
TOWN OF SOUTHEAST PLANNING BOARD AGENDA**May 11, 2020, 7:30 p.m.**

Please join from your computer, tablet or smartphone:

When prompted, please type your full name<https://us02web.zoom.us/j/85681171666>***** This meeting will be recorded *****

PUBLIC HEARINGS:

1. **EUROTECH, 19 Sutton Place, Tax Map ID 78.-2-16.6** – Public Hearing to Review an Application for Site Plan Amendment
2. **LAS MANANITAS, 1248-50 Route 22, Tax Map ID 57.-2-40** – Public Hearing to Review an Application for Site Plan Amendment

REGULAR SESSION:

1. **577 NORTH MAIN STREET, Tax Map ID 56.19-1- 40.2** – Review of a Request for a Performance Bond
2. **STATELINE / RESTAURANT DEPOT, US Route 6/202, Tax Map ID 68.-2-48.1** – Review of Application for Final Subdivision Approval
3. **HOME DEPOT, 80 Independent Way, Tax Map ID 56.-1-23** – Review of Application for Site Plan Amendment
4. **APPROVE MEETING MINUTES OF April 13, 2020**
5. **APPROVE MEETING MINURES OF April 27, 2020**

April 29, 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#>***** ZOOM MEETING INSTRUCTIONS *******New to Zoom?** Please download the free app now so you are ready when the meeting starts:<https://zoom.us/download>**Please join from your computer, tablet or smartphone by clicking on this link:**<https://us02web.zoom.us/j/85681171666>

This is the preferred method so you can see the documents and plans being discussed. When prompted, please provide your full name. If you are representing an application, please also provide the name of your firm.

You can also dial in using your phone:**Call-in number:** +1 929 436 2866 US**Meeting ID:** 85681171666**FROM YOUR SMARTPHONE**

One tap mobile

+19294362866,,85681171666# US (New York)

Additional Zoom FAQs and tutorials:

<https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started>

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

Date: May 11, 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 Planning Board as Lead Agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Las Mananitas

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant is seeking amended Site Plan approval for the retention and expansion of an asphalt parking area; a new 1,000 sf shed; a new deck on the restaurant; a new deck, roof, and façade on the residence; new pavers in the restaurant drop-off area; driveway improvements; new lighting; repairs and upgrades to two existing patios; and erosion and sediment control measures. The proposed project would remedy existing violations on the property. The application requires several area variances from the Zoning Board of Appeals.

Location: 1250 NYS Route 22, Brewster, NY 10509. Tax Map ID 57.-2-40

Reasons Supporting This Determination:

The following materials have been reviewed:

- Application for Site Plan Approval, dated 5/21/18
- Master Site Plan Narrative and attachments, prepared by prepared by J. Robert Folchetti & Associates, dated 11/2019 and last revised 03/2020
- Preliminary Site Plan set (11 sheets), prepared by J. Robert Folchetti & Associates, last revised 03/2020
- Architectural Plan for proposed exterior renovation of residence (2 sheets), prepared by J.R. Miller Design Services, dated 4/2/2018
- Architectural Plan for proposed rear patio of restaurant (1 sheet), prepared by J.R. Miller design services, dated 1/14/19
- Architectural Plan for proposed storage building (1 sheet), prepared by J.R. Miller design services, dated 4/3/2018
- Architectural Plan for existing patio compliance (2 sheets), prepared by J.R. Miller design services, dated 7/31/2019
- Front Elevation sketch
- Full EAF, signed by Luis Sanchez, dated 2/21/2018

WHEREAS, on September 24, 2018, the Planning Board classified the proposed action as an Unlisted action and circulated its intent to serve as Lead Agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed the full Environmental Assessment Form (EAF) and has thoroughly analyzed the information concerning relevant areas of environmental concern both submitted by the applicant and gather by the Planning Board through its consultants and the public; and

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

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

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

For Further Information:

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

A Copy of this Notice has been filed with:

- Town of Southeast Architectural Review Board
- Town of Southeast Zoning Board of Appeals
- New York State Department of Environmental Conservation, Region 3
- New York State Department of Transportation, SEQRA Unit
- Putnam County Department of Health
- Putnam County Department of Planning/Development & Public Transportation
- New York City Department of Environmental Protection, Bureau of Water Supply

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

D. Armstrong, Boardmember

absent

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

J. King, Boardmember

yes

L. Eckardt, Boardmember

yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board rad



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

May 11, 2020

TO: Architectural Review Board

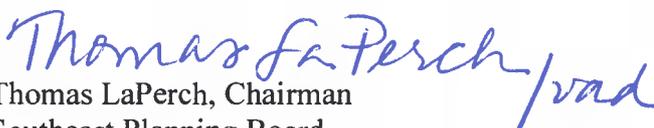
FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Las Mananitas
1250 Route 22
Tax Map ID 57.-2-40

At the regular meeting of the Town of Southeast Planning Board on 4/13/20, 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 issued a Negative Declaration under the New York State Environmental Quality Review Act (SEQRA) process on 4/13/20. 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
JR Folchetti & Associates

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

May 11, 2020

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: Las Mananitas, 1250 NYS Route 22, Brewster, NY 10509
Tax Map ID 57.-2-40
Rural Commercial (RC) Zoning District

Dear Boardmembers:

At the April 13, 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. Environmental Conservation Buffer/Parking setback: 5 ft is provided where 100 ft is required);
2. Rear yard setback: 40.3 ft is provided for a new shed where 100 ft is required;
3. Rear yard setback: 51.3 ft is provided for the proposed restaurant deck where 100 ft is required; and
4. Rear yard setback: 92.5 ft is provided for the proposed residential deck where 100 ft required.

A copy of the Town Planner's April 7, 2020, memorandum is attached for your information.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachments including Code Section Regarding Mailings and/or letter referenced above

cc: Town Attorney
Town Clerk
J. R. Folchetti, P.E.
Planning Board File
Zoning Board of Appeals File



Environmental and Planning 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: April 7, 2020
Re: Las Mananitas
cc: J. Robert Folchetti & Associates, LLC

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

1. Application for Site Plan Approval, dated 5/21/18
2. Master Site Plan Narrative and attachments, prepared by prepared by J. Robert Folchetti & Associates, dated 11/2019 and last revised 03/2020
3. Preliminary Site Plan set (11 sheets), prepared by J. Robert Folchetti & Associates, last revised 03/2020
4. Architectural Plan for proposed exterior renovation of residence (2 sheets), prepared by J.R. Miller Design Services, dated 4/2/2018
5. Architectural Plan for proposed rear patio of restaurant (1 sheet), prepared by J.R. Miller design services, dated 1/14/19
6. Architectural Plan for proposed storage building (1 sheet), prepared by J.R. Miller design services, dated 4/3/2018
7. Architectural Plan for existing patio compliance (2 sheets), prepared by J.R. Miller design services, dated 7/31/2019
8. Front Elevation sketch

PROJECT DESCRIPTION

The Applicant installed asphalt paving in an area previously approved by the Planning Board as gravel at the Las Mananitas restaurant located at 1250 Route 22 (Tax Map ID 57.2-40) in the RC Zoning District of the Town of Southeast. The Applicant is seeking amended Site Plan approval for the retention and expansion of the asphalt parking area; a new 1,000 sf shed; a new deck on the restaurant; a new deck, roof, and façade on the residence; new pavers in the restaurant drop-off area; driveway improvements; new lighting; repairs and upgrades to two existing patios; and erosion and sediment control measures. In addition, the application requires several area variances from the Zoning Board of Appeals.

COMMENTS

The application has been revised to address AKRF comments from the September 24, 2018, March 18, 2019, and November 20, 2019 memorandums. AKRF comments not previously addressed are presented in *italics*, new and follow-up comments are presented in **bold**.

1. *AKRF 9/24/18 memo: A parking analysis should be provided. The parking analysis should include existing and proposed conditions, and should identify the required number of parking spaces pursuant to §138-67 of the Town Code. The parking analysis should consider the number of outdoor seats and seasonal occupancy of the tent. A large event parking plan that utilizes valet parking or other measures to accommodate increased demand should be provided.*

AKRF 3/18/19 memo: A parking analysis has not been provided. This comment should be fully addressed.

AKRF 11/15/19 memo: A parking analysis has been provided in the Master Site Plan Narrative. Per the narrative, 93 parking spaces are proposed, but 101 spaces are required. The narrative references the use of Directed Valet Parking for special events and high volume days, but does not include a standard for when valet would be implemented.

In addition, the applicant is requesting a 25% reduction in the provision of parking for the seasonal parking areas. More detail on this should be provided, including the number of patron seats in each area and the number of employees.

AKRF Conclusion: This comment has been partially addressed. A parking analysis, including details on seasonal and year-round patron areas has been provided in the Master Site Plan Narrative. Per the narrative, 93 parking spaces are proposed, but 101 spaces are required based on the year-round and seasonal patron areas. The total number of patron seats at any time is limited to 200 based on the Putnam County Department of Health. However, the conclusions of this analysis should be summarized on the site plan for ease of reference and enforcement.

The narrative has been revised to include a date range and criteria for the use of Directed Valet Parking. In addition, a valet plan has been provided, but it does not show how the cars would be stacked to achieve the necessary number of parking spaces. The valet plan should be updated with this information.

2. *AKRF 9/24/18 memo: A lighting plan consistent with the requirements of §138-98 should be provided.*

AKRF 3/18/19 memo: This comment has not been sufficiently addressed. The lighting plan should include building mounted fixtures for the patio areas. In addition, a table that indicates the minimum, maximum, and average footcandle levels should be included on the plan.

AKRF 11/15/19 memo: The 3/18/19 comment has not been addressed.

AKRF Conclusion: This comment has been sufficiently addressed.

3. *AKRF 9/24/18 memo: The proposed project requires a number of area variances:*

- a. *Encroachment into the 100-foot parking setback and 50-foot Rural Commercial (RC) environmental conservation buffer. As the proposed parking area crosses the lot line, 0 feet is provided.*

3/18/19 Response: The proposed project has been revised to remove the parking area from the property line. However, as only 5 feet is provided an area variance is still required.

- b. *Encroachment into the 100-foot rear yard setback for the proposed deck (51.3 feet is proposed), storage shed (40.3 feet is proposed), and seasonal tent (55.7 feet is proposed).*

3/18/19 Response: The proposed project has been revised to remove the seasonal tent. However, an area variance for the deck is still required.

- c. *Encroachment into the 50-foot Rural Commercial (RC) environmental conservation buffer for the proposed shed (40.3 feet is proposed).*

3/18/19 Response: No changes have been proposed to the shed, this area variance is still required.

AKRF 11/15/19 memo: The above variances are still required. In addition, the proposed deck on the residence requires a rear yard variance (92.5 feet is provided where 100 feet is required).

AKRF Conclusion: The application will be referred to the ZBA once SEQRA is complete.

4. *AKRF 9/24/18 memo A more complete lot and bulk table is required. The table should indicate required, existing, and proposed conditions on both lots and should identify all necessary variances.*

AKRF 3/18/19 memo: This comment has been insufficiently addressed. While the table is no longer needed for the adjacent property, the requested information should be provided for the project site.

AKRF 11/15/19 memo: The bulk table has been updated, however it still does not identify the necessary variances. This comment should be addressed.

AKRF Conclusion: The Bulk Table has been updated to note “variance required” but it does not include the dimensions provided. These should be noted in the table as well.

5. *AKRF 9/24/18 memo: The applicant must demonstrate that the existing wastewater treatment system and well can accommodate the increase in tables/patrons that would be generated by the proposed project. Approval of wastewater system improvements or written determination of the adequacy of the existing system from the Putnam County Health Department will be required prior to Site Plan Approval.*

AKRF 3/18/19 memo: This comment has not been addressed.

AKRF 11/15/19 memo: This comment has been partially addressed. The Applicant has provided correspondence from the Putnam County Department of Health approving the use of 200 seats. However, a breakdown of the number of seats in each area of the restaurant—including outdoor patios and temporary tents—should be provided. Any seats above the 200 noted in the correspondence would require approval from the Putnam County Health Department.

AKRF Conclusion: This comment has been sufficiently addressed.

RECOMMENDED ACTIONS

At the April 13, 2020 meeting, AKRF recommends that the Planning Board set or waive the public hearing. If the public hearing is waived, the Planning Board may consider a Negative Declaration and referrals to the ARB and ZBA.



- (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.

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

May 11, 2020

Town Board of the Town of Southeast
1360 Route 22
Brewster, NY 10509

RE: 577 NORTH MAIN STREET, 577 North Main Street, TAX MAP ID 56.19-1-40.2

Dear Boardmembers:

At the 5/11/20 regular meeting of the Town of Southeast Planning Board, a motion was made to refer the above referenced project to the Town Board for the establishment of a Performance Bond.

PROJECT	BOND AMOUNT
577 NORTH MAIN STREET	\$ 14,000.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$14,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$750.00, must be remitted to the Planning Board Secretary prior to filing for a Building Permit. If you have any questions, please do not hesitate to contact the Planning Board.

Sincerely,


Thomas LaPerch, Chairman
Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
Bart Lansky, Esq.
Planning Board File



May 5, 2020

Mr. Thomas LaPerch, Chairman
Town of Southeast Planning Board
One Main Street
Brewster, NY 10509

Re: 577 North Main, LLC
577 North Main Street
Bond Estimate
NLJ #0001-0840

Dear Mr. LaPerch:

As requested, we have prepared a performance bond estimate for all site improvements associated with the above referenced project. Our attached Opinion of Probable Construction Costs for site improvements totals \$14,000.

Additionally, in that the calculated inspection fee based on 4% of Site Development Costs is less than the minimum required inspection fee as set forth in the "Town of Southeast, Planning Board Fee Schedule", the minimum required fee of \$750 should be provided

In that no significant soil disturbance will occur as a result of this work, a performance bond estimate for erosion & sediment controls and site restoration is not required.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'J.M. Dillon'.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay, M. Stancati
M. Levine, S. Coleman
W. Stephens, Jr. A. Ley
M. Burdick B. Lansky

NATHAN L. JACOBSON & ASSOCIATES, INC.
Consulting Engineers
Chester, Connecticut

OPINION OF PROBABLE CONSTRUCTION COSTS
Performance Bond

Project: 577 North Main, LLC
577 North Main Street
Southeast, New York

Done by: JMD
Date: 5/5/2020

Project No.: 0001-0840

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	FURNISH & PLACE CONCRETE WASTE BLOCKS	\$60.00	EACH	40	\$2,400.00
2	FURNISH & PLACE CONCRETE BOULDERS	\$11.70	L.F.	240	\$2,808.00
3	CAST-IN-PLACE CONCRETE CURB	\$26.11	L.F.	240	\$6,266.40
4	PAVEMENT MARKINGS	\$900.00	L.S.	1	\$900.00
5	GIANT GREEN ARBORVITAE	\$193.34	EACH	8	\$1,546.72
Subtotal:					\$13,921.12

SAY **\$14,000.00**

**TOWN OF SOUTHEAST, NY
RESOLUTION
PRELIMINARY SUBDIVISION PLAT APPROVAL**

INTRODUCED BY: *LaPurch*
 SECONDED BY: *Cyprus*

DATE: May 11, 2020

WHEREAS, the PLI, LLC (the “Applicant”), proposes to construct a Restaurant Depot and re-subdivide 44 acres of land previously approved as the Stateline Retail Center. The Stateline Retail Center project, which was the subject of an Environmental Impact Statement, included a two-lot subdivision, 184,800 square foot large retail establishment, and 14,800 square foot 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 square foot Restaurant Depot store (large retail establishment) is proposed for Lot 2. A 127,300 square foot large retail use is conceptually proposed for Lot 3, and a 14,800 square foot office building is conceptually proposed for Lot 1 (the “Proposed Project”). Lots 1 and 3 would be developed at a later date. The new development program would have the same overall square footage and a similar development footprint to the originally approved project. The property is located on US Route 6/202 to the east of Old Nichols Road, to the west of Dingle Ridge Road and immediately north of Interstate 84, in the Town of Southeast, Putnam County, New York, and identified as tax map numbers 68.-2-48.1 and 68.-2-48.2, and zoned Special Route 6 (SR-6) (the “Project Site”). The proposed project requires subdivision approval from the Planning Board, and Site Plan, Wetland Permit, and Special Permit from the Town Board; and

WHEREAS, the Town of Southeast Planning Board (the “Planning Board”) is in receipt of the following drawings, prepared by Insite Engineering, Surveying, & Landscape Architecture, PC, related to the subdivision application:

Drawing No. & Title	Last Revised
SMP-1 Site Master Plan	4/17/20
EX-1 Existing Conditions Plan	4/17/20
SP-1.1 Proposed Layout & Landscape Plan	4/17/20
SP-1.2 Proposed Layout & Landscape Plan	4/17/20
SP-2 Proposed Grading & Utilities Plan	4/17/20
SP-3 Proposed Erosion Control Plan	4/17/20
SP-4 Proposed Site Plan	4/17/20
LP-1 Proposed Lighting Plan	4/17/20
VMP-1 Vehicle Maneuvering Plan	4/17/20
PR-1 Road Profiles	4/17/20
D-1 Details	4/17/20
D-2 Details	4/17/20
D-3 Details	4/17/20
D-4 SSTS Details	4/17/20
Final Subdivision Plat	4/23/20

; and,

WHEREAS, the Town of Southeast Planning Board (the “Planning Board”) is in receipt of the following drawings, prepared by ADA Architects, Inc., related to the subdivision application:

Drawing No. & Title	Last Revised
EL-2b Preliminary Elevations	11/22/2019
SK-5c Preliminary Fixture Plan	12/9/2019
Rendering	Undated

; and,

WHEREAS, the Planning Board is in receipt of the following documents related to the subdivision application:

1. Full Environmental Assessment Form (FEAF), drafted by Jeffrey J. Contelmo, PE, dated 1/17/20
2. Traffic Assessment Memorandum, prepared by Maser Consulting, P.A., 12/9/2019
3. Traffic Response and Report, prepared by Maser Consulting, P.A., dated 01/30/2020
4. Traffic Response and Report, prepared by Maser Consulting, P.A., dated 02/28/2020
5. Revised Traffic Assessment Memorandum, prepared by Maser Consulting, P.A., dated 3/11/2020
6. Amended Stormwater Pollution Prevention Plan (ASWPPP), prepared by Insite Engineering, Surveying, and Landscape Architecture P.C., dated 02/03/2020
7. Envisor Equipment Screen Specification Data (6 pages), prepared by Cityscapes Inc.
8. Letter from Mary McCullough, SEQRA – HWP Unit, NYSDOT Region 8, to Chairman LaPerch, dated 3/11/2020
9. Memorandum from AKRF, Inc., to the Planning Board, dated 4/8/2020
10. Letter from Joseph Dillon, PE, to the Planning Board, dated 4/6/2020
11. Memorandum from Stephen Coleman, to the Planning Board, dated 5/5/2020

WHEREAS, the Planning Board has reviewed said drawings in addition to reports and correspondence filed with those drawings and has caused the same to be reviewed by its consultants; and,

WHEREAS, the Planning Board has determined on the basis of its own review and the review comments received from its consultants that the drawings and reports and other information submitted by the applicant are in substantial compliance with Chapter 123, “Subdivision of Land,” (specifically §123-13.C and §123-31) and Chapter 138, “Zoning,” of the Town of Southeast Code; and,

WHEREAS, the Planning Board, as Lead Agency under the State Environmental Quality Review Act (SEQRA) conducted a thorough review of the proposed project and potential environmental impacts and adopted a Negative Declaration on the Proposed Project on April 13, 2020; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 123, “Subdivision of Land,” of the Town Code, the Planning Board hereby grants Preliminary Plat approval for the Proposed Project, as defined above, subject to the following Conditions identified below. (For purposes of compliance, these conditions, and any other conditions identified in the environmental review of the Proposed Action, shall be enforceable by the Town of Southeast in accordance with the Town Code of the Town of Southeast). Approval of the Preliminary Plat shall not constitute approval of the Final Plat, but, instead, shall be deemed an expression of approval of the design submitted on the Preliminary Plat as a guide to the preparation of the Final Plat, which shall be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of Chapter 123 of Town Code.

Conditions

1. The Applicant must conform to all the rules, regulations, and ordinances of the Town of Southeast, County of Putnam, and State of New York.

2. The Applicant shall provide any and all deed easements and road dedications, as noted on the subdivision drawings and where applicable, to the satisfaction and approval of the Town Attorney prior to the Planning Board Chair's signature of the Final Plat.
3. Any and all easement and maintenance agreements, including relating to ongoing maintenance of all stormwater management facilities, shall be submitted to the Planning Board and Town Attorney for review prior to the issuance of Final Subdivision Approval.
4. The Applicant is hereby bound by any statements offering modifications, improvements, or offerings to the Town of Southeast made by himself or his representatives in relation to approval of the Proposed Action.
5. E-911 numbers shall be provided for each lot.
6. The Project Site shall be in compliance with all applicable laws of the State of New York, Putnam County, and Town of Southeast.
7. The Applicant shall obtain an Erosion and Sediment Control Permit, amended Notice of Intent (NOI), and post a Performance Bond. The Performance Bond shall be in an amount determined by the Town Engineer to ensure all pre-construction activities, including tree clearing, well testing, and geotechnical engineering, are conducted in accordance with Chapter 119 of the Code of the Town of Southeast. The Performance Bond shall be based on the erosion and sediment controls and restoration measures associated with Lot 2 and as specified in the above referenced ASWPPP. This bond shall be posted prior to any further pre-construction activities or disturbances.
8. The Applicant shall submit a complete application for Final Plat approval within six (6) months of the date of this resolution.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
D. Armstrong, Boardmember	<u>absent</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 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

INTRODUCED BY: *LaPerch*

DATE: May 11, 2020

SECONDED BY: *Cyprus*

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Site Plan Amendment, Amended Special Permit from the Town Board and Conditional Use Permit, and other supporting documents for a project entitled **HOME DEPOT**; and

WHEREAS, the proposed project is located at 80 Independent Way in the HC-1 Zoning District in the Town of Southeast and identified as Tax Map ID 56.-1-23.-1; and

WHEREAS, the applicant proposes to add new outside storage areas for nursery/retail sales, signage, and associated improvements on an approximately 11.24-acre site. Home Depot is an existing Large Retail Establishment with an accessory Nursery use. A Large Retail Establishment is a Special Permit Use and Nursery is a permitted principal use in the HC Zoning District. The Applicant proposes to expand the outside storage areas to include a new shed display area, mulch storage, and outdoor sales areas for the garden center (nursery use); and

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

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

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
absent

D. Rush, Vice Chairman

yes

D. Armstrong, Boardmember

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

J. King, Boardmember

yes

L. Eckardt, Boardmember

yes

The resolution was *passed* by a vote of *6* to *0*, with *1* absent.

T. LaPerch

T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

May 12, 2020

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

Re: Home Depot
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Site Plan and Special Permit amendments and Conditional Use Permit by HOME DEPOT to add new outside storage areas for nursery/retail sales, signage, and associated improvements on an approximately 11.24-acre site at 80 Independent Way, in the HC-1 Zoning District of the Town of Southeast, NY (the "Proposed Project") and known as Tax Map ID 56.-1-23.-1. Home Depot is an existing Large Retail Establishment with an accessory Nursery use. A Large Retail Establishment is a Special Permit Use and Nursery is a permitted principal use in the HC Zoning District. The Applicant proposes to expand the outside storage areas to include a new shed display area, mulch storage, and outdoor sales areas for the garden center (nursery use).

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.

Attached 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

Thomas LaPerch, Chairman
Town of Southeast Planning Board

cc: Town Attorney
Town Clerk
Greenberg Farrow