2020

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. JCE ENTERPRISES, INC., 12 Old Route 6, Tax Map ID 55.12-1-12** – Consider Referral of Site Plan Amendment Application to the Zoning Board of Appeals
- 2. STATELINE RETAIL CENTER / RESTAURANT DEPOT, US Route 6, Tax Map ID 68.-2-48.1 & 48.2** – Continued Review of Application for Subdivision: Initiate SEQRA Process
- 3. 577 NORTH MAIN STREET, 577 North Main Street, Tax Map ID 56.19-1-40.2** – Review of Application for Special Permit
- 4. NORTHWOOD TREE CARE, 25 Fields Lane, TM ID 78.-2-73** – Continued Review of Application for Site Plan Amendment, Wetland Permit, Special Permit and Conditional Use Permit
- 5. ALFACOR, LLC, 14 Fields Lane, Tax Map ID 78.-2-25** – Review of an Application for Special Permit for Excavation & Grading
- 6. GAS LAND SOUTHEAST BUILDING ADDITION, 3411 Danbury Road, Tax Map ID 68.-2-69** – Sketch Plan Review of an Application for Site Plan Amendment
- 7. PROSWING STARR RIDGE, 273 Starr Ridge Road** – Consider Applicant's Request to Set a Public Hearing for Review of Final Subdivision Application
- 8. Approve Meeting Minutes of January 13, 2020**

**January 23, 2020/VAD
Agenda Subject to Change**

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

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

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

January 28, 2020

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: JCE ENTERPRISES, INC., 12 Old Route 6, TAX ID 55.12-1-12, GC ZONING DISTRICT

Dear Boardmembers:

At the 1/27/2020 regular meeting of the Town of Southeast Planning Board a motion was made to refer the above referenced application to your Board for the following:

1. Variance of 13.6 ft. for proposed stairs in front yard setback where 21.4 ft. is proposed and 35 ft. is required.

Sincerely,



Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachments (including Code Section Regarding Mailings)

cc: Town Attorney
Town Clerk
Robert Cameron
Planning Board File
Zoning Board of Appeals File



- (3) Notification of nearby property owners.
- (a) Except as otherwise provided herein, the notice shall be sent by United States Postal Service certified or registered mail, return receipt requested, to the owners of all lots within the State of New York, including the Village of Brewster, within 500 feet of the lot or land to which the application or petition pertains, except that the owner of a single-family residential lot applying for area variances shall mail said notice to property owners within the following proximity:
[Amended 8-26-2010 by L.L. No. 4-2010; 5-19-2016 by L.L. No. 4-2016]
- [1] If the subject property is located partially or wholly within a commercial zoning district or partially within an R-160 or R-80 Zoning District: 500 feet
- [2] If the subject property is located partially or wholly within an R-40 or R-60 Zoning District: 300 feet.
- [3] If the subject property is located partially or wholly within an R-20 Zoning District: 100 feet.
- [4] If the subject property or structure is wholly located within a parcel of property owned in common by a cooperative corporation and the subject property is owned and occupied pursuant to proprietary leasehold, notice shall be given to such cooperative corporation and to the record owner of proprietary leases immediately adjacent to the subject property or structure. In the event the subject property or structure is located within 50 feet of the cooperative corporation's boundary line, the owners of property abutting the cooperative corporation's boundary and within 100 feet of the subject parcel or structure shall be given notice.
- [5] If the subject property lies adjacent to, or in the event the relative proximity of a cooperative housing corporation to the subject property requires the giving of notice of an application to owners within the cooperative housing corporation, notice shall be deemed sufficient if given to the board of directors of the cooperative housing corporation in the manner prescribed herein.
- [6] If the subject property lies within or adjacent to, or in the event the relative proximity of a condominium housing development to the subject property requires the giving of notice of an application to owners within the condominium housing development, notice shall be deemed sufficient if given by certified mail, return receipt requested, to the managing agent of the condominium housing development and by regular mail to those individual property owners otherwise entitled to notice pursuant to Subsection **B(3)(a)[1]** through **[5]** hereof.
- (b) The owners of the lands or properties to receive notice hereunder and their addresses shall be as indicated in the current records of the Tax Assessor of the Town or the Tax Assessor of any adjacent taxing jurisdiction, and the applicant shall be permitted to rely on such information as accurate.
- (4) At the time of the public hearing by the Town Board, the Zoning Board of Appeals or the Planning Board concerning a site plan or of the Town Board concerning a planned subdivision plat, the applicant shall provide to such agency a copy of the required notice, a list of the owners of all lots to whom such notice was mailed and either an affidavit that the mailing was completed, as requested herein, or copies of all mailing receipts.

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

INTRODUCED BY: *LaPerch*

DATE: January 27, 2020

SECONDED BY: *Rush*

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Subdivision approval from the Planning Board, and Site Plan, Wetland Permit and Special Permit from the Town Board, and other supporting documents for a project entitled **STATELINE / RESTAURANT DEPOT**; and

WHEREAS, the proposed project is located at 3711 -3751 and 3685 Danbury Road in the SR-6 Zoning District in the Town of Southeast and identified as Tax Map IDs 68.-2-48.1 & 48.2; and

WHEREAS, the Applicant, **PLI, LLC**, proposes to construct a Restaurant Depot and re-subdivide 44 acres of land previously approved as the Stateline Retail Center (which included a two-lot subdivision, 184,800 square foot retail center, and 14,800 square foot two-story office building). The current project would relocate the property line between Lots 1 and 2 and would subdivide Lot 2 into two parcels. The resulting Lot 1 would be 4 acres, Lot 2 would be 11.3 acres, and Lot 3 would be 28.7 acres. A 57,500 square foot Restaurant Depot store (Large Retail Establishment) is proposed for Lot 2. A 128,500 square foot retail use is conceptually proposed for Lot 3, and a 14,800 square foot office building is conceptually proposed for Lot 1. Lots 1 and 3 would be developed at a later date; and

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

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

UPON ROLL CALL VOTE:

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

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

T. LaPerch

T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

January 28, 2020

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

Re: Stateline / Restaurant Depot
GML §239-m and n

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Subdivision approval from the Planning Board and Town Board approval for Site Plan, Wetland Permit and Special Permit by STATELINE RETAIL CENTER / RESTAURANT DEPOT for a proposal to construct a Restaurant Depot and re-subdivide 44 acres of land previously approved as the Stateline Retail Center (which included a two-lot subdivision, 184,800 sq. ft. retail center, and 14,800 sq. ft. 2-story office building). The current project would relocate the property line between Lots 1 and 2 and would subdivide Lot 2 into two parcels. The resulting Lot 1 would be 4 acres, Lot 2 would be 11.3 acres, and Lot 3 would be 28.7 acres. A 57,500 sq. ft. Restaurant Depot store (Large Retail Establishment) is proposed for Lot 2. A 128,500-sq. ft. retail use is conceptually proposed for Lot 3, and a 14,800 sq. ft. office building is conceptually proposed for Lot 1. Lots 1 and 3 would be developed at a later date. The proposed project is in the SR-6 Zoning District and located at 3711-3751 & 3685 Danbury Road Putnam County, New York (Tax Map IDs 68.-2-48.1 & 48.2).

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

Enclosed is the application for your review. Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845) 279-7736, if you should have any questions. We thank you for your consideration and review of this application.

Sincerely,

Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Insite Engineering

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION
AFFIRM / CLASSIFY AS TYPE II ACTION**

INTRODUCED BY: LaPerch DATE: January 27, 2020
SECONDED BY: King

WHEREAS, an application is being made by **577 NORTH MAIN STREET** for a Site Plan Amendment, Special Permits, Conditional Use Permits and Wetland Permit where the applicant is seeking site plan and conditional use permit approval for a 19,996 square foot outside storage area, and warehouse use and special permits for a motor vehicle service station for Brewster Taxi, kennel and animal hospital uses. Modifications to the parking area to accommodate outside storage requires a wetland permit for disturbance to the wetland buffer on a property located at 577 North Main Street, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 56.19-1-40.2, and is located in the ED Zoning District; and

WHEREAS, the Planning Board has reviewed the following documents in support of this classification:

1. Memorandum to Planning Board from Bart Lansky, dated 1/22/20
2. Wetland Buffer Monitoring & Maintenance Plan, no preparer, undated
3. Property Survey, prepared by Rowan Land Surveying, PLLC, dated 12/3/18
4. Wetland & Soils Map, prepared by Paul J. Jaehnig, dated 12/12/18
5. SP-1, Project Directory, prepared by NEMERJ Design Group, dated 8/27/19
6. SP-2, Roof Plan, prepared by NEMERJ Design Group, dated 8/27/19
7. A-1, Roof Plan & Elevations, prepared by NEMERJ Design Group, dated 8/27/19

NOW, THEREFORE BE IT RESOLVED, that the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short EAF, and pursuant to §617.5(c)(9), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required; and

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
D. Armstrong, Boardmember	<u>yes</u>	E. Cyprus, Boardmember	<u>yes</u>
M. Hecht, Boardmember	<u>yes</u>	J. King, Boardmember	<u>yes</u>
L. Eckardt, Boardmember	<u>yes</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board



**Town of Southeast
Planning Board**
One Main Street
Brewster, NY 10509

January 28, 2020

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: 577 North Main Street
577 North Main Street
Tax Map ID 56.19-1-40.2

At the regular meeting of the Town of Southeast Planning Board on 1/27/2020, a motion was made to refer the above referenced Minor Project to your Board for review and recommendation to the Planning Board. The Planning Board classified this as a Type II Action under the New York State Environmental Quality Review Act (SEQRA) process on 1/27/2020. The applicant will be sending your Board a copy of the proposed plans to aid you in your review.

If there is any additional information you require, please contact the Planning Board office.

Very truly yours,


Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Bart Lansky, Esq.



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

January 28, 2020

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

Re: GasLand Southeast Building Addition
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Site Plan Amendment and Conditional Use Permit by GASLAND PETROLEUM for a proposal to expand by 431 sq. ft. an existing 1,800 sq. ft. gas station convenience store, make parking lot improvements and add a new refuse enclosure. No changes are proposed to the five existing fueling stations. The proposed project is located in the SR-6 Zoning District on an approximately ±0.87-acre parcel located at 3411 Danbury Road, Putnam County, New York (Tax Map ID 68.-2-69).

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

Enclosed is the application for your review. Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845) 279-7736, if you should have any questions. We thank you for your consideration and review of this application.

Sincerely,

David Rush, Acting Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
The Chazen Companies



**Town of Southeast
Planning Board**
One Main Street
Brewster, NY 10509

January 28, 2020

TO: Architectural Review Board

FROM: David Rush, Acting Chairman
Southeast Planning Board

RE: GasLand Southeast Building Expansion
3411 Danbury Road
Tax Map ID 68.-2-69

At the regular meeting of the Town of Southeast Planning Board on 1/27/2020, a motion was made to refer the above referenced Minor Project to your Board for review and recommendation to the Planning Board. The Planning Board classified this as a Type II Action under the New York State Environmental Quality Review Act (SEQRA) process on 1/27/2020. The applicant will be sending your Board a copy of the proposed plans to aid you in your review.

If there is any additional information you require, please contact the Planning Board office.

Very truly yours,

David Rush
David Rush, Acting Chairman / *road*
Southeast Planning Board

cc: Town Counsel
Town Clerk
The Chazen Companies

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

January 28, 2020

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: GasLand Petroleum, 3411 Danbury Road, TAX ID 68.-2-69, SR-6 ZONING DISTRICT

Dear Boardmembers:

At the 1/27/2020 regular meeting of the Town of Southeast Planning Board a motion was made to refer the above referenced application to your Board for the following:

1. Front Yard: 26.4 ft. variance to allow 8.6 ft. setback where 35 ft. is required;
2. Rear Yard: 29.3 ft. variance to allow a 5.7 ft. setback where 35 ft. is required;
3. Lot Coverage: 8.68% variance to allow 53.68% where a maximum of 45% is allowed;
4. Open Space: 8.68% variance to allow 46.32% where 55% minimum is required.

A copy of the Town Planner's memorandum is attached for your information.

Sincerely,


David Rush, Acting Chairman
Town of Southeast Planning Board

Attachments (including Code Section Regarding Mailings)

cc: Town Attorney
Town Clerk
The Chazen Companies
Planning Board File



Environmental, Planning, and Engineering Consultants

34 South Broadway
Suite 401
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: January 27, 2020
Re: Gas Land Petroleum, Inc.
cc: Chazen

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

1. Sketch Plan Letter (2 pages), prepared by Christopher Lapine, P.E., dated 1/10/20
2. Site Plan Checklist (3 pages), dated 1/10/20
3. Site Plan Application (2 pages), signed by Zeidan Nesheiwat, VP, dated 1/10/20
4. Existing Conditions Plan, prepared by CV Associates, dated 10/29/19
5. Conceptual Site Plan, prepared by The Chazen Companies, dated 9/19/18

PROJECT DESCRIPTION

The Applicant proposes a 431 sf expansion to an existing 1,800 sf gas station convenience store located at 3411 Danbury Road in the Town of Southeast. The proposed project also includes parking lot improvements and a new refuse enclosure. No changes are proposed to the five existing fueling stations. The proposed project requires amended site plan and conditional use permit (retail use) approval from the Planning Board, and front yard, rear yard, and lot coverage variances from the Zoning Board of Appeals.

COMMENTS

1. The Applicant requires a 26.4-foot front yard variance to allow a 8.6-foot front yard setback (35 feet required); a 29.3-foot rear yard variance to allow a 5.7-foot rear yard setback (35-feet required); a 8.68% lot coverage variance to allow 53.68% lot coverage (45% lot coverage maximum required); and a 8.68% open space variance to allow 46.32% open space (55% open space minimum required).
2. A lighting plan consistent with the requirements of §138-98 should be provided.
3. A landscaping plan consistent with the requirements of §138-50 should be provided.

RECOMMENDED ACTIONS

At the 1/27/20 meeting, AKRF recommends that the Planning Board classify the project as a Type II Action under SEQRA (§ 617.5(c)(9)) and a Town of Southeast "Minor Project," refer the application to Putnam County Planning per §239-m, set or waive the public hearing, and refer the application to the ARB and ZBA.