
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

March 7, 2016

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

- 1. GLICKENHAUS PRIVATE ACADEMY, 291 Deans Corner Road** – Continued Public Hearing to Review Application for Site Plan, Wetland Permit and Special Permit

REGULAR SESSION:

- 1. BRAVCOR, LLC, 65 Fields Lane** – Review of Application for Final Approval of Site Plan and Wetland Permit and Request for a Performance Bond
- 2. LAS MANANITAS COOLER, 1248 - 1250 Route 22** – Review of Application for Final Approval of Site Plan Amendment
- 3. BREWSTER CORPORATE PARK, 1920 Old Route 22** – Review of Application for Final Approval of Site Plan and Request for a Performance Bond
- 4. Approve Meeting Minutes from February 22, 2016**

March 4, 2016

VAD

Agenda Subject to Change

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Glickenhau 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

SEQR ACTIONS COMPLETED:

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

TYPE OF ACTION: Type 1 Action

- 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

- Town Board (ARB Sign off)
- Town of Southeast ARB
- Wetland Permit (Major)
- Historic Sites Commission
- Town Highway Department
- MS4 Permit
- County Planning Department (GML)
- County Highway Department
- County Health Department
- NYSDEC
- NYCDEP
- NYSDOT
- OPRHP
- 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
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	Opened & continued PH to 3/7/16
3/7/14	

RECOMMENDED ACTION FOR MEETING:

- 1) Open PH
- 2) Discuss with applicant when required materials will be submitted & continue PH to that date.

NOTE: SEQRA cannot be completed until revised traffic study submitted & Town consultant comments have been addressed.



Environmental and Planning Consultants

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

Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: March 3, 2016
Re: Glickenhau Private Academy
cc: Kellard Sessions, Rick O'Rourke

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

1. Letter from Brian Hildenbrand, PE, dated 2/8/16
2. Site Improvement Plans for Glickenhau Private Academy (16 sheets), prepared by Kellard Sessions Consulting, P.C., last revised 2/1/16
3. Full Environmental Assessment Form, Prepared by Kellard Sessions Consulting, P.C., dated 2/1/16
4. Narrative Report for the environmental assessment of Glickenhau Private Academy, prepared by Kellard Sessions Consulting, P.C., dated April 2015 and revised February 2016.
5. Correspondence from B. Laing Associates dated 2/4/16
6. Stormwater Pollution Prevention Plan, Prepared by Kellard Sessions Consulting, P.C., dated 2/1/16

PROJECT DESCRIPTION

The Proposed Project would be located on a 31.5 acre site at 291 Deans Corner Road in the OP-1 Commercial Zoning District, in the Town of Southeast. The applicant proposes to construct a private soccer training facility and office building with associated parking. The current application has been modified from the original submission to include a standalone office building instead of a restaurant.

The soccer academy would be used by the private soccer club and not open to the public. There would be two outdoor fields, one of which would be grass (86,400 sf) and the other artificial turf (94,500 sf). The academy building, which would have a 40,500 sf footprint, would contain a half-court field, locker rooms, kitchen, and offices. A drop-off location would be located at the front of the academy building and there would be parking for 52 cars. The associated office building would be 2-stories, 8,000 sf, and have 34 parking spaces. It is proposed to serve the administration of the soccer academy. Driveways, stormwater management facilities, and an extension of the sewer/water facilities from the Fortune Ridge subdivision are also proposed.

“Office” is a permitted principal use and “Recreation” is a conditional use in the OP-1 Zoning District. The Proposed Project will require site plan, conditional use permit, and wetland permit approval from the Planning Board.

There are two un-named NYSDEC classified “C” watercourses that traverse the northern edge of the property, as well as a Town of Southeast regulated wetland, and an Army Corps of Engineers (ACOE) wetland. The existing watercourses are impounded by an existing dam on the western side of the property to create a pond. The proposed driveway will be constructed within the 100’ NYCDEP wetland/watercourse buffer, and will include two stream crossings. In addition to the Town of Southeast wetland permit, an ACOE permit, and a NYSDEC wetland permit will also be required.

COMMENTS

1. A Wildlife Endangered/Threatened Species Survey has been provided. The Applicant conducted Phase 1 surveys for bog turtles (*Clemmys muhlenbergii*), Indiana bats (*Myotis sodalis*) and northern longeared bat (*Myotis septentrionalis*). The Applicant found no suitable bog turtle habitat on-site. The Applicant found that the project site does present suitable habitat for the Indiana bat and/or northern long eared bat as it includes stands of trees having known characteristics of summer roosting habitats. As a result, a Phase 2 acoustical survey was conducted. The Phase 2 survey did not detect the presence of either bat species on-site.
2. AKRF’s May 6, 2015 memorandum included a number of comments on the Traffic Impact Study (TIS) which were not addressed in the current submission. AKRF staff met with the Applicant’s traffic consultant on March 2, 2016, to discuss the TIS. AKRF stressed the importance of providing good sourced data for the trip generation and parking numbers. The Applicant’s traffic consultant agreed to either conduct surveys at comparable facility (if any) or to provide detailed backup from the applicant regarding their proposed operations. AKRF also requested more detail regarding the parents not staying for the training sessions, as this affects the onsite parking demand. A revised TIS should be provided before a SEQRA determination is made.
3. As requested in AKRF’s May 6, 2015 memorandum, a lighting and landscaping plan should be provided. This is a requirement of the Preliminary Plan submission, as such, it should be provided before the public hearing is closed.
4. A Phase 1 Archaeological Survey was conducted on the site and no archaeologically sensitive areas were identified. The Applicant has provided a letter from the NYS Office of Parks, Recreation, and Historic Preservation which supports the conclusion that the proposed project would have no effect on archaeological or historic resources.
5. As identified in AKRF’s May 6, 2015 memorandum, the proposed project would extend the existing water/sewer mains from the Fortune Ridge subdivision (formerly known as Meadows at Deans Corners) to the Project Site. Information on the proposed extension route should be provided. In addition, capacity of the facilities at full build for Fortune Ridge subdivision and the Proposed Project should be provided. This information should be provided before a SEQRA determination is made.
6. The letter from Brian Hildenbrand, PE, dated 2/8/16, included responses to AKRF’s and Jacobson’s May 2015 comment letters, however no responses to Stephen Coleman’s May 2015 comments were provided.

RECOMMENDED ACTIONS

At the March 7, 2016, Planning Board meeting, AKRF recommends that the Planning Board open the Public Hearing and discuss with the Applicant the timeline for submitting the above materials and the Public Hearing should be continued to that date.



STEPHEN W. COLEMAN
ENVIRONMENTAL CONSULTING, LLC

Environmental Planning & Site Analysis
Wetland Mitigation & Restoration Plans
Wetland Delineation & Assessment
Natural Resource Management
Pond & Lake Management
Wildlife & Plant Surveys
Breeding Bird Surveys
Landscape Design

MEMORANDUM

To: Thomas LaPerch, Chairman
Town of Southeast Planning Board
Members of the Planning Board

From: Stephen W. Coleman

Date: March 4, 2016

Re: **Glickenhau Private Academy, 291 Deans Corners Road – Preliminary
Proposed Site Plan and Wetland Permit – Second Review**

Materials Reviewed:

1. Letter from Brian Hildenbrand, P.E., dated 2/8/16
2. Site Improvement Plans for Glickenhau Private Academy (16 sheets), prepared by Kellard Sessions Consulting, P.C., dated last revised 2/1/16
3. Full Environmental Assessment Form, prepared by Kellard Sessions Consulting, P.C., dated 2/1/16
4. Narrative Report for the environmental assessment of Glickenhau Private Academy, prepared by Kellard Sessions Consulting, P.C., dated April 2015, and revised February 2016
5. Correspondence from B.Laing Associates dated 2/4/16
6. Stormwater Pollution Prevention Plan, prepared by Kellard Sessions Consulting, P.C., dated 2/1/16

Comments

- The applicant still has not responded to my prior wetland review comments dated May 08, 2015.
- The application regarding wetland review - as presented- is therefore, considered incomplete. I recommend the public hearing remain open, and the requested information be provided for review prior to a SEQR determination.

In an effort to assist the applicant, outlined below are specific items that need to be addressed (includes May 08, 2015 comments, plus review of latest submissions):

1. As previously requested, a wetlands delineation report should be submitted by the applicant's wetlands consultant that demonstrates that the wetland delineation is in compliance with Chapter 78.
2. As previously requested, due to the amount of time that has lapsed, (the wetlands boundaries were flagged in June of 2013), the site should be re-visited to determine whether the wetland boundary has changed since 2013. The applicant should document that the wetland boundary is still accurately represented and that sufficient flags are still present to allow field confirmation by my office.

3. As previously requested, a wetland functional assessment report should be prepared. The purpose of the functional assessment is to document the wetland's primary functions and rates the performance of its functions, both in the existing and proposed condition. The findings from the functional assessment should support the proposed plans and assist in the development of appropriate mitigation plans. The assessment should include a detailed analysis of existing conditions.
4. As previously requested, it appears that some of the proposed disturbance within the wetland buffer could be reduced. 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 in an effort to further reduce the overall amount of wetland buffer disturbance and that meaningful mitigation measures could be implemented to enhance the functional value of the wetland buffer.

For example:

- The proposed driveway as shown requires substantial grading of side slopes. An alternative layout should be presented that relies on walls along the proposed driveway to minimize overall disturbance within the wetland buffer areas.
 - The proposed driveway and parking for the office could be shifted to the outer side of the driveway as a means to reduce disturbance within the buffer.
 - The office building should be shifted to remove the foot print out of the buffer area.
 - The proposed infiltration system for the parking for the fields could be shifted to be located outside of the buffer.
 - The parking areas should utilize some type of porous pavement surfaces to minimize the amount of impervious surfaces.
5. As previously requested, the overall amount of proposed wetland buffer disturbance should be calculated and shown in a table on the site plan.
 6. As previously requested, a wetland and wetland buffer mitigation plan should be submitted. The conceptual plan as submitted is severely lacking sufficient details to evaluate whether these proposed areas will effectively mitigate the loss of buffer function and area.
 7. As previously requested, the mitigation plan should address the proposed impact to the functions provided by the wetland at a 1.5:1.0 replacement ratio, and wetland buffer area provided at a 1:1 replacement ratio.
 8. As previously requested, some form of permanent demarcation (boulders, plantings, split rail fencing, walls) should be shown on the proposed site plan that separates the remaining wetland buffer from proposed activities.

9. As previously requested, a field site visit should be scheduled between the applicant's wetlands consultant and my office to determine appropriate mitigation and the feasibility of proposed mitigation areas that are shown on the plans.
10. The applicant has submitted a Wildlife Assessment Report that adequately addresses potential wildlife issues, but does not include specific recommended mitigation measures for reducing potential impacts on summer roosting areas for bat species. Specific timing for tree removals and other site disturbances should be added to overall mitigation strategies.
11. The Wildlife Assessment Report does not address what mitigation measures will be employed to reduce impact to resident and wetland dependent wildlife species from proposed crossings. (also see comment # 17).
12. The applicant should submit copies of materials submitted to the USACOE for a nationwide permit, and provide correspondence that materials under pending review.
13. As previously, requested, specific details should be provided on the two watercourse crossings, including full dimensions of open box culverts, whether culverts would extend to the edge of wetlands, site stabilization along culvert openings and heights of openings.
14. As previously requested, a three (3) year wetland buffer mitigation and monitoring plan should be prepared that follows the Town's standards. The applicant should request a copy of the Wetland Buffer Mitigation and Monitoring Plan format to be followed.
15. As previously requested, specific planting details should be provided including plant lists, quantities, sizes, and location for each proposed mitigation area and for stormwater basin and other stormwater features proposed.
16. As previously noted, the herbaceous coverage should include a minimum of 50 % coverage with live plants, of species that are part of proposed seed mixes.
17. As previously requested, the proposed driveway construction up to the proposed second watercourse crossing should be evaluated to determine how to minimize the impact the road will create for wildlife movement between both sections of the wetland. Wildlife crossings may be required to minimize impact on wetland dependent species that will utilize both areas. In addition, the design of the road and shoulders will need to take into consideration how to minimize wildlife movement impacts.
18. As previously requested, the use of the existing dirt paths/trails should be explained and whether they will be improved/maintained or removed from buffer areas.

The applicant is required to address the above comments and submit revised plans and reports for further review. Please let me know if you have questions or require additional information.



Jacobson

March 7, 2016

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

Re: Glickenhau Private Academy
291 Deans Corner Road
Continued Preliminary Review
NLJ #0001-0955

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 9, 2016:

- Item 1: Letter to Chairman LaPerch and Members of the Planning Board, from Brian Hildenbrand, dated February 8, 2016, with enclosures including Threatened and Endangered Species Report and Full Environmental Assessment Form (EAF).
- Item 2: Set of sixteen (16) drawings entitled "Preliminary Site Improvement Plans Glickenhau Private Academy, Town of Southeast, Putnam Co., New York" scales as noted, dated April 20, 2015, revised February 1, 2016, prepared by Kellard Sessions Consulting, P.C.
- Item 3: Report entitled "Narrative Report for the Environmental Assessment of Glickenhau Private Academy, 291 Deans Corner Road, Town of Southeast, Putnam County, New York", dated April 2015, revised February 2016, prepared by Kellard Sessions Consulting, P.C.
- Item 4: Report entitled "Preliminary Stormwater Pollution Prevention Plan Report for Glickenhau Private Academy, 291 Deans Corner Road, Town of Southeast, Putnam County, New York", dated April 2015, revised February 2016, prepared by Kellard Sessions Consulting, P.C.

The subject application proposes to develop a private soccer academy and a separate restaurant with associated parking and site improvements on a 31.5 acre parcel on the south side of Deans Corner Road. Although the two uses are independent, both will gain access from a single private road extending from Deans Corner Road. The Soccer Academy includes a 25,000 square foot building



Jacobson

Mr. Thomas LaPerch, Chairman
Re: Glickenhau Private Academy
291 Deans Corner Road
Continued Preliminary Review
NLJ #0001-0955

March 7, 2016

Page 2

with an indoor practice field and roof field, a full size outdoor grass field, and a full size outdoor synthetic turf field.

The above referenced information has been submitted in response to our May 7, 2015 engineering review letter.

We have the following comments:

1. The Applicant's engineer has stated in their response letter that the design plans have been further developed to better reflect the information included in the Stormwater Pollution Prevention Plan (SWPPP) report. Additionally, revisions to the SWPPP may occur as a result of the New York City Department of Environmental Protections (NYCDEP) site plan review. We acknowledge that the plan set and SWPPP has been adequately developed for SEQRA determination and that additional modifications may be necessary as a result of the further project development.
2. We anticipate that future submissions will include information relating to the sizing of the diversion swales, outlet protection and the storm drainage network
3. The elevations shown on the Site Plan for Pocket Wetland 2F appear to be exactly 2.0' higher than the stormwater model output included in the SWPPP. The elevations should be revised accordingly.
4. It appears that additional fill will be required to provide the proper cover over Cultec system 1A. It appears from the test pit information that system cannot be lowered any further due to the underlying hardpan layer.
5. While the layout shown for the accessible parking spaces near the playing fields has been revised to comply with current ADA regulations, the spaces provided near the proposed office building have not.

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



Jacobson

Mr. Thomas LaPerch, Chairman
Re: Glickenhau Private Academy
291 Deans Corner Road
Continued Preliminary Review
NLJ #0001-0955

March 7, 2016
Page 3

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
Kellard Sessions Consulting

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Bravcor

S/B/L: 78.-2-15

Zone: OP-1

Description: The application is to construct a two-story, 117,192 square foot building, comprising 97,192 square feet of warehouse and 12,000 square feet of retail/office use. The project would be located on a 9.4 acre parcel on Fields Lane, in the OP-1 Zoning District. Access is proposed from the existing drive for the Brewster Ice Arena. The Planning Board previously granted site plan approval for an 80,000 square foot building with a comparable amount of impervious surface at this site for a project known as Dykes Lumber.

SEQR ACTIONS COMPLETED:

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

TYPE OF ACTION: Unlisted

- 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

- 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: Requires side yard variance

Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
6/22/15	(1) Affirmed Lead Agency for an Unlisted/Coordinated Action under SEQRA (circulate new plans & Short EAF to Involved Agencies & Putnam County Land Trust); (2) Classified the proposed project as a Town of Southeast "Major Project"; and (3) Set the Public Hearing
7/27/15	Opened and Closed Public Hearing
10/26/15	Adopted Negative Declaration; Referred site plan to ARB for Major Project Review
3/7/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Consider Final Site Plan Approval
- 2) Recommend establishment of performance bond

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

INTRODUCED BY: Rush DATE: March 7, 2016

SECONDED BY: Armstrong

WHEREAS, BRAVCOR, LLC as the Applicant/Owner of certain properties located 65 Fields Lane in the OP-1 Zoning District in Town of Southeast and known and designated as Tax Map Number 78.-2-15 has submitted an application for Site Plan approval and a Wetland Permit for a proposed construction of a two-story, 117,192 square foot building, comprising 97,192 square feet of warehouse and 12,000 square feet of retail/office use (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, issued a Negative Declaration on or about 10/26/15, 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:

Drawing No. & Title; submitted by	Original Date; Last Revised
Memorandum to Chairman LaPerch from Bibbo Associates	2/8/16
Memorandum to Joseph Buschynski from NYC DEP	4/2/15
Statement of Use prepared by Bibbo Associates	1/11/16
E-1, Existing Conditions Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
P-1, Layout Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
GU-1, Grading & Utilities Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
EC-1, Sediment & Erosion Control Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
EC-2, Erosion Control Maintenance Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
EC-3, Erosion Control Details, prepared by Bibbo Associates	4/18/08; 2/3/16
EP-1, Entrance Plan & Land Trust Visitor Parking, prepared by Bibbo Associates	4/18/08; 2/3/16
D-1, Drainage System Profiles, prepared by Bibbo Associates	4/18/08; 2/3/16
D-2, Drainage System Details, prepared by Bibbo Associates	4/18/08; 2/3/16
RP-1, Driveway Profiles & Misc. Details, prepared by Bibbo Associates	4/18/08; 2/3/16
LP-1, Landscape Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
LT-1, Lighting Plan, prepared by Bibbo Associates	4/18/08; 2/3/16
A-01, Building Elevations, prepared by JFM Architecture	9/9/15; 9/23/15

; 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) 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 1/21/16 from the Town Board approving the architecture of the Proposed Action; and

WHEREAS, the Town of Southeast Wetlands Consultant issued a report and recommendation dated 3/7/16 in connection with the Proposed Action, as depicted on drawings dated 5/18/15 and prepared by Bibbo Associates; 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 BRAVCOR, LLC 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 Town 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 Town 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. This resolution supersedes all construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as an affirmation of past approvals or 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.

14. The NYSDEC has determined in a letter dated 7/22/15 that the Project Site is located within or near record(s) of northern long-eared bats (*Myotis septentrionalis*), a species listed as threatened in New York State. To avoid impacts to the this species and the requirements of an Article 11, Title 5, Section 535 of the Environmental Conservation Law, Threatened and Endangered Species, an Article 11 "Take" Permit, the removal of any trees greater than 4-inches diameter at breast height (DBH) associated with this Project shall occur during the Northern Long-eared Bat's hibernation period. This period begins October 31 and ends March 31 (of any given year). If tree cutting cannot occur during the above time frames, the applicant shall contact the NYSDEC to determine if a Take Permit is required and shall copy the Town of Southeast Building Inspector and Planning Board Secretary on all correspondence.

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.

2. All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility. In the event that said landscaping is not maintained to the satisfaction of the Building Inspector or Code Enforcement Officer (CEO), the Building Inspector or CEO shall notify the applicant in writing of the violation. If the required landscaping maintenance is not performed within 30 days to the satisfaction of the Building Inspector or CEO, the Town shall correct the violation and be reimbursed for Town costs by the applicant.

3. The Applicant shall provide an on-site and qualified arborist or landscape architect to supervise construction activity within 100 feet of any tree designated to be preserved on the approved plans. The arborist or landscape architect shall ensure that the tree protection measures indicated on the approved plans are in place and properly maintained throughout construction activity.

4. After final construction is complete, and prior to the issuance of a Certificate of Occupancy, the Applicant shall submit an as-built landscaping plan to the Town of Southeast Building Department. The as-built plan shall identify any discrepancies between the approved plan and the installed landscaping. The plans must be certified by a professional landscape architect, architect, or engineer.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>recused</u>	D. Rush, Acting 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>absent</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 5 to 0, with 1 absent. 1 recused

D. Rush
D. Rush, Acting Chairman / vad
Southeast Planning Board

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

March 8, 2016

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

RE: **BRAVCOR, LLC**, 65 Fields Lane, TAX MAP ID 78.-2-15

Dear Boardmembers:

At the 3/7/16 regular meeting of the Town of Southeast Planning Board, a motion was made to refer the above referenced project to the Town Board for the establishment of a Performance Bond for Erosion & Sediment Control and site stabilization.

<u>PROJECT</u>	<u>BOND AMOUNT</u>
BRAVCOR, LLC	\$ 42,000.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$1,032,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$41,280.00, must be remitted to the Planning Board Secretary prior to filing for a Building Permit. If you have any questions, please do not hesitate to contact the Planning Board.

Sincerely,


David Rush, Acting Chairman
Southeast Planning Board

Attachment

- cc: Town Attorney
- Town Clerk
- Town Engineer
- Building Inspector
- Bibbo Associates
- Planning Board File



Jacobson

March 4, 2016

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

Re: BRAVCOR, LLC
(formerly Dyke's Lumber/McNamara)
Fields Lane
Bond Estimate
NLJ #0001-0880

Dear Mr. LaPerch:

As requested, we have prepared a performance bond estimate for all site improvements associated with the above referenced project. Our attached Opinion of Probable Construction Costs for site improvements totals \$1,032,000.

Based on the current "Town of Southeast, Planning Board Fee Schedule" and the above recommended bond amount, the required inspection fee to be collected for the project is 4% of Site Development Costs or \$41,280.

We have also prepared a performance bond estimate for erosion & sediment controls and site restoration. The required Erosion & Sediment Control / Restoration Bond based on the attached estimate is \$42,000.

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,
W. Stephens, Jr.
M. Bruen
M. Stancati
S. Coleman
A. Ley
J Buschynski, P.E.

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

OPINION OF PROBABLE CONSTRUCTION COSTS
 Performance Bond

Project: Bravcor, LLC
 Fields Lane
 Southeast, New York

Done by: JMD
 Date: 3/2/2016
 Checked by:
 Date:

Project No.: 0001-0880

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	CLEAR TREES (Cut & Chip / Grub)	\$11,662.00	ACRE	7.2	\$83,966.40
2	STRIP & STOCKPILE TOPSOIL	\$0.49	S.Y.	18400	\$9,016.00
3	CUT AND FILL WITH COMPACTION	\$8.66	C Y.	15335	\$132,801.10
4	SINGLE CATCH BASIN	\$3,065.00	EACH	14	\$42,910.00
5	STORM MANHOLES	\$3,205.00	EACH	5	\$16,025.00
6	12" Ø HDPEP	\$33.00	L.F.	60	\$1,980.00
7	15" Ø HDPEP	\$39.00	L.F.	927	\$36,153.00
8	18" Ø HDPEP	\$49.00	L.F.	391	\$19,159.00
9	24" Ø HDPEP	\$68.00	L.F.	151	\$10,268.00
10	30" Ø HDPEP	\$92.00	L.F.	87	\$8,004.00
11	36" Ø HDPEP	\$115.00	L.F.	102	\$11,730.00
12	15" HDPE FLARED END SECTION	\$368.00	EACH	2	\$736.00
13	24" HDPE FLARED END SECTION	\$584.00	EACH	1	\$584.00
14	36" HDPE FLARED END SECTION	\$976.00	EACH	2	\$1,952.00
15	FIELDSTONE HEADWALL	\$1,140.00	EACH	2	\$2,280.00
16	REINFORCED CONCRETE RETAINING WALL	\$170.00	C.Y.	343	\$58,310.00
17	PROCESSED AGGREGATE BASE	\$44.66	C.Y.	1775	\$79,271.50
18	BITUMINOUS CONCRETE	\$101.50	TON	1828	\$185,542.00
19	BITUMINOUS CONC. LIP CURB	\$4.84	L.F.	4250	\$20,570.00
20	RIP RAP OUTLET PROTECTION	\$63.05	C.Y.	15	\$945.75
21	GUIDE RAIL	\$25.00	L.F.	846	\$21,150.00
22	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.10	S.Y.	18400	\$20,240.00
23	LANDSCAPING	\$33,800.00	L.S.	1	\$33,800.00
24	HYDROSEED (FERT. & MULCH)	\$0.58	S.Y.	18400	\$10,672.00
25	GRASSED SWALE	\$6.00	L.F.	360	\$2,160.00
26	REINFORCED VEGETATED SWALE	\$22.80	L.F.	453	\$10,328.40
27	STORMWATER QUALITY INLET	\$4,000.00	EACH	2	\$8,000.00
28	PRECAST CONCRETE DIVERSION MANHOLE	\$4,000.00	EACH	2	\$8,000.00
29	PRECAST CONCRETE OUTLET STRUCTURE	\$2,000.00	EACH	2	\$4,000.00
30	ANTI-SLEEP COLLAR	\$400.00	EACH	5	\$2,000.00
31	SIGNS	\$250.00	EACH	3	\$750.00
32	SITE LIGHTS	\$1,800.00	EACH	11	\$19,800.00
33	SILT FENCE	\$4.13	L.F.	950	\$3,923.50
34	CONSTRUCTION ENTRANCE	\$1,287.00	EACH	1	\$1,287.00
35	STONE CHECK DAM	\$24.26	L.F.	60	\$1,455.60
36	EROSION CONTROL BLANKET	\$2.49	S.Y.	1630	\$4,058.70
37	CONCRETE SIDEWALK	\$36.40	L.F.	2000	\$72,800.00
38	DUMPSTER ENCLOSURE	\$2,280.00	L.S.	1	\$2,280.00
39	PARKING STALL LINE PAINTING	\$10.55	EACH	64	\$675.20
40	PAINTED STOP BAR (18" WIDE)	\$2.19	L.F.	10	\$21.90
41	FIRE PROTECTION TANK SYSTEM	\$82,250.00	L.S.	1	\$82,250.00

Subtotal: \$1,031,856

SAY \$1,032,000

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

OPINION OF PROBABLE CONSTRUCTION COSTS
 Erosion & Sediment Control and Site Restoration Bond

Project: Bravcor, LLC
 Fields Lane
 Southeast, New York

Done by: JMD
 Date: 3/2/2016
 Checked by:
 Date:

Project No.: 0001-0880

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.10	S.Y.	18400	\$20,240.00
2	HYDROSEED	\$0.58	S.Y.	18400	\$10,672.00
3	SILT FENCE	\$4.13	L.F.	950	\$3,923.50
4	CONSTRUCTION ENTRANCE	\$1,287.00	EACH	1	\$1,287.00
5	STONE CHECK DAM	\$24.26	L.F.	60	\$1,455.60
6	EROSION CONTROL BLANKET	\$2.49	S.Y.	1630	\$4,058.70
Subtotal:					\$41,637
SAY					\$42,000



Jacobson

March 2, 2016

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

Re: BRAVCOR, LLC
(formerly Dyke's Lumber/McNamara)
Fields Lane
Final Site Plan
NLJ #0001-0880

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 Thomas LaPerch, Southeast Planning Board from Timothy S. Allen, P.E., dated February 8, 2016, including Statement of Use and Opinion of Probable Cost.
- Item 2: Set of twelve (12) drawings entitled "BRAVCOR, LLC, Fields Lane, Town of Southeast, Putnam County, NY", scale as noted, latest revision date shown: 02-03-16, prepared by Bibbo Associates, LLP.
- Item 3: Drawing entitled "BRAVCOR, LLC, Fields Lane, Brewster, New York, Town of Southeast", scale as noted, dated September 23, 2015, prepared by JFM Architect.

The submitted information satisfies the final plan requirements of Section 138-41 of the Southeast Code. As such, we would have no objection should the Planning Board choose to grant final site plan approval for the subject application.

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.



Jacobson

Mr. Thomas LaPerch, Chairman
Re: BRAVCOR, LLC
(formerly Dyke's Lumber/McNamara)
Fields Lane
Preliminary Site Plan Review
NLJ #0001-0880

June 18, 2015

Page 2

JMD:jmd

cc: T. Hay M. Bruen
 M. Levine M. Stancati
 S. Coleman W. Stephens, Jr.
 A. Ley J Buschynski, P.E.



STEPHEN W. COLEMAN
ENVIRONMENTAL CONSULTING, LLC

Environmental Planning & Site Analysis
Wetland Mitigation & Restoration Plans
Wetland Delineation & Assessment
Natural Resource Management
Pond & Lake Management
Wildlife & Plant Surveys
Breeding Bird Surveys
Landscape Design

MEMORANDUM

To: Thomas LaPerch, Chairman
Members of the Planning Board
From: Stephen W. Coleman
Date: March 7, 2016
Re: Bravcor. LLC, 14 Fields Lane – wetland review

I have completed a review of the latest submission, and based upon my review, the proposed wetland buffer impacts have not changed in the proposed site development plan, (dated last revised 05-18-15), from the original wetlands permit issued by the Planning Board, approved on 09-22-2008.

Therefore, it is my recommendation that the application is still in compliance with the standards and criteria outlined in Chapter 78, and as the Town's Wetlands Inspector, it is my recommendation that a wetlands permit be approved for this project. Please let me know if you have further questions or require additional information.

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Las Mananitas Site Plan
Amendment

S/B/L: 57.-2-40 **Zone:** RC

Description: Site Plan Amendment for a 10x25 feet exterior walk-in cooler located north east of the one story restaurant on 1250 Route 22.

Attorney: J. Robert Folchetti & Associates, LLC

SEQR ACTIONS COMPLETED:

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

TYPE OF ACTION:

- Date:
- Date:
- Date: 10/5/15
- 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

- 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: Side Yard

Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
11/9/15	Classified as Type II and Minor Project. Referred to ZBA and ARB. Waived Public Hearing. Referred to DEP and DEC, and County for 239.
3/7/15	

RECOMMENDED ACTION FOR MEETING:

- 1) Consider Final Site Plan approval.

**TOWN OF SOUTHEAST, NY
RESOLUTION
SITE PLAN APPROVAL**

INTRODUCED BY:

LaPerch

DATE: March 7, 2016

SECONDED BY:

Jonke

WHEREAS, LAS MANANITAS aka LSAR REALTY as the Applicant/Owner of certain properties located 1248-1250 Route 22 in the RC Zoning District in Town of Southeast and known and designated as Tax Map Number 57.-2-40 has submitted an application for Site Plan approval for a proposed 10x25 feet exterior walk-in cooler located northeast of the one story restaurant (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 as a Type II Action on or about 11/9/15, 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:

Drawing No. & Title; submitted by	Original Date; Last Revised
Project Site Location Plan, prepared by J. Robert Folchetti & Associates, LLC	11/15; 2/16
G-1, Existing Site Plan, prepared by J. Robert Folchetti & Associates, LLC	10/15
G-2, Plan, Profile & Details, prepared by J. Robert Folchetti & Associates, LLC	12/15; 2/16
P-01, Cooler Location View, prepared by J. Robert Folchetti & Associates, LLC	12/15
Memorandum to Chairman LaPerch from NYC DEP	11/24/15
Memorandum to Chairman LaPerch from NYS DEC	11/17/15

; 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) of the Town of Southeast Code; and,

WHEREAS, the Planning Board is in receipt of a referral dated 12/17/15 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

WHEREAS, the Planning Board is in receipt of a referral dated 12/22/15 from the Zoning Board of Appeals granting required variances for the Proposed Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 138, "Zoning," 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 Las Mananitas 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. 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.

2. 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.
3. 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) Escrow Account shall be in good standing;
- b) 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

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. 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.

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;

2. All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility. In the event that said landscaping is not maintained to the satisfaction of the Building Inspector or Code Enforcement Officer (CEO), the Building Inspector or CEO shall notify the applicant in writing of the violation. If the required landscaping maintenance is not performed within 30 days to the satisfaction of the Building Inspector or CEO, the Town shall correct the violation and be reimbursed for Town costs by the applicant.

3. The Applicant shall provide an on-site and qualified arborist or landscape architect to supervise construction activity within 100 feet of any tree designated to be preserved on the approved plans. The arborist or landscape architect shall ensure that the tree protection measures indicated on the approved plans are in place and properly maintained throughout construction activity.

4. After final construction is complete, and prior to the issuance of a Certificate of Occupancy, the Applicant shall submit an as-built landscaping plan to the Town of Southeast Building Department. The as-built plan shall identify any discrepancies between the approved plan and the installed landscaping. The plans must be certified by a professional landscape architect, architect, or engineer.

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>absent</u>
P. Jonke, Boardmember	<u>yes</u>		

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

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



Jacobson

March 2, 2016

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

Re: Las Mananitas Restaurant
1248-1250 Route 22
Amended Site Plan Review

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 22, 2016:

- Item 1: Town of Southeast Application for Final Site Plan Approval dated 2-18-16, accompanied by supporting information.
- Item 2: Set of three (3) drawings entitled "Las Mananitas Restaurant, Town of Southeast, Putnam County, New York, Walk In Cooler Site Plan Amendment", dated December 2015, revised February 2016, scale as noted, prepared by J. Robert Folchetti & Associates, L.L.C.

The above referenced information has addressed the comments noted in our November 6, 2015 engineering review letter. As such, we would have no objection should the Planning Board choose to approve the subject application.

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. Stancati
M. Levine	S. Coleman
W. Stephens, Jr.	A. Ley
M. Bruen	J. Folchetti

Nathan L. Jacobson & Associates, Inc.

Nathan L. Jacobson & Associates, P.C. (NY)
86 Main Street P.O. Box 337 Chester, Connecticut 06412-0337

Tel 860.526.9591 Fax 860.526.5416

Consulting Civil and Environmental Engineers Since 1972

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

SEQR ACTIONS COMPLETED:

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

TYPE OF ACTION: Unlisted/Coordinated

- Date: 12/22/08
- Date: 2/9/09
- Date: 8/22/08
- Date(s): 9/14/09

LOCAL AND AGENCY REVIEW REQUIRED?

REFERRAL DATE

STATUS/DATE OF LETTER

Yes No

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

4/15/2010

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
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
2/25/16	Opened & closed PH
3/7/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Consider Final Site Plan approval
- 2) Recommend performance bond

**TOWN OF SOUTHEAST, NY
RESOLUTION
SITE PLAN APPROVAL**

INTRODUCED BY:

LaPerch

DATE: March 7, 2016

SECONDED BY:

Jonke

WHEREAS, BREWSTER CORPORATE PARK as the Applicant/Owner of certain properties located 1920 Old Route 22 in the OP-2 Zoning District in Town of Southeast and known and designated as Tax Map Number 35.-2-4 has submitted an application for Site Plan approval for a proposed 90,000 sq. ft. spec office, warehouse, light manufacturing building (64,000 sq. ft. footprint with 26,000 sq. ft. mezzanine above), and 168 parking spaces (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, issued a Negative Declaration on or about 9/14/09, 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:

Drawing No. & Title; submitted by	Original Date; Last Revised
Memorandum to Chairman LaPerch from LADA, P.C.	12/15/15
Statement of Use, prepared by LADA, P.C.	12/15/15
Site Data Table, prepared by LADA, P.C.	12/15/15
Program for Construction Completion and Occupancy, prepared by LADA, P.C.	12/15/15
Memorandum to Terri-Ann Hahn of LADA, P.C., from NYC Department of Environmental Protection	10/16/15
Memorandum to Mt. Ebo Venture, LLC, from Putnam County Department of Health	11/3/15
Memorandum to Chairman LaPerch from LADA, P.C.	2/8/16
Stormwater Pollution Prevention Plan, prepared by LADA, P.C.	3/15/09; 9/30/15
L-1, Cover Sheet, prepared by LADA, P.C.	11/24/08; 9/30/15
L-2, Grading Plan, prepared by LADA, P.C.	11/24/08; 2/26/16
L-3.1, Erosion Control Plan Phase I, prepared by LADA, P.C.	11/24/08; 12/1/14
L-3.2, Erosion Control Plan Phase II, prepared by LADA, P.C.	11/24/08; 12/1/14
L-3.3, Erosion Control Plan Phase III, prepared by LADA, P.C.	11/24/08; 12/1/14
L-3.4, Erosion Control Plan Phase IV, prepared by LADA, P.C.	11/24/08; 12/26/13
L-3.A, Erosion Control Details, prepared by LADA, P.C.	11/24/08; 12/01/14
L-3.B, Erosion Control Details, prepared by LADA, P.C.	11/24/08; 12/01/14
L-3.C, Erosion Control Notes, prepared by LADA, P.C.	11/24/08; 12/01/14
L-3.D, Inspection and Maintenance, prepared by LADA, P.C.	01/11/12; 9/30/15
L-4, Layout & Materials, prepared by LADA, P.C.	11/24/08; 12/26/13
L-5, Planting Plan, prepared by LADA, P.C.	11/24/08; 2/29/16
L-6, Lighting Analysis Plan, prepared by LADA, P.C.	11/24/08; 2/26/16
L-7.1, Details, prepared by LADA, P.C.	11/24/08; 2/26/16
L-7.2, Details, prepared by LADA, P.C.	11/24/08; 12/01/14
L-7.3, Details, prepared by LADA, P.C.	11/24/08; 12/01/14
L-7.4, Planting List & Details, prepared by LADA, P.C.	11/24/08; 2/29/16
L-8.1, Truck Turning WB62, prepared by LADA, P.C.	5/29/09; 12/01/14
L-8.2, Truck Turning WB50, prepared by LADA, P.C.	5/29/09; 12/01/14

Drawing No. & Title; submitted by	Original Date; Last Revised
SU-1, Site Utilities Plan, prepared by LADA, P.C.	2/18/09; 12/01/14
P-1, Drainage Profiles, prepared by LADA, P.C.	2/18/09; 6/12/14
P-2, Drainage Profiles, prepared by LADA, P.C.	2/18/09; 12/26/13
DD-1, Drainage System Details, prepared by LADA, P.C.	2/18/09; 9/14/11
DD-2, Drainage System Details, prepared by LADA, P.C.	2/18/09; 9/14/11
DD-3, Drainage System Details, prepared by LADA, P.C.	2/18/09; 9/14/11
SD-1, Sewage Disposal System Plan, prepared by LADA, P.C.	2/18/09; 6/02/14
S-1, Pump Chamber Details, prepared by LADA, P.C.	2/18/09; 12/01/14
S-2, Sewage Disposal and Water System Details, prepared by LADA, P.C.	2/18/09; 9/14/11
W-1, Water System prepared by LADA, P.C.	11/26/10; 6/02/14
W-2, Water System prepared by LADA, P.C.	11/26/10; 01/06/12
H-1, NYS RTE 22 Improvements, prepared by John Collins Engineers, P.C.	12/01/14
H-2, NYS RTE 22 Improvements, prepared by John Collins Engineers, P.C.	12/01/14
H-3, NYS RTE 22 Improvements, prepared by John Collins Engineers, P.C.	12/01/14
H/EC-1, Route 22 Erosion Control Plan, prepared by LADA, P.C.	12/01/14
H/EC-2, Route 22 Erosion Control Plan, prepared by LADA, P.C.	12/01/14
H/EC-3, Route 22 Erosion Control Plan, prepared by LADA, P.C.	12/01/14
A200, Elevations, prepared by Archetype, P.A., Architects	6/08/09
A201, East Elevation & Plan Detail at West, prepared by Archetype, P.A., Architects	01/28/10

; 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) of the Town of Southeast Code; and,

WHEREAS, the Planning Board is in receipt of referrals dated 3/17/10 and 2/26/16 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

WHEREAS, the Planning Board is in receipt of a resolution dated 4/15/10 from the Town Board approving the architecture of the Proposed Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 138, "Zoning," 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 Brewster Corporate Park 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 Town 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 Town 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. This resolution supersedes all construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as an affirmation of past approvals or 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.

2. All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility. In the event that said landscaping is not maintained to the satisfaction of the Building Inspector or Code Enforcement Officer (CEO), the Building Inspector or CEO shall notify the applicant in writing of the violation. If the required landscaping maintenance is not performed within 30 days to the satisfaction of the Building Inspector or CEO, the Town shall correct the violation and be reimbursed for Town costs by the applicant.

3. The Applicant shall provide an on-site and qualified arborist or landscape architect to supervise construction activity within 100 feet of any tree designated to be preserved on the approved plans. The arborist or landscape architect shall ensure that the tree protection measures indicated on the approved plans are in place and properly maintained throughout construction activity.

4. After final construction is complete, and prior to the issuance of a Certificate of Occupancy, the Applicant shall submit an as-built landscaping plan to the Town of Southeast Building Department. The as-built plan shall identify any discrepancies between the approved plan and the installed landscaping. The plans must be certified by a professional landscape architect, architect, or engineer.

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>abstain</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>absent</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 5 to 0, with 1 absent. & 1 abstain.

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

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

March 8, 2016

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

RE: **BREWSTER CORPORATE PARK**, 1920 Old Route 22, TAX MAP ID 35.-2-4

Dear Boardmembers:

At the 3/7/16 regular meeting of the Town of Southeast Planning Board, a motion was made to refer the above referenced project to the Town Board for the establishment of a Performance Bond for Erosion & Sediment Control and site stabilization.

<u>PROJECT</u>	<u>BOND AMOUNT</u>
BREWSTER CORPORATE PARK	\$ 60,000.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$1,760,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$70,400.00, must be remitted to the Planning Board Secretary prior to filing for a Building Permit. If you have any questions, please do not hesitate to contact the Planning Board.

Sincerely,


Thomas LaPerch, Chairman
Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
LADA, P.C.
Planning Board File



Jacobson

March 4, 2016

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

Re: Brewster Corporate Park
Old Route 22
Bond Estimate
NLJ #0001-0901

Dear Mr. LaPerch:

As requested, we have prepared a performance bond estimate for all site improvements associated with the above referenced project. Our attached Opinion of Probable Construction Costs for site improvements totals \$1,760,000.

Based on the current "Town of Southeast, Planning Board Fee Schedule" and the above recommended bond amount, the required inspection fee to be collected for the project is 4% of Site Development Costs or \$70,400.

We have also prepared a performance bond estimate for erosion & sediment controls and site restoration. The required Erosion & Sediment Control / Restoration Bond based on the attached estimate is \$60,000.

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,
W. Stephens, Jr.
M. Bruen
M. Stancati
S. Coleman
A. Ley
LADA

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

OPINION OF PROBABLE CONSTRUCTION COSTS
 Performance Bond

Project: Brewster Corporate Park
 Old Route 22
 Southeast, New York

Done by: JMD
 Date: 3/3/2016
 Checked by: WIB
 Date: 3/4/2016

Project No.: 0001-0901

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	CLEAR TREES (Cut & Chip / Grub)	\$11,662.00	ACRE	10	\$116,620.00
2	STRIP & STOCKPILE TOPSOIL	\$0.49	S.Y.	26620	\$13,043.80
3	CUT AND FILL WITH COMPACTION	\$8.66	C.Y.	69813	\$604,580.58
4	SINGLE CATCH BASIN	\$3,065.00	EACH	14	\$42,910.00
5	STORM MANHOLES	\$3,205.00	EACH	4	\$12,820.00
6	DIVERSION MANHOLES	\$7,500.00	EACH	2	\$15,000.00
7	24" Ø RCP	\$62.66	L.F.	110	\$6,892.60
8	15" Ø HDPEP	\$39.00	L.F.	1128	\$43,992.00
9	18" Ø HDPEP	\$49.00	L.F.	549	\$26,901.00
10	24" Ø HDPEP	\$68.00	L.F.	456	\$31,008.00
11	30" Ø HDPEP	\$92.00	L.F.	28	\$2,576.00
12	CDS UNITS	\$30,000.00	EACH	1	\$30,000.00
13	OUTLET CONTROL STRUCTURE	\$4,500.00	EACH	2	\$9,000.00
14	RIP RAP SWALE	\$63.05	C.Y.	139	\$8,763.95
15	ANTI SEEP COLLAR	\$400.00	EACH	6	\$2,400.00
16	RIP RAP OUTLET PROTECTION	\$63.05	C.Y.	6	\$378.30
17	DUMPSTER ENCLOSURE	\$3,500.00	EACH	1	\$3,500.00
18	24" HDPE FLARED END SECTION	\$584.00	EACH	1	\$584.00
19	30" HDPE FLARED END SECTION	\$963.00	EACH	1	\$963.00
20	ROUGH GRADE SUBGRADE - PARKING LOTS (Large)	\$1.23	S.Y.	7260	\$8,929.80
21	1-1/2" & 1-1/4" PROCESSED AGGREGATE BASE	\$44.66	C.Y.	2419	\$108,032.54
22	FINE GRADE & ROLL BASE - PARKING LOTS	\$2.25	S.Y.	7260	\$16,335.00
23	BITUMINOUS CONCRETE BINDER	\$96.33	TON	835	\$80,435.55
24	BITUMINOUS CONCRETE SURFACE	\$101.50	TON	835	\$84,752.50
25	BITUMINOUS CONC. LIP CURB	\$4.84	L.F.	10245	\$49,585.80
26	CONCRETE CURB	\$7.25	L.F.	804	\$5,829.00
27	C.I.P CONC. WALK	\$9.10	S.F.	8913	\$81,108.30
28	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.10	S.Y.	26620	\$29,282.00
29	F. GRADE, FERT, LIME, SEED & MULCH	\$4.02	S.Y.	26200	\$105,324.00
30	SILT FENCE	\$4.13	L.F.	1705	\$7,041.65
31	HAY BALES (Staked)	\$4.71	L.F.	1005	\$4,733.55
32	SILT SACK (Catch Basin Insert - Regular Flow)	\$117.00	EACH	9	\$1,053.00
33	CONSTRUCTION ENTRANCE	\$1,287.00	EACH	2	\$2,574.00
34	LANDSCAPING	\$51,850.00	L.S.	1	\$51,850.00
35	SITE LIGHTING	\$45,000.00	L.S.	1	\$45,000.00
36	RETAINING WALL	\$20.19	S.F.	5200	\$104,988.00
37	SIGNS	\$250.00	EACH	1	\$250.00
Total:					\$1,759,037.92
SAY					\$1,760,000.00

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

OPINION OF PROBABLE CONSTRUCTION COSTS
 Erosion & Sediment Control and Site Restoration Bond

Project: Brewster Corporate Park
 Old Route 22
 Southeast, New York

Done by: JMD
 Date: 3/3/2016
 Checked by: WIB
 Date: 3/4/2016

Project No.: 0001-0901

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.10	S.Y.	26620	\$29,282.00
2	HYDROSEED	\$0.58	S.Y.	26200	\$15,196.00
3	SILT FENCE	\$4.13	L.F.	1705	\$7,041.65
4	HAY BALES (Staked)	\$4.71	L.F.	1005	\$4,733.55
5	SILT SACK (Catch Basin Insert - Regular Flow)	\$117.00	EACH	9	\$1,053.00
6	CONSTRUCTION ENTRANCE	\$1,287.00	EACH	2	\$2,574.00
				Total:	\$59,880.20
				SAY	\$60,000.00