
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

June 20, 2016

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. AT&T, 300 Route 22** – Review of Application for Final Site Plan Approval and Conditional Use Permit
- 2. 131 FIELDS LANE, 131 Fields Lane** – Continued Review of Application for Site Plan and Wetland Permit
- 3. MACO LAND PROPERTIES, 1651 Route 22** – Review of Application for Final Approval of Site Plan and Wetland Permit
- 4. SANTUCCI, 5 Shady Lane** – Continued Review of Building Inspector Request for Decision on Special Use Permit
- 5. Approve Meeting Minutes from June 6, 2016**

June 10, 2016

VAD

Agenda Subject to Change

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: AT&T Generator – Orchard Hill **S/B/L:** 78.-1-31 **Zone:** GC/R-160

Description: The applicant proposes to install a 50kW diesel generator on a 4’x10’ concrete pad to be located within the existing fenced cell tower compound site.

Engineer: Brandie Webster, FDHVelocitel

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

- Town Board (ARB Review)
- 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
4/11/16	1) Classified as Type II Action and TOSE Minor Project; 2) referred to ARB; 3) waived the Public Hearing
6/20/16	

RECOMMENDED ACTION FOR MEETING:

Consider final site plan and conditional use permit approval.

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION FOR A CONDITIONAL USE PERMIT
AND AMENDED SITE PLAN APPROVAL
FOR AT&T, 300-310 ROUTE 22**

INTRODUCED BY: *F. Perch* DATE: June 20, 2016
SECONDED BY: *Jonke*

WHEREAS, an application is being made for an amended site plan and conditional use permit for the installation of a diesel generator on a 4' x 10' concrete pad to be located within the existing fenced cell tower compound site of an existing telecommunications tower on a property located at 300-310 Route 22, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 78.-1-31, and is located in the GC / R-160 Zoning Districts; and

WHEREAS, the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short Environmental Assessment Form (EAF) dated 6/12/12, 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; and

WHEREAS, the Planning Board is in receipt of the following documents in support of this application:

1. Memorandum to Planning Board, prepared by FDH Velocitel, dated 5/27/16
2. T-1, Title Sheet, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
3. C-1, General Notes, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
4. C-2, Site Plan, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
5. C-3, Generator Plans & Elevations, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
6. C-4, Signage, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
7. C-5, Alarm & Control Details, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
8. E-1, Grounding & Electrical Notes, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
9. E-2, Grounding & Electrical Plan, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
10. E-3, Generator Single Line Diagram, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
11. E-4, Grounding & Electrical Details, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16
12. S-1, Foundation Plan & SEctions, prepared by FDH Velocitel, dated 3/10/16; last revised 3/24/16

WHEREAS, 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

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: 131 Fields Lane

S/B/L: 78.-2-86

Zone: OP-1

Description: Proposed 20,400 sf 2-story office/warehouse building with associated parking areas, well, septic system, and stormwater management on a 24.3 acre property located at 131 Fields Lane in the OP-1 Zoning District. Office is a permitted use and Warehouse is a Conditional Use in the OP-1 Zoning District.

Engineer: Insite

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) [Adjacent to North Salem]
- 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
2/8/16	Declared Intent to be Lead Agency (Unlisted/Coordinated); Classified as TOSE Major Project; set public hearing
3/21/16	Declared Lead Agency , opened & closed PH
6/20/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Consider SEQRA determination
- 2) Refer to ARB

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

Date: June 20, 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: 131 Fields Lane

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Proposed 20,400 sq. ft., two-story office/warehouse building with associated parking areas, well, septic system, and stormwater management on a 24.3 acre property in the OP-1 Zoning District. Office is a permitted use and Warehouse is a Conditional Use in the OP-1 Zoning District. Application also requires a Wetland Permit.

Location:

131 Fields Lane & TAX ID 78.-2-86

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Insite Engineering, dated 5/31/16
- Wetland Buffer Monitoring & Maintenance Plan, prepared by Insite Engineering, dated 5/31/16
- Preliminary Stormwater Pollution Prevention Plan, prepared by Insite Engineering, dated 5/31/16
- LP-1, Lighting Plan, prepared by Insite Engineering, dated 2/29/16; last revised 5/31/16
- SP-1, Layout & Landscape Plan, prepared by Insite Engineering, dated 1/20/16; last revised 5/31/16
- SP-2, Grading & Utilities Plan, prepared by Insite Engineering, dated 1/20/16; last revised 5/31/16
- SP-3, Erosion & Sediment Control Plan, prepared by Insite Engineering, dated 1/20/16; last revised 5/31/16
- D-1, Details, prepared by Insite Engineering, dated 1/20/16; last revised 5/31/16
- D-2, Details, prepared by Insite Engineering, dated 1/20/16; last revised 5/31/16
- D-3, Details, prepared by Insite Engineering, dated 1/20/16; last revised 5/31/16
- Memorandum to Chairman LaPerch from NYC Department of Environmental Protection, dated 3/3/16
- Memorandum to Chairman LaPerch from NYS Department of Environmental Conservation, dated 3/2/16

WHEREAS, on 2/8/16, the Planning Board classified the proposed action as an Unlisted action and circulated its intent to serve as Lead Agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, the Planning Board held a publically noticed meeting on 3/21/16, at which time members of the public were given the opportunity to comment on the proposed project; and

WHEREAS, to avoid impacts to the northern long eared bat, the proposed project would limit tree clearing to between November 1 and March 31;

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

A Copy of this Notice has been filed with:

INVOLVED/INTERESTED AGENCY	
Putnam County Department of Health 1 Geneva Road Brewster, New York 10509	Town Board 1360 Route 22 Brewster, NY 10509
SEQR Unit New York State Department of Transportation Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603	Town Clerk 1360 Route 22 Brewster, NY 10509
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 ATTN: Commissioner	Building Inspector 1 Main Street Brewster, NY 10509
New York State Department of Environmental Conservation Region 3 21 South Putt Corners New Paltz, NY 12561 ATTN: Regional Director	Highway Superintendent 10 Palmer Road Brewster, NY 10509
New York City Department of Environmental Protection Bureau of Water Supply 465 Columbus Avenue Valhalla, New York 10595-1336	Southeast Fire Inspector 1 Main Street Brewster, NY 10509

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 4 to 0, with 3 absent.

T. LaPerch
 T. LaPerch, Chairman
 Southeast Planning Board

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

June 21, 2016

TO: Architectural Review Board


FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: 131 Fields Lane
131 Fields Lane
Tax Map ID 78.-2-86

At the regular meeting of the Southeast Planning Board on 6/20/16, a motion was made to refer the above referenced application to your Board for review and recommendation to the Town Board. The Planning Board issued a Negative Declaration under the New York State Environmental Review Act (SEQRA) process on 6/20/16. 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 Attorney
Town Clerk
Insite Engineering

Town of Southeast

**Planning Board
One Main Street
Brewster, NY 10509**

June 22, 2016

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: 131 Fields Lane, 131 Fields Lane, TAX ID 78.-2-86

Dear Boardmembers:

At the 6/20/16 regular meeting of the Town of Southeast Planning Board a motion was made to refer the above referenced application to your Board for the following:

1. A variance for 6 ft. in excess of the permitted 30 ft. vertical height of a manufactured slope, per §138-15.1.A(1), where 36 ft. is proposed.
2. A variance for the manufactured slope to be steeper than the permitted two horizontal to one vertical, per §138-15.1.A(1), where one and a half horizontal to one vertical is proposed.

Sincerely,

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

Thomas LaPerch, Chairman
Town of Southeast Planning Board

cc: Town Attorney
Town Clerk
Insite Engineering
Planning Board File
Zoning Board of Appeals File



Jacobson

June 16, 2016

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

Re: 131 Fields Lane
131 Fields Lane
Continued Review
NLJ #0001-0986

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through June 1, 2016:

- Item 1: Letter to Chairman LaPerch and Members of the Board from Scott W. Blakely, RLA dated May 31, 2016 accompanied by, Short Environmental Assessment Form and Wetland Buffer Monitoring & Maintenance Plan for 131 Fields Lane.
- Item 2: Report entitled "Preliminary Stormwater Pollution Prevention Plan for 131 Fields Lane, Town of Southeast, New York, dated May 31, 2016, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.
- Item 3: Set of six (6) drawings entitled "131 Fields Lane, 131 Fields Lane, Town of Southeast, Putnam County, New York", scale as noted, dated 01-20-16, last revised 05-31-16, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.
- Item 4: Drawing entitled "Lighting Plan, 131 Fields Lane, Town of Southeast, Putnam County, New York", scale: 1"=50', dated 02-29-16, last revised 05-31-16 prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.

The submitted information has adequately addressed our February 5, 2016 sketch review comments. The stormwater treatment system has been modified to include a sand filter in addition to the previously designed pretreatment basin and infiltration basin. The proposed sand filter is located entirely within the 100 ft. NYSDEC wetland setback.

We have the following comment:

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



Jacobson

Mr. Thomas LaPerch, Chairman

RE: 131 Fields Lane
Continued Review
NLJ #0001-0986

June 16, 2016

Page 2

1. The site plan proposes a 1.5H:1V engineered slope along the east slope of the entry drive. The drawing set should include specific details regarding the methods and products used to stabilize the slope. Additionally, design computations should be included with the submission.

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
S. Blakely

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Maco Land Properties

S/B/L: 46.-3-14

Zone: HC (formerly RC)

Description: Proposed two-story office building on Rte 22. Initial application included petition to rezone parcel from RC to HC to permit development. Rezoning was approved. Application requires PB site plan and wetland permit approval.

Engineer: Bibbo Associates

SEQR ACTIONS COMPLETED:

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

TYPE OF ACTION: Unlisted/Coordinated

- Date: 3/9/15
- Date: 6/8/15
- 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 (Zoning)
- 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
3/9/15	1) Sketch Plan review; 2) Declared intent to be Lead Agency (Unlisted/Coordinated); 3) Classified as Major Project
6/8/15	Declare Lead Agency; Set PH
7/13/15	Opened & continued PH to 8/24/15 (NOTE: 8/24/15 meeting later cancelled)
9/28/15	Closed PH; Approve Negative Declaration; Refer to ARB and ZBA; Refer Zoning Recommendation to Town Board
1/7/16	Town Board approved rezoning from RC to HC
6/20/16	

RECOMMENDED ACTION FOR MEETING:

1) Consider Final Site Plan and Wetland Permit Approval

NOTE: Do not sign plans until corrections have been made.

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

INTRODUCED BY:

LaPerch

DATE: June 20, 2016

SECONDED BY:

Jonke

WHEREAS, MACO LAND PROPERTIS as the Applicant/Owner of certain properties located 1651 Route 22 in the HC Zoning District (formerly RC) in Town of Southeast and known and designated as Tax Map Number 46.-3-14 submitted an application for Site Plan approval and a Wetland Permit to develop a two-story office building and associated parking (the “Proposed Project”); and

WHEREAS, the applicant petitioned the Town to rezone the parcel from RC to HC to permit such development, and the Town Board granted the petition by resolution on January 7, 2016; 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 9/28/15, indicating that no negative environmental impact would exist; and

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	5/31/16
SL-1, Site Layout, prepared by Bibbo Associates	5/31/16; 6/15/16
SP-1, Site Plan, prepared by Bibbo Associates	10/03/01; 5/31/16
EC-1, Erosion Control Plan & Details, prepared by Bibbo Associates	10/17/02; 5/31/16
D-1, Details, prepared by Bibbo Associates	10/22/01; 5/31/16
D-2, Stormwater System Details, prepared by Bibbo Associates	4/25/03; 6/15/16
Planting Plan, prepared by LADA, P.C.	10/25/02; 5/31/16
SDS-1, Sewage Disposal System, prepared by Bibbo Associates	5/14/02; 5/31/16
WS-1, Water System Plan, prepared by Bibbo Associates	10/17/02; 5/31/16
EP-1, Entrance Plan, prepared by Bibbo Associates	5/31/16

; 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 5/25/16 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

WHEREAS, the Planning Board is in receipt of a resolution dated 6/9/16 from the Town Board approving the architecture of the Proposed Action; and

WHEREAS, the Town of Southeast Zoning Board of Appeals approved issued a report on 11/17/05 approving the requested variances as referred by the Planning Board; 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 8/5/15 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 Maco Land Properties 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>absent</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>absent</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 4 to 0, with 3 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board



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fax: 914 949-7559
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Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: June 15, 2016
Re: Maco Land Properties
cc: Bibbo Associates and LADA

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

- SL-1 Site Layout, prepared by Bibbo Associates, dated 5/31/16
- SP-1 Site Plan, prepared by Bibbo Associates, dated 10/3/01 and last revised 5/31/16
- EC-1 Erosion Control Plan, prepared by Bibbo Associates, dated 10/17/02 and last revised 5/31/16
- D-1 Details, prepared by Bibbo Associates, dated 10/22/01 and last revised 5/31/16
- SP-1 Stormwater System Details, prepared by Bibbo Associates, dated 4/25/03 and last revised 5/31/16
- Planting Plan, prepared by LADA, PC, dated 10/25/02 and last revised 5/16/16
- SDS-1 Sewage Disposal System, prepared by Bibbo Associates, dated 5/14/02 and last revised 5/31/16
- WS-1 Water System Plan, prepared by Bibbo Associates, dated 10/17/02 and last revised 5/31/16
- EP-1 Entrance Plan, prepared by Bibbo Associates, dated 5/31/16

PROJECT DESCRIPTION

The applicant proposes to construct a two story office building and associated parking at 1651 Route 22 in the HC Zoning District in the Town of Southeast. The proposed use is a permitted principal use HC District. The Town Board approved the Applicant's petition to rezone the property from RC to HC on January 7, 2016.

COMMENTS

1. Sheet SL-1 should be revised to reflect the current zoning of the property, which is HC. The HC-1 Zoning District no longer exists, and the Town Board has approved the rezoning from RC to HC.
2. The drawing set includes two different pages numbered "SP-1" and should be corrected.
3. The planning plan has not been revised to reflect the recommendations of the ARB, and still includes plants known to be invasive such as *euonymous alatus*.

RECOMMENDATIONS

The above comments are minor in nature, but must be addressed prior to the plans being submitted for the Chairman's signature. As such, AKRF recommends that the Planning Board consider final site plan approval for Maco Land Properties, and include the above corrections as conditions of final site plan and wetland permit approval.



Jacobson

June 16, 2016

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

Re: Maco Land Properties, LTD
1651 Route 22
Final Site Plan Review
NLJ #0001-0760

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through June 1, 2016:

- Item 1: Letter to Southeast Planning Board, from Joseph J. Buschynski, dated May 31, 2016.
- Item 2: Town of Southeast Application for Final Site Plan Approval, dated 05/31/16 accompanied by Town of Southeast Architectural Review Board positive recommendation and Town of Southeast Zoning Board of Appeals variance approval.
- Item 3: Set of nine (9) drawings entitled "Maco Land Properties, Ltd, 1651 Route 22, Southeast(T), Putnam County, N.Y." scales as noted, latest revision date shown 05-31-16, prepared by Bibbo Associates, L.L.P.

The Applicant's engineer has submitted a revised set of plans that reflect the minor changes as a result of a new survey due to the widening of Route 22. The revised existing topography has not caused substantive changes to the proposed design.

We have the following comments:

1. Sheet 2 of 9 and sheet 5 of 9 are both identified as drawing No. SP-1. This discrepancy should be corrected.
2. The Planting Plan has not been revised to reflect the recommendations of the Architectural Review Board

Subject to the resolution of the above referenced items, we would have no objection should the Planning Board choose to approve the subject application.



Jacobson

Mr. Thomas LaPerch, Chairman
Re: Maco Land Properties, LTD
1651 Route 22
Final Site Plan Review
NLJ #0001-0760

June 16, 2016

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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
J. Buschynski