

July 19, 2021

Mr. Thomas LaPerch, Chairman
Town of Southeast Planning
1360 Route 22, Main Street
Brewster, NY 10509

Re: LBBJ Subdivision
8-15 Centennial
Lane Tax Map No.:
44.-1-1
Subdivision
ApplicationNLJ
#0001-0643

Dear Mr. LaPerch:

Please find below the responses to the consultant's comment made on the LBBJ Subdivision Project which proposes to subdivide a building lot (Lot 7) from the existing Lot 5 of the Centennial Golf Properties. The new lot proposes a single-family home with an on-site well and septic along with driveway access from Root Avenue.

NATHAN I. JACOBSON & ASSOCIATES, P.C. dated June 10, 2021:

1. In accordance with Section 123-10 of the Southeast Code, a Sketch Plan should be submitted prior to submitting an application for subdivision approval. The Sketch Plan should include the information as outlined in Section 123-10C.

RESPONSE: The base for the Subdivision Plat was generated from the previously approved file map. The surveyor, Steve Miller with Badey & Watson, has revised the plat to be titled "Sketch Plan" per section 123-10c. This submission is a resubdivision of a lot shown on plat in 1994. No changes have been made that were part of an approved subdivision (123-29Q).

2. A discrepancy exists between the lot areas for the proposed Lot 7. The Badey & Watson Survey lists the proposed Lot 7 as 98,489 s.f. and the Karell drawing lists the proposed Lot 7 as 98,940 s.f. This discrepancy should be reconciled.

RESPONSE: The area shown on the Badey & Watson plat as 98,489 sf is correct, and all other documents have been corrected.

3. The proposed driveway should be graded in such a manner as not to discharge runoff onto the Town Road. The driveway proposes a steep grade directed toward Root Avenue with no provisions to divert stormwater away from the road.

RESPONSE: A meeting was held onsite Thursday June 24, 2021, with the town engineer, Tom Fenton, PE, the Highway Superintendent Mike Burdick and me regarding the residential driveway for the proposed lot. To address the drainage concern, the

site plan grading had been revised to accommodate a paved swale to direct the driveway drainage away from Root Ave to an adjacent ditch as requested. Also, at that meeting an ongoing concern was noted by the Town representatives about the poor intersection alignment at the north end of Root Above and John Simpson Road with a possible solution being restricting access at that intersection and providing a turnaround at the end of Root Avenue. As it was noted that additional land area beyond the Town right of way would be required to accomplish this, we agreed to continue to work together on this matter and that Centennial Golf Properties would provide the necessary easement from Lot 7 to accommodate a solution if one is decided on.

4. In accordance with Section 64-17A. the Driveway Detail should be revised to indicate that the base material should consist of 8" of bank run gravel. The current detail calls out the depth to be 6".

RESPONSE: The detail has been upgraded from a 6" base to 8" base.

5. Contour labels at intervals of 10 feet should be provided for the existing topographic survey.

RESPONSE: The existing topographic base for the proposed Lot 7 is shown in the inset map on the Sketch Plat at 50 scale with a contour interval of 2 feet, meeting/exceeding the minimum contour interval required. Contours are only shown on the proposed new lot for clarity.

AKRF dated June 10, 2021:

1. The cover letter lists the project address as 185 John Simpson Ave, the Town of Southeast subdivision application lists it as 185 John Simpson Road, and the Short EAF lists it as 175 Simpson Road. The correct address should be reflected on all files.

RESPONSE: The address in the Short EAF has been changed to 185 John Simpson Road.

2. The following acreages should be corrected as needed for consistency:
 - a. The Town of Southeast subdivision application indicates the acreage of the parcel identified as 44.-1-1 is 163.67 acres, the preliminary subdivision plat states 163.621 acres, and the Short EAF indicates the total acreage of the proposed action is 162.8 acres.

RESPONSE: The Short Form EAF matches the survey plat of 163.621.

- b. The cover letter indicates the new lot would be approximately 98,940 square feet (which is equivalent to 2.271 acres); however, the preliminary subdivision plat indicates it would be 98,489 square feet (2.261 acres) and the Short EAF indicates 2.27 acres are owned or controlled by the Applicant.

RESPONSE: The correct area is 98,489 sf or 2.261 acres. The Short Form EAF has been updated.

3. The Short EAF states 0.6 acres would be physically disturbed and the Stormwater Pollution Prevention Plan states between 5,000 square feet and 1 acre would be disturbed. However, the preliminary subdivision plat states under the "Notice to Owner" that there is the potential to disturb more than one acre. If the project would disturb more than one acre, it would be classified as a major subdivision pursuant to Section 123-6. In addition, major subdivisions

require a long form environmental assessment form per Section 123-12.D.(1)(p) and a tree and forest preservation plan per Section 123- 12.D.(1)(k), among other items listed under Section 123-12.D.(1). The total acreage of disturbance needs to be clarified.

RESPONSE: The area of disturbance for the project is less than 1 acre and is shown as 0.60 acres on the Site, Grading and Erosion Control Plan.

4. The checklist for sketch plan submission pursuant to Section 123-10.C.(6) should be submitted.

RESPONSE: Please find attached at the end of this Comment Response Letter the Subdivision Application Submission Checklist.

5. Per Section 123-29.B, the sketch plan should include “A location map, at a scale of 2,000 feet to the inch, showing the boundaries of the proposed subdivision or resubdivision in relation to existing major streets and other community facilities which may serve it.” The application includes a location map at a scale of 800 feet to the inch on the preliminary plat (and 1,000 feet to the inch on the site plan), which is appropriate for the scale of this project.

RESPONSE: Comment noted, the Location Map at 800 scale is unchanged on the Sketch Plat and is shown at 1000 scale on the Site, Grading and Erosion Control Plan.

6. Per Section 123-29.E, the sketch plan should include “Contours at intervals of not more than 10 feet and based on a datum noted on the sketch plan.” Although contours and contour intervals are included on the preliminary subdivision plat, the datum is not included.

RESPONSE: Comment noted, and the Datum has been provided as note 5 (bottom left of plat).

7. Per Section 123-29.G, the sketch plan should include “Soil types and approximate soil boundaries and codes therefor, as reported and shown in the most current issue of the Putnam County Soil Survey and accompanying soil maps published by the Putnam County Soil and Water Conservation District.” This is provided in the SWPPP appendix.

RESPONSE: Although the Soils Map is included in the SWPPP appendix F, Figure 2, we also included the soils type on the 50 scale Lot 7 inset map.

8. Per Section 123-29.H, the sketch plan should include “All areas where the ground slope is greater than 15% but less than 25% and all areas where the ground slope equals or exceeds 25%, with each of the two slope areas so classified to be shown as distinctly different shaded or cross-hatched areas.” The SWPPP indicates slopes on the project site range from 9% to 50%. Therefore, this should be conveyed on the preliminary subdivision plat.

RESPONSE: Per section 123-29.H we have indicated the slope ranges of greater than 15% but less than 25% and slopes equal to or greater than 25% on the lot 7 inset map.

9. The Applicant requested a “waiver” from Sections 138-22 and 138-56.1 regarding the accessory apartment. However, the Planning Board is not permitted to grant “waivers” from these code sections. Instead, area variances from the Zoning Board of Appeals would be required. The Applicant should more clearly state what variances they are seeking.

RESPONSE: We have updated the application and removed the request for waiver from “Yes” to “No” and noted in the revised Short Form EAF Part 1- Project Information, that the single-family residence with an accessory apartment will require a Planning Board Conditional Use Permit.

Accessory Apartment

- Attached to this Comment Response Letter is a Building Area Analysis prepared by LMV Architects showing the area of the 1-BR Accessory Apartment as 750 sf and the area of the primary residence as 3,000 sf. This demonstrates compliance with the code section 138-56.1 D (1) as the percentage of the 1-BR accessory apartment to the primary residence is 25%, see chart below.

Item	Use	Area (SF)
1	Primary Residence (includes drive under garage)	3,000
2	Accessory Apartment	750
3	% of Accessory to Primary (2/1)	25%

- The Accessory Apartment is 1-BR, complying with 138-56.1 D (2) “shall contain no more than two bedrooms.
- The site plan shows the side entrance for the Accessory Apartment with a minimum of 3 off street parking spaces for the house demonstrating compliance to 138-56.1 (4) & (5).
- DOH approval is pending, 138-56.1 (6).

With this submittal includes:

1. Revised Town of Southeast Application,
2. Revised Short Form EAF,
3. Sketch Plat, and
4. Revised Site Grading and Erosion Control Plan.

We look forward continuing to work with the Planning Board on this application. Please place us on the Planning Board’s Agenda for August 9, 2021. Should you have any questions, please let us know.

Sincerely,

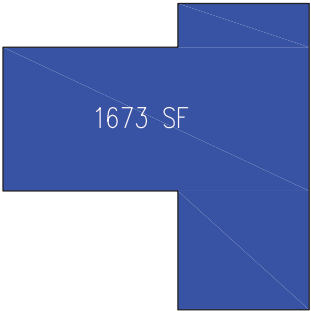


Larry Boudreau

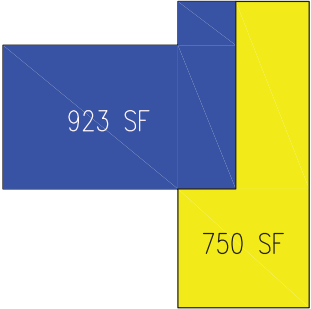
55 Root Ave., Carmel, NY 10512



3RD FLOOR



2ND FLOOR



1ST FLOOR

KEY
BLUE – PRIMARY RESIDENCE (3,000 SF)
YELLOW – ACCESSORY 1-BEDROOM APARTMENT (750 SF)
ACCESSORY APARTMENT IS 25% OF PRIMARY RESIDENCE



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ARCHITECTURE PLANNING INTERIORS

AREA ANALYSIS
BOUDREAU RESIDENCE
SOUTHEAST, NY

**TOWN OF SOUTHEAST
SUBDIVISION APPLICATION SUBMISSION CHECKLIST**

All submissions must be made 15 working days in advance of the Planning Board meeting at which the subdivision plan is to be presented. An application will not be deemed complete and placed on an agenda until the required information is submitted. The number and format of copies to be submitted is dependent upon the type of application. Please see the attached distribution list and *Town of Southeast Planning Board Schedule of Document Submission* for submittal instructions.

Sketch Plan Review (see §123-10)

- | | | |
|----|---|---|
| 1. | Application form | ✓ |
| 2. | Disclosure statement | ✓ |
| 3. | Copies of all prior actions of the Town Board, Planning Board, Zoning Board of Appeals and Wetland Inspector concerning the property proposed to be subdivided or resubdivided. | ✗ |
| 4. | Short Environmental Assessment Form. | ✓ |
| 5. | The Sketch Plan pursuant to §123-29. | ✓ |
| 6. | Sketch Plan review fee | ✓ |

Preliminary Plat Review (see §123-12)

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|-----|--|---|
| 1. | Application form | ✓ |
| 2. | Disclosure statement | ✓ |
| 3. | List of any and all waivers of the provisions of this chapter which the subdivider requests the Planning Board to grant in his special case, with reasons for each waiver requested. | ✗ |
| 4. | A list of the names and addresses of owners of all property within five (500 feet) of the site of the proposed subdivision or resubdivision or within five (500) feet of any property contiguous to said site that is owner partially or wholly by the subdivider, members' of the subdividers family(ies) or firms in which the subdivider owns and financial interest. | ✗ |
| 5. | The Preliminary Plat pursuant to §123-30A. | ✓ |
| 6. | Design drawings and outline specifications for all propose improvements. Except for structures designed for residential, commercial, industrial or institutional occupancy and accessory structures such as garages (See §123-30C and D). | ✗ |
| 7. | A drainage analysis map. | ✗ |
| 8. | A drainage report. | ✓ |
| 9. | A site development plan. (See §123-30B) | ✓ |
| 10. | An erosion and sediment control plan. (See §123-30E) | ✓ |
| 11. | A tree and forest preservation plan. (See §123-30F) | ✗ |
| 12. | Completed Long Environmental Assessment Form. | ✗ |
| 13. | An aerial photograph at a scale of no less than one (1) inch to two-hundred (200) feet showing the project site and surrounding areas within three-hundred (300) feet of the property. | ✗ |
| 14. | To assist in review and understanding of a proposed subdivision or resubdivision, the Planning Board may require the subdivider to submit a photo-simulation or 3-D rendering or model of the proposed project, in context with the proposed grading and landscaping. | ✗ |
| 15. | Application fee. | ✓ |
| 16. | Preliminary staking (pursuant to §123-12E) | ✗ |

Wetland Permit (see §78-3.D)

- 1. The names of the owners of record of the land on which the activity is to be conducted and all adjacent owners. X
- 2. A detailed description of the proposed activity. X
- 3. A map showing the controlled area affected and any wetlands or water courses therein, and the location extent and nature of proposed activity. Said map shall be prepared and certified by a licensed surveyor, professional engineer or professional architect and show contours at two foot intervals, stone walls, fence lines, tree lines and other major features of the land. X
- 4. The names of all known claimants of water rights in or adjacent to the wetlands or watercourses. X

Final Plat Review (see §123-13)

- 1. Application form. _____
- 2. Disclosure statement. _____
- 3. Final plat (pursuant to §123-31A). _____
- 4. Construction drawings and specifications (see §123-31B and C). _____
- 5. Opinion of probable construction costs for all proposed improvements (see §123-31D). _____
- 6. List of any and all waivers of the provisions of this chapter which the subdivider requests the Planning Board to grant in his special case, with reasons for each waiver requested. _____
- 7. Approvals and permits from boards, departments and public utilities having jurisdiction over proposed improvements. _____
- 8. Covenants and agreements. _____
- 9. Updated Tax Map (see §123-31J). _____
- 10. Application fee. _____
- 11. Time schedule for completion of all required improvements. _____
- 12. Prior to the signing of the final plat, the subdivider shall obtain written approval and/or permits from all federal, state, county, city, town and village boards and departments and all utilities having jurisdiction to approve the design, construction and operation of proposed improvements. A copy of all such written approvals and permits shall be submitted to the Planning Board prior to the signing of the final subdivision plat. _____

NOTE: This checklist is provided as a convenience, it is not a substitute for consulting the Code of the Town of Southeast. All applicants should review the relevant code sections and are responsible for all information contained therein.