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**TOWN OF SOUTHEAST PLANNING BOARD AGENDA**

**February 22, 2016**

**CIVIC CENTER, 1360 Route 22**

**7:30 p.m.**

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**PUBLIC HEARINGS:**

1. **GLICKENHAUS PRIVATE ACADEMY, 291 Deans Corner Road** – Continued Public Hearing to Review Application for Site Plan, Wetland Permit and Special Permit
2. **BREWSTER CORPORATE PARK, 1920 Old Route 22** – Public Hearing to Review Application for Site Plan
3. **POMONA aka ROOT AVENUE SUBDIVISION, Root Avenue** – Public Hearing to Review Application for Wetland Permit

**REGULAR SESSION:**

1. **EIGHT 4 FIVE SERVICES, 2525 Carmel Avenue** – Review of Application for Conditional Use Permit
2. **BREWSTER ICE ARENA / 7 SUTTON PLACE, 65 Fields Lane & 7 Sutton Place** – Review of Application for Site Plan Amendment
3. **SPACE ON THE FARM, 400 - 406 Starr Ridge Road** – Review of Application for Final Site Plan Approval
4. **RYAN WETLAND PERMIT, 33 Vails Lake Shore Drive** – Final Review of Application for Wetland Permit
5. **NYSMSA d/b/a VERIZON, 996 Route 22** – Review Request for Exemption from Site Plan and Conditional Use Permit Review
6. **NYSMSA d/b/a VERIZON, 3925 Danbury Road** – Review Request for Exemption from Site Plan and Conditional Use Permit Review
7. **NYSMSA d/b/a VERIZON, 300 - 310 Route 22** – Review Request for Exemption from Site Plan and Conditional Use Permit Review
8. **NYSMSA d/b/a VERIZON, 171 Joe's Hill Road** – Review Request for Exemption from Site Plan and Conditional Use Permit Review
9. **NYSMSA d/b/a VERIZON, 87 Hillside Park** – Review Request for Exemption from Site Plan and Conditional Use Permit Review
10. **DISCUSSION OF BUILDING INSPECTOR REQUEST FOR DECISION ON SPECIAL USE PERMIT FOR SANTUCCI, 5 SHADY LANE**

**Approve Meeting Minutes from February 8, 2016**

**February 18, 2016**

**VAD**

**Agenda Subject to Change**

# TOWN OF SOUTHEAST

# APPLICATION SUMMARY SHEET

**Proj. Name:** Glickenhous Private Academy      **S/B/L:** 78.-2-25      **Zone:** OP-1

**Description:** Private soccer academy comprising a 40,500 sf building with a half court field and facilities, a 94,500 sf synthetic turf field, an 86,400 sf grass field, and associated parking. A separate office building (formerly proposed restaurant) and associated parking is also proposed on the site. The project site is a 31.5 acre lot in the OP-1 Zoning District with access from Deans Corners Road. Application requires TOSE wetland and ACOE wetland permits for disturbance to wetlands, wetland buffer, and tributary to Holly Stream. NYSDEC wetland permit may also be required.

**Engineer:** Kellard Sessions

<b>SEQR ACTIONS COMPLETED:</b>		<b>TYPE OF ACTION: Type 1 Action</b>	
<input type="checkbox"/> Intent to Declare Lead Agency		Date:	
<input type="checkbox"/> Declare Lead Agency		Date:	
<input type="checkbox"/> EAF Submitted		Date:	
<input type="checkbox"/> Determination of Significance by Board		Date(s):	
<b>MAJOR/MINOR PROJECT: Major Project</b>			
Date Classified:		Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N	
<b>LOCAL AND AGENCY REVIEW REQUIRED?</b>		<b>REFERRAL DATE STATUS/DATE OF LETTER</b>	
<b>Yes No</b>			
<input checked="" type="checkbox"/> <input type="checkbox"/>	Town Board (ARB Sign off)		
<input checked="" type="checkbox"/> <input type="checkbox"/>	Town of Southeast ARB		
<input checked="" type="checkbox"/> <input type="checkbox"/>	Wetland Permit (Major)		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Historic Sites Commission		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Town Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	MS4 Permit		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Planning Department (GML)		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Health Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYSDEC		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYCDEP		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYSDOT		
<input checked="" type="checkbox"/> <input type="checkbox"/>	OPRHP		
<input checked="" type="checkbox"/> <input type="checkbox"/>	Army Corps of Engineers		
<b>VARIANCES OR BOARD WAIVER (IF APPLICABLE) <input type="checkbox"/> Y <input type="checkbox"/> N</b>			
Variance or Waiver Request:			
Date Granted or Denied, and any conditions:			
<b>PLANNING BOARD ACTIONS:</b>			
<b>Date</b>	<b>Discussion/Decisions/Resolutions</b>		
1/13/14	Sketch Review		
5/11/15	Declare Intent to be Lead Agency for Type 1 & Coordinated Action; Classify as Town of Southeast "Major Project" and Set Public Hearing		
6/8/15	Open PH & continue PH		
7/13/15	PH continued to 8/24/15 ( <i>NOTE: 8/24/15 meeting later cancelled</i> )		
9/28/15	PH Continued to 10/26/15		
10/26/15	PH Continued		
11/9/15	PH Continued to 1/11/16 per Applicant's request		
2/22/16			

<p><b>RECOMMENDED ACTION FOR MEETING:</b></p> <p>1) Open &amp; continue PH to 3/14/16</p> <p><b>NOTE: Applicant submitted a volume on information after the deadline for the 2/22/16 PB meeting. Additional time is required to review the materials provided.</b></p>
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**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Brewster Corporate Park      **S/B/L:** 35.-2-4      **Zone:** OP-2

**Description:** 90,000 sf spec office, warehouse, light manufacturing building (64,000 sf footprint with 26,000 sf mezzanine above), and 168 parking spaces.

**Engineer:** LADA, P.C

<b>SEQR ACTIONS COMPLETED:</b>	<b>TYPE OF ACTION: Unlisted/Coordinated</b>
<input checked="" type="checkbox"/> Intent to Declare Lead Agency	Date: 12/22/08
<input checked="" type="checkbox"/> Declare Lead Agency	Date: 2/9/09
<input checked="" type="checkbox"/> EAF Submitted	Date: 8/22/08
<input checked="" type="checkbox"/> Determination of Significance by Board	Date(s): 9/14/09

<b>LOCAL AND AGENCY REVIEW REQUIRED?</b>	<b>REFERRAL DATE</b>	<b>STATUS/DATE OF LETTER</b>
<b>Yes No</b>		
<input checked="" type="checkbox"/> <input type="checkbox"/> Town Board (major project review)		4/15/2010
<input checked="" type="checkbox"/> <input type="checkbox"/> Town of Southeast ARB		
<input type="checkbox"/> <input checked="" type="checkbox"/> Wetland Permit		
<input type="checkbox"/> <input checked="" type="checkbox"/> Historic Sites Commission		
<input type="checkbox"/> <input checked="" type="checkbox"/> Town Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/> County Planning Department (GML)		
<input checked="" type="checkbox"/> <input type="checkbox"/> County Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/> County Health Department		
<input checked="" type="checkbox"/> <input type="checkbox"/> NYSDEC		
<input checked="" type="checkbox"/> <input type="checkbox"/> NYCDEP		
<input checked="" type="checkbox"/> <input type="checkbox"/> NYSDOT		
<input type="checkbox"/> <input checked="" type="checkbox"/> Army Corps of Engineers		

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

<b>Date</b>	<b>Discussion/Decisions/Resolutions</b>
10/27/08	Sketch Plan Review
12/22/08	Preliminary plan review. Declare intent to be Lead Agency.
2/9/09	Declare lead agency; set public hearing date (3/9/09).
3/9/09	Opened public hearing
6/8/09	Continued public hearing
7/13/09	Closed Public Hearing (10-day comment period)
9/14/09	Approve Negative Declaration; Refer to ARB
1/25/16	Set a Public Hearing; refer revised landscaping plan and lighting fixtures to ARB

**RECOMMENDED ACTION FOR MEETING:**

Open & close PH



**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](http://www.akrf.com)

## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** January 4, 2016  
**Re:** Brewster Corporate Park  
**cc:** LADA, PC

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

- Cover letter dated 2/8/16
- Partial Site Plan Submission Set (8 sheets), prepared by LADA, last revised 1/29/16 with annotations

### PROJECT DESCRIPTION

The applicant proposes to construct a 90,300 sq. ft. speculative office, warehouse, and light manufacturing building (63,300 sq. ft. footprint with 27,000 sq. ft. mezzanine above) with 170 associated parking spaces. The proposed project would be accessed from the existing Putnam Steel building driveway. The property is located in the OP-2 zoning district, and as proposed meets the lot and bulk requirements of that district.

### COMMENTS

1. The proposed lighting (Exhibit 5) has been revised to comply with the Town's recently revised lighting standards. The handwritten notes on Exhibit 5 regarding security lighting and lighting on a timer should be more formally carried through to the Final Plan set.

### RECOMMENDED ACTIONS

At the February 22, 2016, Planning Board meeting, AKRF recommends that the Planning Board close the public hearing. The ARB will be reviewing the proposed lighting and landscaping changes at its 2/24/16 meeting. Once these changes have been approved by the ARB, the Planning Board may consider Final Site Plan approval.

**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Root Avenue Subdivision      **S/B/L:** 55.-1-39.2, 39.3, & 39.5      **Zone:** R-60

**Description:** Previously approved 6 Lot Subdivision (final approval 2007, extension granted 2008). Development of Lots 1, 2, and 5 now requires a Town of Southeast wetland permit for improvements within the regulated buffer area because the buffer changed from 100 feet to 133 feet since the original approval (approved 2014). *The Applicant now seeks to amend the Wetland Permit approval for Lot #5 to accomodate a relocated house and stormwater management practices.*

<p><b>SEQR ACTIONS COMPLETED:</b></p> <p><input checked="" type="checkbox"/> Intent to Declare Lead Agency</p> <p><input checked="" type="checkbox"/> Declare Lead Agency</p> <p><input checked="" type="checkbox"/> EAF Submitted</p> <p><input checked="" type="checkbox"/> Determination of Significance by Board</p> <p><b>MAJOR/MINOR PROJECT: Major Wetland Permit</b></p> <p>Date Classified: _____ Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><b>LOCAL AND AGENCY REVIEW REQUIRED?</b></p> <p><b>Yes No</b></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Town Board</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Town of Southeast ARB</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Wetland Permit</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Historic Sites Commission</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Town Highway Department</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> MS4 Permit</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> County Planning Department (GML)</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> County Highway Department</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> County Health Department</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> NYSDEC</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> NYCDEP (Need to amend SWPPP)</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> NYSDOT</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Army Corps of Engineers</p>	<p><b>TYPE OF ACTION: Unlisted, Coordinated</b></p> <p>Date: 8/8/05</p> <p>Date: _____</p> <p>Date: Short EAF for wetland permit 4/28/14</p> <p>Date(s): 2000</p>
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**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request: \_\_\_\_\_

Date Granted or Denied, and any conditions: \_\_\_\_\_

<b>PLANNING BOARD ACTIONS:</b>	
<b>Date</b>	<b>Discussion/Decisions/Resolutions</b>
4/28/03	Positive Recommendation to the Town Board for review of the Waiver of the Moratorium
2/23/04	Preliminary Review
4/26/04	Referral to Town Board for signage on Root Avenue/Review of drainage necessary
6/28/04	Positive Referral to the Town Board for waiver to residential moratorium
4/26/04	Referral to Town Board for signage on Root Avenue/Review of drainage necessary
8/8/05	Preliminary Review/Intent to Declare Lead Agency (discovered Neg Dec from 2000, new SEQRA suspended)
1/23/06	Preliminary Plat Approval Granted
6/12/06	Extension of submission of final subdivision plat granted
7/25/07	Discussion about Map, Plan and Report for Stormwater Management
7/27/07	Final Subdivision Approval
8/13/07	Referral for performance bond to Town Board
1/14/08	Approved Extension to Final Plat
7/14/14	1) Declare Intent to be Lead Agency; 2) Set Public Hearing
8/11/14	Declared LA, opened PH and continued PH to 9/8/14
9/8/14	Closed PH; Negative Declaration; and Wetland Permit Approval
1/25/16	Affirmed Lead Agency; Set Public Hearing for Wetland Permit
2/22/16	

**RECOMMENDED ACTION FOR MEETING:** 1) Open & Close PH; 2) Negative Declaration; and 3) Wetland Permit Approval

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

Date: February 22, 2016

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:** POMONA aka ROOT AVENUE SUBDIVISION

**SEQR Status:** Type 1   
 Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

Previously approved subdivision. Development of Lots 1, 2, and 5 now requires a Town of Southeast wetland permit for improvements within the regulated buffer area because the buffer changed from 100 feet to 133 feet since the original approval (approved 2014). The Applicant now seeks to amend the Wetland Permit approval for Lot #5 to accommodate a relocated house and stormwater management practices.

**Location:** Root Avenue

Tax Map IDs 55.-1-39.2, 39.3, & 39.5

**Reasons Supporting This Determination:**

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Insite Engineering, dated 1/4/16
- Project Description, prepared by Insite Engineering, dated 6/27/14
- Wetland Control Area Monitoring & Maintenance Program, prepared by Insite Engineering, dated 7/21/14
- OP-1, Overall Wetland Permit Plan, prepared by Insite Engineering, dated 6/27/14; last revised 1/4/16
- SP-1.1, Enlarged Wetland Permit Plan, prepared by Insite Engineering, dated 6/27/14; last revised 1/4/16
- SP-1.2, Enlarged Wetland Permit Plan, prepared by Insite Engineering, dated 6/27/14; last revised 1/4/16
- D-1, Details, prepared by Insite Engineering, dated 1/4/16

**WHEREAS**, on 1/25/16, the Planning Board affirmed its status as Lead Agency for the review of the project; and

**WHEREAS**, the Planning Board held a publically noticed meeting on 2/22/16, at which time members of the public were given the opportunity to comment on the proposed project; and

**WHEREAS**, the Planning Board has reviewed the short 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

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman yes  
P. Wissel, Boardmember yes  
E. Cyprus, Boardmember yes  
P. Jonke, Boardmember yes

D. Rush, Vice Chairman yes  
D. Armstrong, Boardmember yes  
M. Hecht, Boardmember yes

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

T. LaPerch / vad  
T. LaPerch, Chairman  
Southeast Planning Board



**TOWN OF SOUTHEAST, NY  
RESOLUTION  
WETLAND PERMIT APPROVAL**

INTRODUCED BY: LaPerch

DATE: February 22, 2016

SECONDED BY: Cyprus

**WHEREAS, POMONA** as the Applicant/Owner of certain properties known as **ROOT AVENUE SUBDIVISION** and located at Root Avenue in the R-60 Zoning District in Town of Southeast and known and designated as Tax Map Numbers 55.-1-39.2, 39.3, & 39.5 has submitted an application for a Wetland Permit for a previously approved 6 Lot Subdivision where development of Lots 1, 2, and 5 now requires a Town of Southeast wetland permit for improvements within the regulated buffer area because the buffer changed from 100 feet to 133 feet since the original approval in 2014; and the applicant now seeks to amend the Wetland Permit approval for Lot #5 to accommodate a relocated house and stormwater management practices ("Proposed Action"); and,

**WHEREAS,** the Town of Southeast Wetlands Consultant issued a report and recommendation dated 1/22/16 in connection with the Proposed Action, as depicted on drawings dated 1/4/16 and prepared by Insite Engineering; and

**WHEREAS,** the Town of Southeast Planning Board, acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), found the proposed action to be a Type II Action under SEQRA and thus no further environmental review is required;

**WHEREAS,** the Planning Board finds that there is sufficient reason in the record to support the grant of a wetlands permit in connection with said application; and

**NOW, THEREFORE, BE IT RESOLVED,** that after reviewing the maps, plans and submissions of the Applicant, together with the Report and Recommendation of the Wetlands Consultant dated 1/22/16 (the "Report") which is incorporated herein by reference, the Planning Board of the Town of Southeast hereby GRANTS a permit to allow a portions of the proposed activity to occur within the regulated wetland/wetland buffer area as shown on the proposed plan on file with the Planning Board and Building Department subject to the conditions and mitigations set forth in the Report.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman yes  
P. Wissel, Boardmember yes  
E. Cyprus, Boardmember yes  
P. Jonke, Boardmember yes

D. Rush, Vice Chairman yes  
D. Armstrong, Boardmember yes  
M. Hecht, Boardmember yes

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**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Eight 4 Five Services

**S/B/L:** 67.6-1-35

**Zone:** GC

**Description:** The applicant proposes to occupy an existing office building for a landscaping business with outside storage for one truck and three trailers, and a small firewood pile on a 2.7 acre property located at 2525 Carmel Ave in the GC Zoning District. Office is a permitted use and outside storage is a Permitted Accessory Use if under 5% of the lot area. General Business uses may expand the outside storage area to 25% with a Conditional Use Permit.

**Engineer:**

**SEQR ACTIONS COMPLETED:**

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

**TYPE OF ACTION: Type II**

- Date:
- Date:
- Date:
- Date(s):

**MAJOR/MINOR PROJECT: Major Project**

Date Classified: Waiver of Public Hearing (Minor Project Only)?  Y  N

**LOCAL AND AGENCY REVIEW REQUIRED?**

**REFERRAL DATE**

**STATUS/DATE OF LETTER**

- | Yes                                 | No                                  |                                  |
|-------------------------------------|-------------------------------------|----------------------------------|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Town Board                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Town of Southeast ARB            |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Wetland Permit                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Historic Sites Commission        |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Town Highway Department          |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | MS4 Permit (TBD)                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | County Planning Department (GML) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | County Highway Department        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | County Health Department         |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYSDEC                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYCDEP                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | NYSDOT                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Army Corps of Engineers          |

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

Date	Discussion/Decisions/Resolutions
2/22/16	

**RECOMMENDED ACTION FOR MEETING:**

- 1) Classify as TOSE Minor Project and SEQRA Type II Action
- 2) Refer to ARB
- 3) Consider setting/waiving Public Hearing

**TOWN OF SOUTHEAST, NY  
PLANNING BOARD RESOLUTION  
SEQRA CLASSIFICATION AS TYPE II ACTION  
TOWN OF SOUTHEAST MINOR PROJECT**

INTRODUCED BY: LaPerch                      DATE: February 22, 2016  
SECONDED BY: Jonke

**WHEREAS**, an application is being made by **EIGHT 4 FIVE SERVICES** for a Site Plan and Conditional Use Permit to operate an existing office building for a landscaping business with outside storage for one truck and three trailers, and a small firewood pile on a property located at 2525 Carmel Avenue, in the Town of Southeast, New York; and

**WHEREAS**, the property is identified as Tax Map Number 67.6-1-35, and is located in the GC Zoning District; and

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

1. Full Environmental Assessment Form (EAF) dated 1/5/16
2. Proposal, prepared by Vincent Ziccolella, undated

**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)(7), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, 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**

February 22, 2016

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman  
Southeast Planning Board

RE: Eight 4 Five Services  
2525 Carmel Avenue  
Tax Map ID 67.6-1-35

At the regular meeting of the Town of Southeast Planning Board on 2/22/16, 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 2/22/16. 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  
Eight 4 Five Services



Jacobson

February 18, 2016

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

Re: Eight 4 Five Services  
2525 Carmel Avenue  
Conditional Use Permit  
NLJ #0001-0987

Dear Mr. LaPerch:

We have reviewed the following information received for the subject project at our office through February 4, 2016:

Item 1. Town of Southeast Application for Conditional Use Permit dated 1-5-16 accompanied by supporting materials.

The submitted application proposes to relocate an existing fence closer to Carmel Avenue (Route 6).

We have the following comments:

1. A site plan should be submitted to demonstrate the appropriate property and setback lines for the subject parcel and to determine that the proposed fence relocation will be in accordance with the Southeast Code.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay  
M. Levine  
S. Coleman  
W. Stephens, Jr.  
M. Bruen  
M. Stancati  
A. Ley  
V. Ziccolella



## 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](http://www.akrf.com)

## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** February 19, 2016  
**Re:** Eight 4 Five Services INC  
**cc:** Vincent Ziccolella

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AKRF has reviewed the following in conjunction with the above referenced application:

1. Cover Letter, Prepared by Vincent Ziccolella, received 1/7/2016
2. Full EAF Part 1, dated 1/5/16
3. Concept Site Plan

### PROJECT DESCRIPTION

The applicant proposes to occupy an existing office building for a landscaping business with outside storage on a 2.7 acre property located at 2525 Carmel Ave in the GC Zoning District. The outside storage would include the overnight parking of one truck, three trailers, and a firewood. The applicant also proposes to relocate an existing fence.

Office is a Permitted Use and up to 5% of the lot area may be used for outside storage as a Permitted Accessory Use. Retail and General Business uses require a Conditional Use Permit from the Planning Board. The permitted area for outside storage area may be expanded to 25% with a Conditional Use Permit for General Business uses.

### COMMENTS

1. The applicant should provide a more detailed statement of use that describes the activities that would occur on the Project Site (e.g. will there be any retail?).
2. The proposed project requires a site plan amendment and conditional use permit approval. The Applicant should provide a more detailed site plan which includes the following:
  - a. Property boundaries
  - b. Setbacks

- c. Existing and proposed square footage of outside storage in relation to the total lot area. In addition, the method for delineating the outside storage area on the site (e.g. fencing, pavement markings) should be identified.
- d. Proposed location and dimensions of relocated fence.
- e. Any new areas of impervious surface or new disturbance should be identified.

**RECOMMENDED ACTIONS**

At its February 22, 2016 meeting, AKRF recommends that the Planning Board take the following actions:

1. Classify the application a Type II action pursuant to SEQRA [§617.5(c)(7)] and a Town of Southeast Minor Project.
2. Consider setting or waiving the Public Hearing.
3. Refer the application to the ARB.

**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Brewster Ice Arena

**S/B/L:** 78.-2-16.2; **Zone:** OP-1  
78.-2-14

**Description:** Proposed pedestrian connection with bollard lighting between existing parking lots at 7 Sutton Place and Brewster Ice Arena.

**Engineer:** Jim Hahn

**SEQR ACTIONS COMPLETED:**

**TYPE OF ACTION:** Type II

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

Date:  
Date:  
Date:  
Date:

**MAJOR/MINOR PROJECT: Minor Project**

Date Classified: Waiver of Public Hearing (Minor Project Only)?  Y  N

**LOCAL AND AGENCY REVIEW REQUIRED?**

**REFERRAL DATE**

**STATUS/DATE OF LETTER**

- | Yes                                 | No                                  |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Town Board                                     |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Town of Southeast ARB                          |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Wetland Permit                                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Historic Sites Commission                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Town Highway Department                        |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | MS4 Permit (Verify disturbance under 5,000 SF) |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | County Planning Department (GML)               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | County Highway Department                      |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | County Health Department                       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYSDEC   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYCDEP   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYSDOT   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Army Corps of Engineers                        |

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

Date	Discussion/Decisions/Resolutions
2/22/16	

**RECOMMENDED ACTION FOR MEETING:**

- 1) Classify as TOSE Minor Project & SEQRA Type II Action.
- 2) Refer to ARB
- 3) Consider setting or waiving public hearing

**NOTE: Per e-mail from Stephen Coleman, a minor wetland permit will be required if walkway can't be relocated out of the wetland buffer.**



**TOWN OF SOUTHEAST, NY  
PLANNING BOARD RESOLUTION  
SEQRA CLASSIFICATION**

INTRODUCED BY: LaPerch                      DATE: February 22, 2016  
SECONDED BY: Hecht

**WHEREAS**, an application is being made by **BREWSTER ICE ARENA / 7 SUTTON PLACE** for an Amended Site Plan for a proposed pedestrian connection with bollard lighting between existing parking lots on properties located at 65 Fields Lane and 7 Sutton Place, in the Town of Southeast, New York; and

**WHEREAS**, the properties are identified as Tax Map Numbers 78.-2-16.2 and 78.-2-14, and located in the OP-1 Zoning District; and

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

1. Planning Board Application for Brewster Ice Arena, prepared by James J. Hahn Engineering, dated 1/29/16
2. Planning Board Application for 7 Sutton Place, prepared by James J. Hahn Engineering, dated 1/29/16
3. Memorandum to Chairman LaPerch from James J. Hahn Engineering, dated 1/29/16
4. Short Environmental Assessment Form (EAF) dated 1/25/16
5. C-1, Proposed Parking Pathway Interconnect, Overall Site Plan and Aerial Plan, prepared by James J. Hahn Engineering, dated 1/26/16
6. C-2, Proposed Parking Pathway Interconnect, Pathway Site Plan, prepared by James J. Hahn Engineering, dated 1/26/16

**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)(7), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, 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**

February 22, 2016

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman  
Southeast Planning Board

RE: Brewster Ice Arena / 7 Sutton Place  
65 Fields Lane / 7 Sutton Place  
Tax Map IDs 78.-2-16.2 & 78.-2-14

At the regular meeting of the Town of Southeast Planning Board on 2/22/16, 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 2/22/16. 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,

A handwritten signature in blue ink that reads "Thomas LaPerch / vad". The signature is written in a cursive style.

Thomas LaPerch, Chairman  
Southeast Planning Board

cc: Town Counsel  
Town Clerk  
James J. Hahn Engineering



**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Ryder Farm

**S/B/L:** 79.-1-39

**Zone:** R-160

**Description:** The applicant previously received a Special Permit for the use of existing Ryder Farm buildings as artist retreat/workshop space. Exterior improvements, including the addition of egress stairs to the second and third floors to meet State Building Code requirements for fire safety, and the installation of retaining walls, are proposed. The application requires a Town of Southeast minor Wetland Permit and Site Plan Amendment.

**Engineer:** JFM Architect

**SEQR ACTIONS COMPLETED:**

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

**TYPE OF ACTION: Type II**

- Date:
- Date:
- Date:
- Date(s):

**MAJOR/MINOR PROJECT: Minor Project**

Date Classified: Waiver of Public Hearing (Minor Project Only)?  Y  N

**LOCAL AND AGENCY REVIEW REQUIRED?**

**REFERRAL DATE**

**STATUS/DATE OF LETTER**

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| Yes                                 | No                                  |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Town Board (Special Permit Granted 2013) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Town of Southeast ARB                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Wetland Permit                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Historic Sites Commission                |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Town Highway Department                  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | MS4 Permit                               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | County Planning Department               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | County Highway Department                |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | County Health Department                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYSDEC                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYCDEP                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | NYSDOT                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Army Corps of Engineers                  |

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

Date	Discussion/Decisions/Resolutions
9/28/15	Classified as Type II Project and TOSE Minor Project; Referred to ARB and Historic Sites Commission; Set Public Hearing
10/26/15	Closed Public Hearing
2/22/16	

**RECOMMENDED ACTION FOR MEETING:**

- 1) Consider Final Site Plan and minor wetland permit approval

**TOWN OF SOUTHEAST, NY  
RESOLUTION  
SITE PLAN AND WETLAND PERMIT APPROVAL**

INTRODUCED BY: LaPerch DATE: February 22, 2016  
 SECONDED BY: Wince

**WHEREAS, SPACE ON THE FARM** as the Applicant/Owner of certain properties located 400 - 406 Starr Ridge Road in the R-160 Zoning District in Town of Southeast and known and designated as Tax Map Number 79.-1-39 has submitted an application for Site Plan Amendment and Wetland Permit for proposed exterior improvements, including the addition of egress stairs to the second and third floors to meet State Building Code requirements for fire safety, and the installation of retaining walls (the "Proposed Project"); and,

**WHEREAS**, the Town of Southeast Planning Board, acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), and conducting a coordinated environmental review, classified this a Type II Action on or about 9/28/15, indicating that no negative environmental impact would exist;

**WHEREAS**, the Town of Southeast Planning Board (the "Planning Board") has thoroughly reviewed the application and the following documents and plans, as well as memos from its consultants:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Memorandum to Chairman LaPerch from Hogan & Rossi	2/2/16
Memorandum to Michael Liguori from JFM Architecture	1/26/16
SP-1, Site Plan & Details, prepared by JFM Architecture	9/1/11; 9/8/15
A-0, Existing Basement Plan, prepared by JFM Architecture	12/14/13; 9/8/15
A-3, Existing Building Elevations & Grade Plan Diagram	2/11/14; 9/8/15

; and,

**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 138, "Zoning," (specifically Article IX thereof) and Chapter 78, "Freshwater Wetlands" of the Town of Southeast Code; and,

**WHEREAS**, the Planning Board is in receipt of a referral dated 11/19/15 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

**WHEREAS**, the Planning Board is in receipt of a resolution dated 10/20/15 from the Historic Sites Commission approving the architecture of the Proposed Action; and

**WHEREAS**, the Town of Southeast Wetlands Consultant issued a report and recommendation dated 9/24/15 in connection with the Proposed Action, as depicted on drawings dated 9/8/15 and prepared by JFM Architecture; and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to the authority vested in the Planning Board by Chapter 138, "Zoning," and Chapter 78, "Freshwater Wetlands" of the Town Code, the Planning Board hereby grants Final Approval for the Proposed Action, 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).

#### **General 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 is hereby bound by any statements offering modifications, improvements, or offerings to the Town of Southeast made by itself or its representatives in relation to approval of the Proposed Project.
3. Prior to issuance of a Building Permit, the applicant will submit to the Planning Board information pertaining to the specific tenant/use and, if necessary, an amended site plan application showing any proposed modifications to the site for the specific tenant/use.
4. Pursuant to §138-85.D , where a proposed use or proposed building or other structure involves the installation, extension, relocation or reconstruction of a sewage disposal or water supply system, no building permit shall be issued until plans for such a system have been approved by the County of Putnam, State of New York, City of New York or any regulatory agency having jurisdiction as required by law. No certificate of occupancy shall be issued until such a system has been completed and approved by such an agency as required by law or until the use or building or structure has been provided with the connections to a previously completed and approved sanitary sewer and public water supply system.
5. The Proposed Action shall be constructed in coordination with the approved site improvements for the Space on the Farm including all stormwater and wastewater treatment systems and conveyance systems.
6. The Applicant is granted approval based on generic review by the Architectural Review Board of building design and elevations and will have to seek a second review if modifications to the approved design are made. The Proposed Action shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed by the Architectural Review Board and approved by the Planning Board.
7. Pursuant to §138-41.E(4), the applicant shall provide to the Town of Southeast Planning Board one full set of final full-sized plans and five copies of the filed plans on eleven-inch by seventeen-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for distribution to the Town Engineer, the Planning Board, the Town Clerk, the Building Inspector, and the Town Planner. This final plan set shall include the final architectural plans recommended by the Architectural Review Board and approved by the Planning Board. Each of these sets shall be bound, and shall contain a signature box on the Index or Title Page for the Planning Board Chairman's Signature. No Building Permits shall be issued until these plan sets have been submitted to the Planning Board Secretary and signed by the Planning Board Chairman.
8. The Applicants shall submit two (2) sets of as-built plans to the Town of Southeast Building Department and one (1) full size set to the Planning Board after final construction is completed. The as-built plans must show all buildings and site improvements, the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.

#### **Financial & Legal Considerations**

1. The Applicant shall post a Performance Bond in an amount determined by the Town Engineer and recommended by the Planning Board for Town Board approval to ensure all site grading, stormwater management, and road improvements will be made in accordance with the approved drawings, Town of Southeast Code and to the satisfaction of the Town Engineer and/or Highway Superintendent. The Performance Bond may also be used to finance necessary work to stabilize the project site should the Applicant abandon the project and the Town is forced to complete necessary improvements. The establishment of the Performance Bond shall be done in a form acceptable to the Town Counsel. The bond

amount will be based upon 2016 construction costs. If the construction is not begun during the calendar year 2016, the Applicant must re-apply to the Planning Board for an adjustment of the bond amount to account for escalation of material and labor costs. Upon such request to the Planning Board, the Planning Board shall make a recommendation to the Town Board and the Town Board shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond must be paid prior to the start of any work on the site and/or the filing for a Building Permit. The Southeast Planning Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Planning Board or its duly authorized representative has made an inspection of the subject improvements and determined that the Applicant has complied with all the conditions of this approval.

2. No certificate of occupancy for the structures depicted on the project development plan/site plan shall be issued or occupancy permitted unless and until the site improvements associated with the development shall be fully completed by the developer or substantially completed to the satisfaction of the building inspector and a valid performance bond is posted, in an amount equal to the amount necessary to fully complete the outstanding site improvements, to ensure faithful completion thereof within a reasonable period of time not to exceed six months.

3. Any and all outstanding inspection, engineering, or planning consulting fees shall be paid to the Town prior to the issuance of a Certificate of Occupancy for any improved lot.

4. All construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits shall still be applicable except and only to the extent that same are modified herein. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as a waiver of past conditions not recited herein.

#### **Construction Activity**

1. At least ten (10) days prior to commencing construction of any required improvements, the Applicant shall notify the Building Inspector and the Town Engineer, in writing, of the time when it proposes to commence construction of such improvements so that the Building Inspector may cause an inspection to be made to ensure that all Town specifications and requirements shall be met during the construction of required improvements. The Applicant shall provide a general construction phasing schedule to the Building Inspector, Planning Board and Town Engineer and shall update that schedule, and provide copies to the Building Inspector, Planning Board and Town Engineer, throughout the construction process, as necessary.

2. The Town shall require a pre-construction conference between the Town Engineer and Town Highway Superintendent and the owner or owner's representative, general contractor and on-site engineer to review construction phasing plans, inspections schedules, and requirements for complying with all regulations and conditions of this approval prior to commencing construction. The following items shall be completed by the Applicant prior to scheduling a pre-construction conference:

- a) Performance Bond and Erosion and Sediment (E&S) Control Bond shall be posted with the Town Clerk;
- b) Inspection Fees shall be paid to the Planning Board;
- c) Escrow Account shall be in good standing;
- d) In accordance with item #7 under "General Conditions" above, approved/signed plans shall be on file with the Planning Board and the Building Department; and
- e) The MS4 Acceptance, proof of mailing of Notice of Intent (NOI), and E&S shall be completed and on file with MS4 Administrator.

3. The Town of Southeast Building Inspector or its designee may make periodic inspections to ensure that all site work and site improvements are being made in conformance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall designate a responsible and competent person to be the on-site construction manager who shall be responsible for ensuring the continued compliance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall ensure that all remedial measures are taken within 72 hours of any notification of deficiencies relating to construction. If appropriate measures are not implemented to the satisfaction of the

Town Engineer, a stop work order may be issued by the Town and/or a fine imposed according to Town Code.

4. Should project changes be required that would represent a significant change to the approved plans, the Applicant may be required to seek an amended approval from the Planning Board.
5. The Applicant shall retain the services of a professional engineer and/or a landscape architect (in accordance with the drawings prepared) throughout the construction process who shall periodically observe the construction of all approved improvements, except improvements to Town of Southeast roads and drainage (which shall be inspected by the Town Engineer and/or Highway Superintendent). The Applicant's professional engineer and/or landscape architect shall provide a statement, in writing, that all approved improvements have been constructed substantially as required and approved by the Planning Board or as such requirements have been modified.
6. Prior to commencing any site clearing, grading, or construction activity, the Applicant shall have the boundary of the property staked out by a licensed surveyor.
7. A copy of the completed NOI to comply with the New York State Department of Environmental Conservation (NYSDEC) General Permit for Construction Activity shall be maintained at the on-site construction office.
8. All sediment and erosion control measures or Best Management Practices indicated on the approved plans and/or required for compliance with the NYSDEC General Permit for Construction Activity shall be installed at the commencement of grading activities and shall be inspected on a weekly basis (or following any storm event in excess of one-half inch) to ensure proper function. All construction activities shall adhere to the provisions for sediment and erosion control contained in the NYSDEC's *New York Standards and Specifications for Erosion and Sediment Control*.
9. The design and construction of all proposed water quantity and water quality best management practices shall adhere to the *New York State Stormwater Management Design Manual*.
10. Any drainage improvements that would affect a Town drainage structure or element or any improvements to Town of Southeast roads shall be made in accordance with the Town Road and Drainage Specifications (Chapter A143 of the Town Code) and shall be made under the direction and supervision of the Highway Superintendent.
11. The Town Highway Superintendent must be notified a minimum of 72 hours in advance of any construction activity affecting the Town drainage system or any Town Road except where emergency repairs are required, in which case the Highway Superintendent must be notified as soon as possible after the affected area has been stabilized.
12. Existing trees, understory vegetation, and ground cover along all property lines shall remain undisturbed to the maximum extent practicable throughout the duration of construction. Should any disturbance be required to construct approved improvements, the area shall be replanted with comparable vegetation as soon as is practicable following completion of construction activity in that area.
13. All disturbed areas shall be stabilized pursuant to NYSDEC regulations. Should disturbed areas remain disturbed for periods longer than one month, more permanent stabilization measures shall be installed.

#### **Landscaping**

1. Prior to planting according to the approved landscape plan, the Applicant shall stake the location of all proposed landscaping and allow for a site inspection by the Planning Board or its designees to ensure that the proposed landscaping will provide the maximum screening benefit and/or that the proposed landscaping is suitable for the visual setting and overall appearance of the project site.





**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Ryan Wetland Permit

**S/B/L:** 79.1-40-35 **Zone:** R-40

**Description:** Applicant proposes to demolish existing 1-story house and replace with 2-story house. New house would be located within 100-ft wetland buffer around Peach Lake. A wetland permit would be required.

**Engineer:** Richard Vail, Architect

**SEQR ACTIONS COMPLETED:**

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

**TYPE OF ACTION: Type II - §617.5(c)(9)**

- Date:
- Date:
- Date:
- Date(s):

**MAJOR/MINOR PROJECT:**

Date Classified: Waiver of Public Hearing (Minor Project Only)?  Y  N

**LOCAL AND AGENCY REVIEW REQUIRED?**

**REFERRAL DATE**

**STATUS/DATE OF LETTER**

Yes No

- Town Board
- Town of Southeast ARB
- Wetland Permit
- Historic Sites Commission
- Town Highway Department
- MS4 Permit
- County Planning Department (GML)
- County Highway Department
- County Health Department
- NYSDEC
- NYCDEP
- NYSDOT
- Army Corps of Engineers

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

Date	Discussion/Decisions/Resolutions
12/14/15	Declared Action Type II; Waived Public Hearing
2/22/16	

**RECOMMENDED ACTION FOR MEETING:**

- 1) Consider minor wetland permit approval subject to conditions identified by Stephen Coleman.



## MEMORANDUM

To: Thomas LaPerch, Chairman  
Members of the Planning Board  
From: Stephen W. Coleman  
Date: February 16, 2016  
Re: Ryan Residence, 33 Vail's Lakeshore Drive - Wetland Review

### Materials Submitted:

- Responses to Memorandum by Stephen W. Coleman, dated 12-11-2015, as prepared by R. Vail, Architect, dated 02-10-2016.
- Letter from NYSDEC, dated 01-29-2016, re: Ryan Residence.
- Proposed Site Plan, last revised 02-08-2016 as prepared by R. Vail, Architect.

Based upon review of the above materials and phone conversations with the project architect, I have prepared the following comments. My new comments are in **bold text**.

### Prior Memorandum dated 12-11-15:

The subject property is located adjacent to Peach Lake and has direct access to the lake. Peach Lake is a NYSDEC designated waterbody and also regulated as a wetland under the Town of Southeast Wetlands Code. The existing residence is currently located outside of the Town's regulated wetland buffer area (100 ft.), and the buffer regulated by NYSDEC.

The proposed improvements consist of demolishing of the existing one-story residence and replacing it with a larger two-story residence. The footprint for the new residence will be located at the edge of the 100 foot wetland buffer line, however, the applicant is proposing a covered porch that will extend approximately 14 feet into the regulated wetland buffer. A wetlands permit is required from both the NYSDEC and the Town of Southeast for the covered porch and for drainage improvements that will be required.

### Recommendations:

1. Based upon a site visit on 12-05-15, the edge of the Lake serves as the wetlands boundary. No additional wetlands were observed on the property. The proposed covered porch and drainage improvements will not result in a significant impact to the functions provided by the wetland buffer. The existing buffer currently consists of lawn grasses all of the way to the edge of the Lake. A dock is also present at the water's edge.
2. The intent of Chapter 78 is to avoid wetland and wetland buffer impacts to the greatest extent feasible. It appears that changes to the proposed site plan layout could be made that could keep all disturbance outside of the wetland buffer and therefore, eliminate the need for a wetland permit.

3. The applicant should consider whether a reduction in the overall footprint, or moving the new residence further back towards the location of the existing footprint would serve their needs, and also allow all of the new disturbance to be kept outside of the 100 foot wetland buffer. The applicant should submit an alternative plan that explores the feasibility of relocating the new residence outside of the regulated wetland buffer.

- **The applicant has submitted an alternative plan that would place all improvements outside of the 100-foot wetland buffer. Based upon review, this alternative plan does not appear to be feasible and would create safety issues with the placement of the structure in close proximity to the road.**
- **It is my recommendation that the original proposed site plan is acceptable and that the wetland buffer impacts can be effectively mitigated.**

4. This application as noted will require a wetlands permit from NYSDEC. In my experience, they may not permit an extension of the residence to be located within the wetland buffer area.

- **NYSDEC issued a Notice of No Jurisdiction, so therefore no wetland permit is required from NYSDEC. No further action required. (note, this is a surprise and not typical based upon other projects)**

5. The amount of disturbance is considered minor and the impact could be effectively mitigated. The additional impact within the wetland buffer could be minimized by implementing mitigation measures that would reduce the amount of non-point runoff of excess nutrients that enter the Lake. Lawn grasses contribute significant amounts of nutrient loading into water bodies. Establishment of a vegetative filter strip along the edge of the Lake would help to lessen the impacts of nutrient loading from the existing lawn area.

- **The revised site plan now shows a vegetative filter strip as requested. No further information is required.**

6. A 10 foot wide vegetative filter consisting of native shrubs, grasses and ground covers should be established along the edge of the Lake on both sides of the existing dock area. The vegetative filter strip would trap excess nutrients and allow uptake via the plants and root structure to reduce the amount of phosphorus from entering the Lake. This strip should be maintained as a permanent landscaped area and remain in perpetuity.

- **The revised site plan now shows a 10 ft. wide vegetative filter strip with appropriate native plants. The addition of the filter strip will assist with mitigating the encroachment within the regulated wetland buffer and assist with reducing nutrients from entering the Lake from adjacent lawn areas. No further information is required.**

7. The applicant should prepare a planting plan for the recommended filter strip. The filter strip once established would provide an important environmental benefit and serve as an aesthetic amenity to the property.
  - **The revised site plan now shows a 10 ft. wide vegetative filter strip with appropriate native plants. The addition of the filter strip will assist with mitigating the encroachment within the regulated wetland buffer and assist with reducing nutrients from entering the Lake from adjacent lawn areas. No further information is required.**
  
8. A three (3) year wetland buffer mitigation and monitoring plan should also be prepared that follows the Town's standards for the vegetative filter strip. The applicant should request a copy of the Wetland Buffer Mitigation and Monitoring Plan format to be followed.
  - **The applicant has not provided a 3-year wetland buffer mitigation and monitoring plan.**
  
  - **Attached is a sample of the recommended protocols that will need to be completed by the applicant and re-submitted for review and approval.**

**Summary:**

This completes my review of the revised site plan. The applicant should submit a sample of the 3-year wetland buffer mitigation and monitoring plan for review and approval. The proposed application is consistent with the criteria outlined in Chapter 78 and that the proposed project will not have a significant environmental impact. Impacts to the wetland buffer will be mitigated by the addition of a permanent 10-foot wide vegetative filter strip located along the water's edge. It is my recommendation that a wetlands permit be granted, subject to submission of the 3-year mitigation and monitoring plan. Please let me know if you have questions or require additional information.

**TOWN OF SOUTHEAST PLANNING BOARD  
RESOLUTION TO EXEMPT  
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch*

DATE: February 22, 2016

SECONDED BY: *Armstrong*

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of a request for an exemption by NYSMSA d/b/a Verizon for the installation of antennas upon an existing rooftop at 996 NYS Route 22, Tax Map No. 68.5-2-27, in the Town of Southeast; and

**WHEREAS**, the Applicant proposes to install 2 sets of wireless arrays, each with two panel antennas and one GPS receiver, on the northeast and southwest corners of an existing 1-story retail building fronting NYS Route 22; and

**WHEREAS**, the Planning Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Letter to Chairman LaPerch from Leslie Snyder of Snyder & Snyder	Dated 10/16/15
Letter from Peter Pardy, PE, Frech & Parrello Associates	Dated 9/21/15
Cover Sheet, prepared by Frech & Parrello Associates	Dated 8/5/15; Last Revised 10/14/15
Site Plan & Notes, prepared by Frech & Parrello Associates	Dated 8/5/15; Last Revised 10/14/15
Roof Plan, prepared by Frech & Parrello Associates	Dated 8/5/15; Last Revised 10/14/15
Enlarged Equipment Area Plan, prepared by Frech & Parrello Associates	Dated 8/5/15; Last Revised 10/14/15
Building Elevation, prepared by Frech & Parrello Associates	Dated 8/5/15; Last Revised 10/14/15
Antenna & Site Details, prepared by Frech & Parrello Associates	Dated 8/5/15; Last Revised 10/14/15
Antenna Site FCC Compliance Assessment & Report, prepared by Pinnacle Telecom Group	Dated 10/13/15

**WHEREAS**, the Planning Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

**NOW, THEREFORE be it RESOLVED**, the Planning Board is empowered under §138-54.1E(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The proposed installation does not exceed the structural capacity of the existing mounting structure (138-54.1(B)(3)(f)[1]);

2. The proposed installation would not cause interference with existing equipment (138-54.1(B)(3)(f)[2]);
3. Any related equipment, other than antennas, would be placed within the existing structure or at the base thereof, provided that the related equipment located at the base of an existing mounting structure would be fully enclosed and shall have a base not to exceed one hundred square feet and shall not be more than eight feet in height (138-54.1(B)(3)(f)[3]);
4. The planned equipment would not extend more than 20 feet above the highest point of the structure and would comply with all applicable FCC and Federal Aviation Administration (FAA) regulations and state and local building codes (138-54.1(B)(3)(f)[4]);

**NOW THEREFORE, be it RESOLVED,** the Planning Board finds that the application from Verizon is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, 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



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## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** February 19, 2016  
**Re:** NY SMSA/Verizon Wireless – 996 Route 22

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The Applicant proposes to install 2 sets of wireless arrays, each with two panel antennas and one GPS receiver, on the northeast and southwest corners of an existing 1-story retail building fronting Route 22 in front of the Italian-American Club building. The antennas and mounting pole would protrude above the existing parapet by approximately four feet in rear (southwest) of the building and approximately three feet in the front (northeast) of the building. In addition, the Applicant proposes to install supporting equipment, including telco boxes and electrical panels, along the inside of the existing parapet. Conduits would be added to the roof to connect the two arrays, roughly along the same line as an existing gas line along the roof. The Applicant proposes to add several new exterior conduits routed from the rooftop to the ground level for telco and ground wires, two new wetherheads for electrical service. Finally, the Applicant proposes installation of new four-foot high handrails on top of portions of the parapet near the arrays, and an exterior mounted roof-access ladder in the rear (southeast) of the building. On December 22, 2015, the Applicant obtained the necessary variances for the construction of the proposed project.

The project meets the requirements of §138-54.1(B)(3)(f) for the Planning Board to consider an exemption of site plan and conditional use approval. Specifically, the Applicant submitted documents indicating that the project [1] does not exceed the structural capacity of the roof; [2] will not cause interference with existing equipment; [3] will place all supporting equipment within the existing structure (i.e., behind the parapet on the roof); [4] will not extend more than 20 feet above the highest point of the structure. Therefore, AKRF has no objections to the Planning Board granting an exemption for this application pursuant to §138-54.1.B(3).



**TOWN OF SOUTHEAST PLANNING BOARD  
RESOLUTION TO EXEMPT  
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch*

DATE: February 22, 2016

SECONDED BY: *Cyprus*

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of a request for an exemption by NYSMSA d/b/a Verizon for a like-kind antenna replacement at a wireless telecommunications services facility located at 3925 Danbury Road, Tax Map No. 69.13-1-20, in the Town of Southeast; and

**WHEREAS**, the Applicant proposes to replace 3 of the 6 existing panel antennas, remove 3 of the existing panel antennas, remove 3 of the existing tower mounted amplifiers, and install 6 triplexers and 6 diplexers within the existing concealment cylinders on the existing “flagpole” monopole; and

**WHEREAS**, the Planning Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Letter to Chairman LaPerch from Leslie Snyder of Snyder & Snyder	Dated 2/5/16
Memorandum to Building Inspector Michael Levine from James Fahey of Structural Consulting Services, PC	Dated 2/4/16
C-1, Site Plan, Compound Plan Project Information, Topographic Map and Notes, prepared by Structural Consulting Services, PC	Dated 2/2/16; Last Revised 2/4/16
C-2, Antenna & Cable Details and Notes, prepared by Structural Consulting Services, PC	Dated 2/2/16; Last Revised 2/4/16

**WHEREAS**, the Planning Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

**NOW, THEREFORE be it RESOLVED**, the Planning Board is empowered under §138-54.1E(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1E(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1E(3)(b));

3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1E(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1E(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1E(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1E(3)(f));

**NOW THEREFORE, be it RESOLVED**, the Planning Board finds that the application from Verizon is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, 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



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## **Memorandum**

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** February 19, 2016  
**Re:** Verizon Wireless – 3925 Danbury Rd

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AKRF has reviewed the following documents and plans:

1. Letter to Chairman LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated February 5, 2016, and supporting documents
2. Drawing set (2 sheets) "New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: 3925 Danbury Rd, NY 10509", and last revised 2/4/16.

The Applicant proposes to replace 3 of the 6 existing panel antennas, remove 3 of the existing tower mounted amplifiers, and install 6 triplexers and 6 diplexers within the existing concealment cylinders on the existing flagpole located at 3925 Danbury Rd. The proposed improvements would not increase the height or bulk of the tower. Since the proposed project would not increase the bulk of the tower by more than 25%, AKRF has no objections to the Planning Board granting an exemption for this application pursuant to §138-54.1.B(3).



Jacobson

February 17, 2016

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

Re: Verizon Wireless  
3925 Danbury Road  
Exemption Request  
NLJ #0001-0903

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 10, 2016:

- Item 1: Letter to Hon. Chairman Tom LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated 2/5/16 accompanied by supporting materials.
- Item 2: Set of two (2) drawings entitled " New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Haines Pond Antmod, 3925 Danbury Road, Brewster, NY 10509", scale as noted, latest revision date shown 2/4/16.

The applicant has requested an exemption from conditional use permit and site development plan approval for the purpose of upgrading the panel antenna system on the existing monopole.

The proposed work will not require any site work or modifications to the existing infrastructure. As such, we would have no objection, to the granting of the requested exemption.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay                      W. Stephens, Jr.  
M. Bruen                      M. Stancati  
M. Levine                      A. Ley  
S. Coleman                    Snyder & Snyder, LLP

**TOWN OF SOUTHEAST PLANNING BOARD  
RESOLUTION TO EXEMPT  
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch* DATE: February 22, 2016

SECONDED BY: *Armstrong*

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of a request for an exemption by NYSMSA d/b/a Verizon for a like-kind antenna replacement at a wireless telecommunications services facility located at 300-310 Route 22, Tax Map No. 78.-1-31 in the Town of Southeast; and

**WHEREAS**, the Applicant proposes to replace 6 of the 12 existing panel antennas with new panel antennas and other related improvements on the existing monopole; and

**WHEREAS**, the Planning Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Letter to Chairman LaPerch from Leslie Snyder of Snyder & Snyder	Dated 2/5/16
Memorandum to Building Inspector Michael Levine from Antonio Gualtieri, P.E., Tectonic	Dated 2/4/16
T-1, Title Sheet, prepared by Tectonic	Dated 2/2/16; Last Revised 2/4/16
A-1, Site Detail, prepared by Tectonic	Dated 2/2/16; Last Revised 2/4/16
A-2, Elevation & Antenna Layout Plan, prepared by Tectonic	Dated 2/2/16; Last Revised 2/4/16

**WHEREAS**, the Planning Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

**NOW, THEREFORE be it RESOLVED**, the Planning Board is empowered under §138-54.1E(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1E(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1E(3)(b));
3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total

bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1E(3)(c));

4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1E(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1E(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1E(3)(f));

**NOW THEREFORE, be it RESOLVED**, the Planning Board finds that the application from Verizon is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

P. Wissel, Boardmember

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

P. Jonke, Boardmember

yes

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

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board

rad



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## **Memorandum**

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** February 19, 2016  
**Re:** Verizon Wireless – 300-310 Rte 22

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AKRF has reviewed the following documents and plans:

1. Letter to Chairman LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated February 5, 2016, and supporting documents
2. Drawing set (2 sheets) "New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Drewville Heights 300-310 Rte 22, NY 10509", and last revised 2/4/16.

The Applicant proposes to replace 6 of the 12 existing panel antennas with new panel antennas and other related improvements on the existing monopole at 300-310 Rte 22. The proposed improvements would not increase the height or bulk of the tower. Since the proposed project would not increase the bulk of the tower by more than 25%, AKRF has no objections to the Planning Board granting an exemption for this application pursuant to §138-54.1.B(3).



Jacobson

February 17, 2016

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

Re: Verizon Wireless  
300-310 Route 22  
Request for Exemption  
NLJ #0001-0782

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 10, 2016:

- Item 1: Letter to Hon. Chairman Tom LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated 2/5/16 accompanied by supporting materials.
- Item 2: Set of three (3) drawings entitled " New York SMSA Limited Partnership d/b/a Verizon Wireless, West Nyack, New York, Public Utility Wireless Facility, Site Name: Drewville Heights, 300-310 Route 22, Brewster, NY 10509", scale as noted, latest revision date shown 2/4/16.

The applicant has requested an exemption from conditional use permit and site development plan approval for the purpose of upgrading the panel antenna system on the existing monopole.

The proposed work will not require any site work or modifications to the existing infrastructure. As such, we would have no objection, to the granting of the requested exemption.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay                      W. Stephens, Jr.  
M. Bruen                      M. Stancati  
M. Levine                      A. Ley  
S. Coleman                      Snyder & Snyder, LLP



**TOWN OF SOUTHEAST PLANNING BOARD  
RESOLUTION TO EXEMPT  
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch*  
 SECONDED BY: *Hecht*

DATE: February 22, 2016

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of a request for an exemption by NYSMSA d/b/a Verizon for a like-kind antenna replacement at a wireless telecommunications services facility located at 171 Joe's Hill Road, Tax Map No. 68.-2-35 and 36, in the Town of Southeast; and

**WHEREAS**, the Applicant to replace 9 of the 12 existing panel antennas with new panel antennas; remove the remaining 3 panel antennas; replace 3 existing RRH units and install 6 new accessory RRH units for a total of 9 RRH units on the existing mounts; and to route two additional cables inside the existing monopole; and

**WHEREAS**, the Planning Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Letter to Chairman LaPerch from Leslie Snyder of Snyder & Snyder	Dated 2/5/16
Memorandum to Building Inspector Michael Levine from James Fahey of Structural Consulting Services, PC	Dated 1/25/16
C-1, Site Plan, Compound Plan Project Information, Topographic Map, Antenna Elevations, and Notes, prepared by Structural Consulting Services, PC	Dated 12/4/15; Last Revised 12/18/15
C-2, Site Elevation, Antenna & Cable Schedule, Cable Diagram, and Notes, prepared by Structural Consulting Services, PC	Dated 12/4/15; Last Revised 12/18/15

**WHEREAS**, the Planning Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

**NOW, THEREFORE be it RESOLVED**, the Planning Board is empowered under §138-54.1E(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1E(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height

of any antenna protruding above the tower facility or other structure (§138-54.1E(3)(b));

3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1E(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1E(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1E(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1E(3)(f));

**NOW THEREFORE, be it RESOLVED,** the Planning Board finds that the application from Verizon is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

P. Wissel, Boardmember

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

P. Jonke, Boardmember

yes

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

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board

*pad*



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## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** February 19, 2016  
**Re:** Verizon Wireless – 171 Joe’s Hill Rd

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AKRF has reviewed the following documents and plans:

1. Letter to Chairman LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated February 5, 2016, and supporting documents
2. Drawing set (2 sheets) "New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Brewster AWS 171 Joes Hill Rd, Brewster, NY 10509", and last revised 12/18/15.

The Applicant proposes to replace 9 of the 12 existing panel antennas with new panel antennas, and to remove the remaining 3 panel antennas on the existing monopole at 171 Joe’s Hill Rd. The Applicant also proposes to replace 3 existing RRH units and install 6 new accessory RRH units for a total of 9 RRH units on the existing mounts. Two additional cables will be routed inside the existing monopole. The proposed improvements would utilize existing mounts and would not increase the height of the tower. Since the proposed project would not increase the bulk of the tower by more than 25%, AKRF has no objections to the Planning Board granting an exemption for this application pursuant to §138-54.1.B(3).



Jacobson

February 17, 2016

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

Re: Verizon Wireless  
171 Joe's Hill Road  
Request for Exemption  
NLJ #0001-0711

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 10, 2016:

- Item 1: Letter to Hon. Chairman Tom LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated 2/5/16 accompanied by supporting materials.
- Item 2: Set of two (2) drawings entitled " New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Brewster 2 RRH, 171 Joe's Hill Road, Brewster, NY 10509", scale as noted, latest revision date shown 12/18/15.

The applicant has requested an exemption from conditional use permit and site development plan approval for the purpose of upgrading the panel antenna system on the existing monopole.

The proposed work will not require any site work or modifications to the existing infrastructure. As such, we would have no objection, to the granting of the requested exemption.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay                    W. Stephens, Jr.  
M. Bruen                    M. Stancati  
M. Levine                    A. Ley  
S. Coleman                   Snyder & Snyder, LLP

**TOWN OF SOUTHEAST PLANNING BOARD  
RESOLUTION TO EXEMPT  
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch* DATE: February 22, 2016

SECONDED BY: *Armstrong*

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of a request for an exemption by NYSMSA d/b/a Verizon for a like-kind antenna replacement at a wireless telecommunications services facility located at 87 Hillside Park, Tax Map No. 67.-1-38.1 and 38.2, in the Town of Southeast; and

**WHEREAS**, the Applicant to replace 9 of the 12 existing panel antennas with new panel antennas; remove the remaining 3 panel antennas; replace 3 existing RRH units and install 6 new accessory RRH units for a total of 9 RRH units on the existing mounts; and to route two additional cables inside the existing monopole; and

**WHEREAS**, the Planning Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Letter to Chairman LaPerch from Leslie Snyder of Snyder & Snyder	Dated 2/11/16
Memorandum to Building Inspector Michael Levine from James Fahey of Structural Consulting Services, PC	Dated 1/9/16
C-1, Site Plan, Compound Plan Project Information, Topographic Map and Shelter Plan, prepared by Structural Consulting Services, PC	Dated 2/3/16; Last Revised 2/9/16
C-2, Site Elevation, Antenna & Cable Schedule, Antenna Elevation, and Cable Diagram, prepared by Structural Consulting Services, PC	Dated 2/3/16; Last Revised 2/9/16

**WHEREAS**, the Planning Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

**NOW, THEREFORE be it RESOLVED**, the Planning Board is empowered under §138-54.1E(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1E(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1E(3)(b));

3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1E(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1E(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1E(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1E(3)(f));

**NOW THEREFORE, be it RESOLVED,** the Planning Board finds that the application from Verizon is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

P. Wissel, Boardmember

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

P. Jonke, Boardmember

yes

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

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board



**Environmental and Planning Consultants**

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## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** February 19, 2016  
**Re:** Verizon Wireless – 87 Hillside

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AKRF has reviewed the following documents and plans:

1. Letter to Chairman LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated February 11, 2016, and supporting documents
2. Drawing set (2 sheets) "New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Brewster AWS 87 Hillside, Brewster, NY 10509", and last revised 12/18/15.

The Applicant proposes to replace 9 of the 12 existing panel antennas with new panel antennas, and to remove the remaining 3 panel antennas on the existing monopole at 87 Hillside. The Applicant also proposes to replace 3 existing RRH units and install 6 new accessory RRH units for a total of 9 RRH units on the existing mounts. Two additional cables will be routed inside the existing monopole. The proposed improvements would utilize existing mounts and would not increase the height of the tower. Since the proposed project would not increase the bulk of the tower by more than 25%, AKRF has no objections to the Planning Board granting an exemption for this application pursuant to §138-54.1.B(3).



Jacobson

February 17, 2016

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

Re: Verizon Wireless  
87 Hillside Park  
Request for Exemption  
NLJ #0001-0818

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 12, 2016:

- Item 1: Letter to Hon. Chairman Tom LaPerch, and Members of the Planning Board, from Leslie J. Snyder, dated 2/11/16 accompanied by supporting materials.
- Item 2: Set of two (2) drawings entitled " New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Brewster Hill Antmod, 87 Hillside Park, Brewster, NY 10509", scale as noted, latest revision date shown 2/9/16.

The applicant has requested an exemption from conditional use permit and site development plan approval for the purpose of upgrading the panel antenna system on the existing monopole.

The proposed work will not require any site work or modifications to the existing infrastructure. As such, we would have no objection, to the granting of the requested exemption.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay                    W. Stephens, Jr.  
M. Bruen                    M. Stancati  
M. Levine                    A. Ley  
S. Coleman                   Snyder & Snyder, LLP