
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

October 24, 2016

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

- 1 HENRY TREE SERVICE, 47 Prospect Hill Road** – Public Hearing to Review Application for a Site Plan Amendment
- 2 SALMONS DAILY BROOK ESTATES, LOT 49** – Public Hearing to Review Application for a Wetland Permit

REGULAR SESSION:

- 1. FARM TO MARKET ROAD SUBDIVISION, 83 and 85 Farm to Market Road** – Review of Request for Extension of Subdivision Approval
- 2. FORTUNE RIDGE SUBDIVISION (aka MEADOWS AT DEANS CORNER), Deans Corner Road** – Review of Request for Reduction of Performance Bond
- 3. SALINGERS LOT LINE ADJUSTMENT, 185 & 187 Guinea Road** – Review of Application for Subdivision
- 4. APPLE FARM MARKET, 1545 Route 22** – Review of Application for Site Plan Amendment
- 5. BREWSTER HILL GENERAL STORE, 563 Route 312** – Review of Application for Site Plan Amendment
- 6. GUARDIAN VETERINARY SPECIALISTS, 4 Hardscrabble Heights** – Review of Application for Final Site Plan Approval

Approve Meeting Minutes from September 26, 2016

October 13, 2016

VAD

Agenda Subject to Change

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Bill Henry Tree Service

S/B/L: 56.12-1-6

Zone: ED

Description: Applicant proposes to construct 55'x65' contractor's building, 55'x 65' canopy with outdoor storage beneath, and associated parking areas.

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

AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT? Y N

If yes, list alternative names:

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
- E-911 Coordinator
- 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
9/26/16	1) Declare Intent to be Lead Agency (Unlisted Action/Coordinated) 2) Classify as TOSE Major Project (development area greater than 10,000 sf) 3) Set Public Hearing
10/24/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Open/Close Public Hearing
- 2) Declare Lead Agency
- 3) Consider Negative Declaration
- 4) Refer to ARB

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

INTRODUCED BY: Rush

DATE: October 24, 2016

SECONDED BY: Cyprus

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a site plan, and other supporting documents for a project entitled **HENRY TREE SERVICE**; and

WHEREAS, the proposed project is located at 47 Prospect Hill Road in the ED Zoning District in the Town of Southeast and identified as Tax Map ID 56.15-1-6; and

WHEREAS, the applicant proposes to construct 55'x65' contractor's building, 55'x 65' canopy with outdoor storage beneath, and associated parking areas; and

WHEREAS the Planning Board scheduled a public hearing on the proposed site plan for 10/24/16; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 9/26/16; and

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

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast will serve as Lead Agency for purposes of SEQRA for this Unlisted and Coordinated Action.

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

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

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

Date: October 24, 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: HENRY TREE SERVICE

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Applicant proposes to construct 55'x65' contractor's building, 55'x 65' canopy with outdoor storage beneath, and associated parking areas.

Location:

47 Prospect Hill Road

Tax Map ID 56.12-1-6

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Insite Engineering, dated 10/20/16
- Statement of Use, prepared by Insite Engineering, dated 9/6/16
- Waiver Request, prepared by Insite Engineering, dated 9/6/16
- Program for Construction Completion and Occupancy, prepared by Insite Engineering, dated 9/6/16
- Memorandum to Bill Henry Tree Service from Ecological Analysis, LLC, dated 5/25/16
- A-1, Aerial Map, prepared by Insite Engineering, dated 9/6/16
- Topographic Survey of Property, prepared by Insite Engineering, dated 6/17/16
- SP-1, Site Plan, prepared by Insite Engineering, dated 9/6/16; last revised 10/20/16
- SP-2, Grading & Drainage Plan, prepared by Insite Engineering, dated 9/6/16; last revised 10/20/16
- SP-3, Erosion & Sediment Control Plan, prepared by Insite Engineering, dated 9/6/16; last revised 10/20/16
- LP-1, Lighting Plan, prepared by Insite Engineering, dated 9/6/16; last revised 10/20/16

WHEREAS, on 9/26/16, 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 10/24/16, at which time members of the public were given the opportunity to comment on the proposed project; and

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

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

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

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

For Further Information:

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

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	Zoning Board of Appeals 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	Architectural Review Board 1 Main Street Brewster, NY 10509
New York City Department of Environmental Protection Bureau of Water Supply 465 Columbus Avenue Valhalla, New York 10595-1336	Building Inspector 1 Main Street Brewster, NY 10509
E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509	Highway Superintendent 10 Palmer Road Brewster, NY 10509

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

P. Rush / rad
 D. Rush, Acting Chairman
 Southeast Planning Board

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

October 25, 2016

TO: Architectural Review Board

FROM: David Rush, Acting Chairman
Southeast Planning Board

RE: Henry Tree Service
47 Prospect Hill Road
Tax Map ID 56.15-1-6

At the regular meeting of the Southeast Planning Board on October 24, 2016, 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 10/24/16. 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,


David Rush, Acting Chairman
Southeast Planning Board

cc: Town Attorney
Town Clerk
Insite Engineering

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Salmons Daily Brook

S/B/L: 42.-2-14

Zone: R-60

Contact: Ross Alan

Description: Wetland permit application for +/- 1 acre of wetland buffer disturbance for the construction of a 3-bedroom home, driveway, well, and subsurface sewage disposal system. Plan is a revision of a plan denied a wetland permit by the Town Board 7/20/06.

Engineer: Joseph Buschynski, 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:
- Date:
- Date:
- Date(s):

MAJOR/MINOR PROJECT: Major Wetland Permit

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

AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT? Y N

If yes, list alternative names: Project never previously approved.

LOCAL AND AGENCY REVIEW REQUIRED?

REFERRAL DATE STATUS/DATE OF LETTER

- | Yes | No | |
|-------------------------------------|-------------------------------------|----------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Town Board |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Town of Southeast ARB |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Wetland Permit |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Historic Sites Commission |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Town Highway Department |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | MS4 Permit |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | E-911 Coordinator |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | County Planning Department (GML) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | County Highway Department |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | County Health Department |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | NYSDEC |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | NYCDEP |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | NYSDOT |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Army Corps of Engineers |

VARIANCES OR BOARD WAIVER (IF APPLICABLE) Y N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
10/22/07	Discussion of wetland consultant memo- request for more information, revisit of the wetland delineation in Spring 2008.
9/26/16	1) Declare Intent to be Lead Agency (Unlisted Action/Coordinated); 2) Classify as TOSE Major Wetland Permit; 3) Set Public Hearing

RECOMMENDED ACTION FOR MEETING:

- 1) Open Public Hearing
- 2) Declare Lead Agency

NOTE: Applicant has not yet addressed Stephen Coleman's 9/25/16 comments

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

INTRODUCED BY: Rush

DATE: October 24, 2016

SECONDED BY: Cyprus

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a wetland permit, and other supporting documents for a project entitled **SALMONS DAILY BROOK ESTATES, LOT 49**; and

WHEREAS, the proposed project is located at 4 Salmons Hollow Road in the R-60 Zoning District in the Town of Southeast and identified as Tax Map ID 47.-2-14; and

WHEREAS, the applicants proposes a +/- 1 acre of wetland buffer disturbance for the construction of a 3-bedroom home, driveway, well, and subsurface sewage disposal system; and

WHEREAS the Planning Board scheduled a public hearing on the wetland permit for 10/24/16; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 9/26/16; and

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

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast will serve as Lead Agency for purposes of SEQRA for this Unlisted and Coordinated Action.

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

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

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Farm to Market Subdivision **S/B/L:** 45.-2-21 and 22 **Zone:** R-160

Description: Proposed 11 lot subdivision (10 building lots, one common lot).

Engineer: Peder Scott

SEQR ACTIONS COMPLETED:		TYPE OF ACTION: Unlisted	
<input type="checkbox"/> Intent to Declare Lead Agency		Date:	
<input type="checkbox"/> Declare Lead Agency		Date:	
<input type="checkbox"/> EAF Submitted		Date:	
<input type="checkbox"/> Determination of Significance by Board		Date(s):	
MAJOR/MINOR PROJECT: Major Subdivision			
Date Classified:		Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N	
LOCAL AND AGENCY REVIEW REQUIRED?	REFERRAL DATE	STATUS/DATE OF LETTER	
Yes No			
<input checked="" type="checkbox"/> <input type="checkbox"/> Town Board			
<input checked="" type="checkbox"/> <input type="checkbox"/> Town of Southeast ARB			
<input checked="" type="checkbox"/> <input type="checkbox"/> Wetland Permit			
<input type="checkbox"/> <input checked="" type="checkbox"/> Historic Sites Commission			
<input checked="" type="checkbox"/> <input type="checkbox"/> Town Highway Department			
<input checked="" type="checkbox"/> <input type="checkbox"/> MS4 Permit			
<input checked="" type="checkbox"/> <input type="checkbox"/> County Planning Department (GML)			
<input type="checkbox"/> <input checked="" type="checkbox"/> County Highway Department			
<input checked="" type="checkbox"/> <input type="checkbox"/> County Health Department			
<input checked="" type="checkbox"/> <input type="checkbox"/> NYSDEC			
<input checked="" type="checkbox"/> <input type="checkbox"/> NYCDEP			
<input type="checkbox"/> <input checked="" type="checkbox"/> NYSDOT			
<input checked="" type="checkbox"/> <input type="checkbox"/> Army Corps of Engineers			
<input checked="" type="checkbox"/> <input type="checkbox"/> NY State Historic Preservation Office			
VARIANCES OR BOARD WAIVER (IF APPLICABLE) <input type="checkbox"/> Y <input type="checkbox"/> N			
Variance or Waiver Request:			
Date Granted or Denied, and any conditions:			
PLANNING BOARD ACTIONS:			
Date	Discussion/Decisions/Resolutions		
3/10/14	Sketch Plan Review; Discuss Town Consultant Comments		
9/8/14	Discussion		
11/24/14	Declared Intent to be Lead Agency (Unlisted, Coordinated); Set PH		
1/12/15	Declared Lead Agency; opened & continued PH		
2/23/15	Continued PH		
3/23/15	Opened & continued PH		
5/11/15	Open and continued PH to June 8, 2015		
6/8/15	Closed PH		
7/27/15	Negative Declaration, Preliminary Plat Approval, & Referral to Town Board (280-a)		
2/8/16	Extension of Preliminary Plat approval		
5/9/16	Final Conditional Subdivision Approval		
6/6/16	Recommendation on Performance Bond		
10/24/16			

RECOMMENDED ACTION FOR MEETING: Consider extension of Final Conditional Subdivision Approval
NOTE: This is the first of 12 permitted 90-day extensions per 123-13.G(2)

**TOWN OF SOUTHEAST
RESOLUTION GRANTING EXTENSION OF TIME IN WHICH TO SATISFY THE
CONDITIONS OF CONDITIONAL FINAL PLAT APPROVAL**

INTRODUCED BY: Rush

DATE: October 24, 2016

SECONDED BY: Wince

WHEREAS, the Planning Board of the Town of Southeast previously granted conditional approval of the Final Plat by resolution dated 5/9/16, for a certain Project Development Plan known as **FARM TO MARKET ROAD SUBDIVISION**, located at 83 & 85 Farm to Market Road in the R-160 Zone, also known and designated as Tax Map Numbers 45.-2-21 and 45.-2-22, and;

WHEREAS, pursuant to Section 123-13.G(2) of the Code of the Town of Southeast, conditional approval of the final plat shall expire within 180 days of the resolution granting such approval, provided that the Planning Board may extend the approval by twelve periods of 90 days each if in the Planning Board's opinion such extension is warranted; and

WHEREAS, the Planning Board is in receipt of a letter from the owner or their representative requesting an extension of time in which to satisfy the conditions of the conditional final plat approval; and

WHEREAS, the applicant has demonstrated that it has been diligently pursuing the conditions of final approval; and

NOW THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast hereby grants the applicant two 90 day extensions of time, commencing on 11/9/16, in which to satisfy the conditions of the conditional final plat approval. The applicant shall be eligible for ten (10) more 90-day extensions per Section 123-13.G(2).

It is the responsibility of the applicant to track the time frame within which this extension will expire. There will be no written or verbal notification to the applicant from the Planning Board office prior to the expiration of this extension.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman absent

D. Rush, Vice Chairman yes

P. Wissel, Boardmember yes

D. Armstrong, Boardmember absent

E. Cyprus, Boardmember yes

M. Hecht, Boardmember yes

P. Jonke, Boardmember yes

The resolution was passed by a vote of 5 to 0, with 2 absent.

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

Town of Southeast

Planning Board
One Main Street
Brewster, NY 10509

October 24, 2016

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

RE: FORTUNE RIDGE SUBDIVISION (aka MEADOWS AT DEANS CORNER, Tax Map ID 67.-1-61)

Dear Boardmembers:

At the October 24, 2016 regular meeting of the Town of Southeast Planning Board, a motion was made to positively refer the above referenced application to the Town Board for the reduction of the Performance Bond currently being held.

<u>PROJECT</u>	<u>CURRENT AMOUNT</u>	<u>NEW AMOUNT</u>
FORTUNE RIDGE	\$9,645,000.00	\$4,822,500.00

The Town Engineer's Report is attached for your consideration. 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
Keane & Beane, P.C.
Planning Board File



Jacobson

October 24, 2016

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

Re: Fortune Ridge Subdivision
Formerly Meadows at Dean's Corners
Request for Performance Bond Reduction
NLJA #0001-0452

Dear Mr. LaPerch:

As requested, we have reviewed the request for bond reduction for the above referenced project and made recent inspections at the site to generally verify that work items and associated cost values are consistent with the status of site work completed.

From a bonding standpoint, this project was originally divided into six phases, with a bond for Phase 1 and a separate bond for Phases 2 thru 6 originally posted at a total amount of just over \$16,000,000.

In October of 2012, work on several of the phases had progressed and it was determined that the bond originally held for phase 2 thru 6 in the amount of \$9,645,000 exceeded the cost of all work remaining; and therefore that bond could continue to be held for remaining work on all phases of the project.

Based on our current review of the submitted information and verification of work done on the project, we have confirmed that additional work has now been completed such that the cost of the work remaining is estimated at \$4,098,093. The attached spreadsheet includes a detailed breakdown of site work items, status of completion and associated costs.

It should be noted that a significant portion of the work completed and considered with this bond reduction is specifically associated with the sanitary sewer and water supply systems. In this regard, we have attached letters of approval and/or compliance from the regulating agencies for construction of these systems.

With respect to the requested bond reduction, §123-25 of the Town Code requires that *"upon recommendation of the Planning Board, the Town Board may release or reduce the security in accordance with the provisions of § 277 of the Town Law, but in no case shall the amount be reduced to less than 50% of the face value of the security"*.

In this case, the face value of the security is \$9,645,000 and therefore the Code would allow a reduction to 50% of that amount or \$4,822,500. Since this amount exceeds the estimate to complete



Jacobson

Mr. Thomas LaPerch, Chairman
Re: Fortune Ridge Subdivision
Formerly Meadows at Dean's Corner
Request for Performance Bond Reduction
NLJA #0001-0452

October 24, 2016

Page 2

the remaining improvements (\$4,098,093) we recommend reducing the bond to the allowed amount or **\$4,822,500**.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Thomas H. Fenton, P.E.

THF:thf

cc: T. Hay
M. Bruen
W. Stephens, Jr.
A. Ley
M. Stancati
M. Levine
Kellard Sessions
R. O'Rourke

SITework CONSTRUCTION WORK COMPLETE ESTIMATE FOR 2ND BOND REDUCTION

Meadows at Deans Corners (Fortune Ridge)
 Southeast, NY
 October 20, 2016

Item	Quantity	Unit	Unit Cost	Unit Total	Total Cost	Total Installed Cost Phase I-VI	Remaining Quantity	Cost to Complete
CLEARING & GRUBBING					\$ 458,320	\$ 410,320		\$ 48,000
HEAVY	27.5	ACRES	\$ 8,000.00	\$ 220,000		\$ 184,000	4.5	\$ 36,000
LIGHT	3.0	ACRES	\$ 4,000.00	\$ 12,000		\$ -	3.0	\$ 12,000
CUT & CHIP/GRUB	24.0	ACRES	\$ 9,430.00	\$ 226,320		\$ 226,320	0.0	\$ -
EROSION CONTROL					\$ 316,982	\$ 235,057		\$ 81,925
SILT FENCE	33852.0	L.F.	\$ 5.00	\$ 169,260		\$ 137,825	6287.0	\$ 31,435
CATCH BASIN FILTERS	139.0	EA.	\$ 150.00	\$ 20,850		\$ 13,050	52.0	\$ 7,800
DIVERSION SWALE	7363.0	L.F.	\$ 3.00	\$ 22,089		\$ 15,069	2340.0	\$ 7,020
TEMPORARY SEDIMENT BASINS	22.0	EA.	\$ 3,500.00	\$ 77,000		\$ 45,500	9.0	\$ 31,500
ANTI-TRACKING PADS	9.0	EA.	\$ 2,000.00	\$ 18,000		\$ 14,000	2.0	\$ 4,000
HAYBALES (STAKED)	850.0	L.F.	\$ 4.75	\$ 4,038		\$ 4,038	0.0	\$ -
STREET CLEANING	2.0	DAY	\$ 960.00	\$ 1,920		\$ 1,920	0.0	\$ -
CLEAN CATCH BASINS	45.0	EA.	\$ 85.00	\$ 3,825		\$ 3,655	2.0	\$ 170
STRIP & STOCKPILE TOPSOIL	35602.0	C.Y.	\$ 8.50	\$ 302,617	\$ 302,617	\$ 180,200	\$ 14,402	\$ 122,417
GENERAL CUTS TO FILLS	87071.0	C.Y.	\$ 9.50	\$ 827,175	\$ 827,175	\$ 551,741	\$ 28,993	\$ 275,434
GENERAL CUTS TO SURPLUS	52141.0	C.Y.	\$ 5.00	\$ 260,705	\$ 260,705	\$ 166,935	\$ 18,754	\$ 93,770
SURPLUS REMOVED FROM SITE	62929.0	C.Y.	\$ 13.00	\$ 818,077	\$ 818,077	\$ 590,252	\$ 17,525	\$ 227,825
SEWER SYSTEM					\$ 3,189,482	\$ 3,175,542		\$ 13,940
8" PVC SDR-35								
0' TO 6'	5104.0	L.F.	\$ 39.00	\$ 199,056		\$ 199,056	0.0	\$ -
7' TO 10'	6789.0	L.F.	\$ 48.00	\$ 325,872		\$ 314,832	230.0	\$ 11,040
11' TO 15'	2418.0	L.F.	\$ 63.00	\$ 152,334		\$ 152,334	0.0	\$ -
MANHILES								
48" DIA. 0' TO 6'	36.0	EA.	\$ 2,300.00	\$ 82,800		\$ 82,800	0.0	\$ -
48" DIA. 7' TO 10'	31.0	EA.	\$ 2,900.00	\$ 89,900		\$ 87,000	1.0	\$ 2,900
48" DIA. 11' TO 15'	10.0	EA.	\$ 3,500.00	\$ 36,000		\$ 36,000	0.0	\$ -
48" DIA. 16' TO 20'	6.0	EA.	\$ 4,200.00	\$ 25,200		\$ 25,200	0.0	\$ -
60" DIA. 11' TO 14'	5.0	EA.	\$ 7,500.00	\$ 37,500		\$ 37,500	0.0	\$ -
DROP MANHOLES	26.9	V.F.	\$ 400.00	\$ 10,760		\$ 10,760	0.0	\$ -
CONCRETE PIPE ANCHORS	48.0	EA.	\$ 500.00	\$ 24,000		\$ 24,000	0.0	\$ -
TESTING	1.0	L.S.	\$ 43,800.00	\$ 43,800		\$ 43,800	0.0	\$ -
ROAD BORE	1.0	EA.	\$ 3,500.00	\$ 3,500		\$ 3,500	0.0	\$ -
GALLERIES	888.0	L.F.	\$ 145.00	\$ 128,760		\$ 128,760	0.0	\$ -
SEWAGE TREATMENT PLANT	1.0	L.S.	\$ 1,800,000.00	\$ 1,800,000		\$ 1,800,000	0.0	\$ -
PUMP STATION	1.0	EA.	\$ 230,000.00	\$ 230,000		\$ 230,000	0.0	\$ -
SEWER LATERALS (4" PVC SDR-35)	2757.0	L.F.	\$ 40.00	\$ 110,280	\$ 110,280	\$ 27,280	\$ 2,075	\$ 83,000
STORM SYSTEM					\$ 2,378,724	\$ 2,228,580		\$ 150,144
RCP CL4 "O" RING								
15"	9224.0	L.F.	\$ 54.00	\$ 498,096		\$ 498,096	0.0	\$ -
18"	4856.0	L.F.	\$ 57.00	\$ 276,792		\$ 276,792	0.0	\$ -
24"	2516.0	L.F.	\$ 73.00	\$ 183,668		\$ 183,668	0.0	\$ -
30"	196.0	L.F.	\$ 95.00	\$ 18,620		\$ 18,620	0.0	\$ -
36"	392.0	L.F.	\$ 120.00	\$ 47,040		\$ 47,040	0.0	\$ -
HEADWALLS	40.0	EA.	\$ 2,100.00	\$ 84,000		\$ 84,000	0.0	\$ -
CATCH BASINS	121.0	EA.	\$ 2,700.00	\$ 326,700		\$ 326,700	0.0	\$ -
CATCH BASINS TYPE II	2.0	EA.	\$ 4,200.00	\$ 8,400		\$ 8,400	0.0	\$ -
MANHOLES	25.0	EA.	\$ 2,700.00	\$ 67,500		\$ 67,500	0.0	\$ -
CONCRETE END SECTION	1.0	EA.	\$ 800.00	\$ 800		\$ 800	0.0	\$ -
DRAIN INLETS	16.0	EA.	\$ 2,600.00	\$ 41,600		\$ 41,600	0.0	\$ -
OUTLET CONTROL STRUCTURES	22.0	EA.	\$ 2,700.00	\$ 59,400		\$ 59,400	0.0	\$ -
RIP-RAP OUTLETS	43.0	EA.	\$ 600.00	\$ 25,800		\$ 25,800	0.0	\$ -

SITWORK CONSTRUCTION WORK COMPLETE ESTIMATE FOR 2ND BDND REDUCTION

Meadows at Deans Corners (Fortune Ridge)
 Southeast, NY
 October 20, 2016

Item	Quantity	Unit	Unit Cost	Unit Total	Total Cost	Total Installed Cost Phase I-VI	Remaining Quantity	Cost to Complete
RIP-RAP CHANNEL	1277.0	S.F.	\$ 6.00	\$ 7,662		\$ 6,438	204.0	\$ 1,224
GRASS SWALE	7010.0	L.F.	\$ 5.00	\$ 35,050		\$ 6,130	5784.0	\$ 28,920
ROADWAY UNDERDRAIN	693.0	L.F.	\$ 30.00	\$ 20,790		\$ 20,790	0.0	\$ -
SPILLWAY	5301.0	S.F.	\$ 6.00	\$ 31,806		\$ 31,806	0.0	\$ -
ROAD BORES	4.0	EA.	\$ 30,000.00	\$ 120,000		-	4.0	\$ 120,000
16' X 3' PRECAST ARCH.	1.0	EA.	\$ 68,000.00	\$ 68,000		\$ 68,000	0.0	\$ -
ROAD CROSSINGS	2.0	EA.	\$ 4,000.00	\$ 8,000		\$ 8,000	0.0	\$ -
MULTI-PLATE STRUCTURE	1.0	EA.	\$ 340,000.00	\$ 340,000		\$ 340,000	0.0	\$ -
12' X 3' BOX CULVERT	1.0	EA.	\$ 105,000.00	\$ 105,000		\$ 105,000	0.0	\$ -
LEVEL SPREADER	1.0	EA.	\$ 4,000.00	\$ 4,000		\$ 4,000	0.0	\$ -
WATER SYSTEM					\$ 1,625,830	\$ 1,625,830		\$ -
8" DIP	11305.0	L.F.	\$ 50.00	\$ 565,250		\$ 565,250	0.0	\$ -
3" PVC & 8" DIP	502.0	L.F.	\$ 55.00	\$ 27,610		\$ 27,610	0.0	\$ -
2-8" DIP & 3" PVC	3698.0	L.F.	\$ 115.00	\$ 425,270		\$ 425,270	0.0	\$ -
8" VALVES	24.0	EA.	\$ 1,300.00	\$ 31,200		\$ 31,200	0.0	\$ -
HYDRANTS W/ VALVES	23.0	EA.	\$ 5,500.00	\$ 126,500		\$ 126,500	0.0	\$ -
WATER BOOSTER STATION	1.0	EA.	\$ 200,000.00	\$ 200,000		\$ 200,000	0.0	\$ -
WATER TANK	1.0	EA.	\$ 200,000.00	\$ 200,000		\$ 200,000	0.0	\$ -
ROAD BORES	2.0	EA.	\$ 25,000.00	\$ 50,000		\$ 50,000	0.0	\$ -
WATER SERVICES	2751.0	L.F.	\$ 55.00	\$ 151,305	\$ 151,305	\$ 64,680	\$ 1,575	\$ 86,625
SITE GRADING	236568.0	S.Y.	\$ 1.00	\$ 236,568	\$ 236,568	\$ 126,841	\$ 109,727	\$ 109,727
ROADWAY PAVING					\$ 3,556,322	\$ 1,296,572		\$ 2,259,750
SITE ROADS	44916.0	S.Y.	\$ 68.50	\$ 3,076,746		\$ 1,165,939	27895.0	\$ 1,910,808
ASPH. CURB	23324.0	L.F.	\$ 8.00	\$ 186,592		\$ 74,832	13970.0	\$ 111,760
PATTERNED ASPHALT	26696.0	S.F.	\$ 8.00	\$ 213,568		-	26696.0	\$ 213,568
DET. BASIN ACCESS ROADS	52944.0	S.F.	\$ 1.50	\$ 79,416		\$ 55,802	15743.0	\$ 23,615
EXCAV. FOR DETENTION BASIN ROADS	980.0	C.Y.	\$ 18.00	\$ 17,640	\$ 17,640	\$ 17,640	\$ -	\$ -
TOPSOIL SLOPES	16917.0	C.Y.	\$ 16.00	\$ 270,672	\$ 270,672	\$ 180,512	\$ 5,635	\$ 90,160
SEEDING					\$ 397,053	\$ 224,172	\$ -	\$ 172,882
SLOPES	1192471.0	S.F.	\$ 0.25	\$ 298,118		\$ 165,277	531362.0	\$ 132,841
CRITICAL AREAS	195639.0	S.F.	\$ 0.40	\$ 78,256		\$ 38,214	100103.0	\$ 40,041
EASEMENT	206800.0	S.F.	\$ 0.10	\$ 20,680		\$ 20,680	0.0	\$ -
GUIDE RAIL	6263.0	L.F.	\$ 45.00	\$ 281,835	\$ 281,835	-	\$ 6,263	\$ 281,835
GAS MAIN CROSSINGS	2.0	EA.	\$ 80,000.00	\$ 160,000	\$ 160,000	\$ 160,000	\$ -	\$ -
SIGNS	6.0	EA.	\$ 110.00	\$ 660	\$ 660	-	\$ 6	\$ 660
AS-BUILT PLANS	3592.0	EA.	\$ 3.75	\$ 13,470	\$ 13,470	\$ 13,470	\$ -	\$ -
					\$ 15,373,716	\$ 11,275,623	Total Cost to Complete Phase I-VI	\$ 4,098,093

ALLEN BEALS, M.D., J.D.
Commissioner of Health



MARYELLEN ODELL
County Executive

ROBERT MORRIS, P.E., MPH
Director of Environmental Health

DEPARTMENT OF HEALTH

1 Geneva Road, Brewster, New York 10509
Phone # (845) 808-1390 Fax # (845) 278-7921

December 8, 2014

Glickenhau Brewster Development
150 Deans Corners Road
Brewster, NY 10509

Re: Approval of Completed Works
for Sewage Collection System
at Fortune Ridge Subdivision
Deans Corners Road
(T) Southeast

To whom it may concern:

Receipt is acknowledged of a letter dated December 5, 2014 from John Kellard, P.E. certifying that the above captioned sewage collection system was completed in accordance with the approved plans and also enclosing copies of the results of leakage tests from the collection system and a copy of "as-built" plans.

This letter will serve as the necessary approval to operate the sewage collection system.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Morris", is written over a faint, larger version of the same signature.

Robert Morris, P.E.
Director of Environmental Health

MJB:cml

cc: J. Kellard, P.E.
M. Levine, BI (T) Southeast
D. Shedlo, P.E., NYCDEP
M. Budzinski, P.E.

ALLEN BEALS, M.D., J.D.
Commissioner of Health



MARYELLEN ODELL
County Executive

ROBERT MORRIS, P.E., MPH
Director of Environmental Health

DEPARTMENT OF HEALTH

December 8, 2014
1 Geneva Road, Brewster, New York 10509
Phone # (845) 808-1390 Fax # (845) 278-7921

Glickenhau Brewster Development
150 Deans Corners Road
Brewster, NY 10509

Re: Construction Compliance Application
for Effluent Disposal System
at Fortune Ridge WWTP
(T) Southeast, TM 78-3-29

To whom it may concern:

A letter of approval of plans was issued on February 25, 2010 by the Putnam County Health Department to permit the construction of a sewage effluent disposal system to serve the above noted facility. The approval letter required that the sewage effluent disposal system facilities not be operated without written approval of the Putnam County Department of Health. This Department is in receipt of the certification that the sewage effluent disposal system was constructed according to the approved plans and Putnam County Health Department standards, along with as-built plans. Copies of the as-built plan, which should be filed in the office of Glickenhau Brewster Development, are being returned to your design professional.

This letter will serve as the necessary approval to operate the effluent disposal system from this Department with the following condition:

- The average daily flow volume should not exceed 49,400 gallons per day. Daily flow readings shall be recorded and forwarded to this office on a monthly schedule.

Respectfully,

A handwritten signature in cursive script that reads "Robert Morris".

Robert Morris, P.E.
Director of Environmental Health

MJB:cml
cc: J. Kellard, P.E. Design Professional
M. Levine, BI (T) Southeast
D. Shedlo, P.E., NYCDEP
M. Budzinski, P.E.

ALLEN BEALS, M.D., J.D.
Commissioner of Health



MARYELLEN ODELL
County Executive

ROBERT MORRIS, P.E., MPH
Director of Environmental Health

DEPARTMENT OF HEALTH

December 8, 2014

1 Geneva Road, Brewster, New York 10509
Phone # (845) 808-1390 Fax # (845) 278-7921

Glickenhau Brewster Development
150 Deans Corners Road
Brewster, NY 10509

Re: Construction Compliance Application
for Wastewater Treatment Plant Facility
at Fortune Ridge Subdivision
Deans Corners Road
SPDES Permit #NY0250511
(T) Southeast

To whom it may concern:

A letter of approval of plans was issued on October 31, 2011 by the Putnam County Health Department to permit the construction of a wastewater treatment plant to serve the above noted project. The approval letter required that the facilities not be operated without written approval of the Putnam County Department of Health. This Department is in receipt of a letter dated October 27, 2014 by Brock Juusola, P.E. certifying that the wastewater treatment plant was constructed according to the approved plans and Putnam County Health Department standards.

This letter will serve as the necessary approval to operate the wastewater treatment plant from this Department with the following conditions:

1. The average daily flow volume should not exceed 49,400 gpd. Daily flow readings shall be recorded and forwarded to this office on a monthly schedule.
2. A certified treatment plant operator with a Grade 3A license shall be obtained.
3. The Wastewater Facility Operation Report (Form 92-15-7) and Discharge Monitoring Report (DMR) shall be submitted to this Department monthly.
4. All effluent limitations set in the issued SPDES Permit shall be obtained by ninety (90) days after the start of operation of the plant. In case the wastewater treatment plant fails to produce the quality of effluent stated in the SPDES permit, additional treatment units must be installed after approval of plans by this Department which shall produce an effluent meeting the requirements.

Should you have any questions concerning this matter, feel free to contact this office.

Respectfully,

A handwritten signature in cursive script, appearing to read "Robert Morris".

Robert Morris, P.E.
Director of Environmental Health

RM:cml

cc: Brock Juusola, PE
D. Shedlo, PE
M. Levine, BI (T) Southeast
M. Budzinski, P.E.

NEW YORK
state department of
HEALTH

Howard A. Zucker, M.D., J.D.
Acting Commissioner of Health

Sally Dreslin, M.S., R.N.
Executive Deputy Commissioner

December 1, 2014

VIA ELECTRONIC MAIL

Mr. David R. Ohman, P.E.
Delaware Engineering, P.C.
8-12 Dietz Street, Suite 303
Oneonta, New York 13820

Mr. John Kellard, P.E.
Kellard Sessions Consulting, P.C.
500 Main Street
Armonk, New York 10504

Re: Log #16880
Approval of Completed Works
Meadows at Deans Corner - New Water System
(T) Southeast, Putnam County

Dear Messrs. Ohman and Kellard:

The New York State Department of Health (DOH) received certification from Delaware Engineering, dated October 15, 2014, that the above referenced project has been substantially completed in accordance with the approved plans and specifications for new wells, a treatment facility, and a water storage tank. We also received a partial certification letter from and Kellard Sessions Consulting, dated November 18, 2014 that the following portions of the water distribution system have been completed.

- Gravity main from water storage tank (North Parcel) down Stonehollow Road, continuing to the South Parcel to Lot 1.
- Gravity main from junction in Drewscliff Drive (South Parcel), terminating adjacent to the culvert crossing in Drewscliff Drive.
- Pressure main that loops Stonehollow Road and Knoll Ridge Court, terminating near Lot 28 (North Parcel).

Plans and specifications for the project were approved by this office on May 12, 2004. An inspection of the water system improvements was conducted by DOH and the Putnam County DOH on October 16, 2014. In addition, satisfactory bacteriological test results have been received for the water system facilities.

A copy of our Approval of Completed Works is attached. Please note the standard and special conditions of approval.

If you have any questions regarding this approval, please feel free to contact me at (518) 402-7676.

Messrs. David R. Ohman, P.E., & John Kellard, P.E.
December 1, 2014
Page 1 of 2

Sincerely,



Brock Rogers, P.E.
Public Health Engineer 2
Design Section
Bureau of Water Supply Protection
Corning Tower, Room 1135
Empire State Plaza
Albany, NY 12237
Ph. 518-402-7650

Attachment

ecc: A. Stamm, P.E., NYS DOH – Metropolitan Area Regional Office
M. Budzinski, P.E., Putnam County DOH
D. Wilcox, P.E., Delaware Engineering, P.C.
W. Bright, Delaware Engineering, P.C.
C. Munch, Fortune Home Builders, L.L.C.

Approval of Completed Works For Public Water Supply Improvement

This approval is issued under the provisions of 10 NYCRR, Part 5:

Applicant Name Fortune Home Builders	
Location of Works (city, town, village) Town of Southeast	
County Putnam County	Water District (specific area served): Meadows at Deans Corner

Mo Day Yr

Plans for the construction of this project were approved on: 05/12/2004 Logbook #16880

This approval for completed works is issued subject to the following conditions:

STANDARD CONDITIONS:

1. THAT the engineer of record shall provide manuals and parts lists for installed equipment and a set of as-built drawings (with equipment manufacturers and models noted) to the water system owner within three months from the date of this letter; and that the water system owner shall then maintain and update these documents as needed. Any modifications or alterations from the original plans shall be duly noted on the as-built drawings provided to the water system owner;
2. THAT the subject water facilities shall be operated in a manner consistent with the requirements of Subpart 5-1 of the NYS Sanitary Code.

SPECIAL CONDITIONS:

3. THAT a permanent emergency generator shall be installed to operate Well TH-1.
4. THAT the remaining sections of water main shall not be placed into service until authorized to do so by either the NYS DOH or the Putnam County Department of Health.
5. THAT the Engineer shall provide the Putnam County Department of Health with certification of completion, and pressure and bacteriological test results for the remaining sections of water main prior to the water main being placed into service.

REMARKS:

Project included the construction of two new wells, pumping/treatment facility, water storage tank, water distribution mains and appurtenances for a public water supply to serve the proposed 104-lot subdivision, Meadows at Deans Corner.

ISSUED FOR THE STATE COMMISSIONER OF HEALTH


Designated Representative P.E.

Mo Day Yr

12 / 1 / 2014

Date

Please print

Name	Michael J. Montysko, P.E.
Title	Chief, Design Section, BWSP

DOH-1032 (4/92)

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Salingers Lot Line Adjustment **S/B/L:** 78.1-7; 78.1-8; & 78.1-9 **Zone:** RC & R-160

Description: The Applicants propose to reconfigure the lot lines of three existing lots in the RC and R-160 Zoning Districts. Lot A (78.-1-7) would transfer approximately 13 acres to Lots B (78.1-8) and C (78.1-9). The total acreage of Lot A would decrease from 25.029 acres to 12.2 acres. The total acreage of Lot B would increase from 2.873 acres to 8.8905 acres, and the total acreage of Lot C would increase from 2.079 acres to 8.8905 acres. No new lots would be created. The proposed configuration would eliminate the pre-existing non-conforming size of Lots B and C, and would lessen certain pre-existing non-conforming dimensional features of these lots. No new non-conforming dimensional features are proposed.

Engineer: Terry Bergendorff Collins

SEQR ACTIONS COMPLETED:		TYPE OF ACTION: Unlisted	
<input type="checkbox"/> Intent to Declare Lead Agency		Date:	
<input type="checkbox"/> Declare Lead Agency		Date:	
<input type="checkbox"/> EAF Submitted		Date:	
<input type="checkbox"/> Determination of Significance by Board		Date(s):	
MAJOR/MINOR PROJECT: Minor Subdivision			
Date Classified:	Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N		
AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
If yes, list alternative names:			
LOCAL AND AGENCY REVIEW REQUIRED?	REFERRAL DATE	STATUS/DATE OF LETTER	
Yes No			
<input type="checkbox"/> <input checked="" type="checkbox"/>	Town Board		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Town of Southeast ARB		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Wetland Permit		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Historic Sites Commission		
<input checked="" type="checkbox"/> <input type="checkbox"/>	Town Highway Department		
<input type="checkbox"/> <input checked="" type="checkbox"/>	MS4 Permit		
<input checked="" type="checkbox"/> <input type="checkbox"/>	E-911 Coordinator		
<input type="checkbox"/> <input checked="" type="checkbox"/>	County Planning Department (GML)		
<input type="checkbox"/> <input checked="" type="checkbox"/>	County Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Health Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYSDEC		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYCDEP		
<input type="checkbox"/> <input checked="" type="checkbox"/>	NYSDOT		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Army Corps of Engineers		
VARIANCES OR BOARD WAIVER (IF APPLICABLE) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Variance or Waiver Request:			
Date Granted or Denied, and any conditions:			
PLANNING BOARD ACTIONS:			
Date	Discussion/Decisions/Resolutions		
10/24/16			

RECOMMENDED ACTION FOR MEETING:

- 1) Declare Intent to be Lead Agency (Unlisted Action/Coordinated)
- 2) Classify as TOSE Minor Subdivision
- 3) Consider waiving the public hearing

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

INTRODUCED BY: Rush

DATE: October 24, 2016

SECONDED BY: Wissel

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a subdivision, and other supporting documents for a project entitled **SALINGER LOT LINE ADJUSTMENT**; and

WHEREAS, the proposed project is located at 185 & 187 Guinea Road in the RC and R-160 Zoning Districts in the Town of Southeast and identified as Tax Map IDs 78.-1-7, 78.-1-8 & 78.-1-9 ; and

WHEREAS, the applicants propose to reconfigure the lot lines of three existing lots so that Lot A (78.-1-7) would transfer approximately 13 acres to Lots B (78.1-8) and C (78.1-9). The total acreage of Lot A would decrease from 25.029 acres to 12.2 acres. The total acreage of Lot B would increase from 2.873 acres to 8.8905 acres, and the total acreage of Lot C would increase from 2.079 acres to 8.8905 acres. No new lots would be created. The proposed configuration would eliminate the pre-existing non-conforming size of Lots B and C, and would lessen certain pre-existing non-conforming dimensional features of these lots. No new non-conforming dimensional features are proposed; and

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

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

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

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



Jacobson

October 20, 2016

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

Re: Salinger's Lot Line Adjustment
Guinea Road
Engineering Review
NLJ #0001-0994

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through September 28, 2016:

Item 1: Drawing entitled "Property Line Adjustment Map prepared for Salinger's Orchard, Inc., Bruce C. Salinger, & Robert & Linda Salinger Inc. situate in Town of Southeast, Putnam Co., N.Y.", Scale: 1"= 20', dated June 1, 2010, prepared by Terry Bergendorff Collins.

Item 2: Town of Southeast Application for Lot Line Adjustment dated 9/1/16.

The subject application proposes a lot line adjustment between 3 lots. Parcel "A" will be decreased from 25.029 acres to 12.200 acres, while parcels "B" & "C" will be increased from 2.873 acres & 2.079 acres respectively to 8.8905 acres each. Parcel "A" is located entirely within the RC zone while parcels "B" and "C" are located in both the RC & R-160 zones.

We have the following comment:

1. The scale of 1" = 20' as shown in the title block is incorrect. The graphic scale shown in the lower left corner of the drawing is correct.

Subject to the resolution of the above noted item, we would have no objection should the Planning Board choose to approve the subject lot line adjustment.

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



Jacobson

Mr. Thomas LaPerch, Chairman
Re: Salinger's Lot Line Adjustment
Engineering Review
NLJ #0001-0994
October 20, 2016
Page 2

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

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

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Apple Farm Market

S/B/L: 46.-1-3

Zone: SR-22

Description: The Applicant proposes to convert an existing retail structure (former florist) to a produce market selling fruits, vegetables, and firewood. A 3,530 sf enclosed canopy is proposed to be added to the front of the existing building. In addition, the Applicant proposes to expand the parking area with new pervious pavement, repave and restripe the existing parking area, remove and replace the existing sanitary absorption trenches, add new pole mounted lighting, install new landscaping, and remove two existing sheds. The Proposed Project requires Site Plan, Wetland Permit, and Conditional Use Permit Approval.

Engineer: James J Hahn

SEQR ACTIONS COMPLETED:		TYPE OF ACTION: Type II	
<input type="checkbox"/> Intent to Declare Lead Agency		Date:	
<input type="checkbox"/> Declare Lead Agency		Date:	
<input type="checkbox"/> EAF Submitted		Date:	
<input type="checkbox"/> Determination of Significance by Board		Date(s):	
MAJOR/MINOR PROJECT: Minor Project			
Date Classified:	Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N		
LOCAL AND AGENCY REVIEW REQUIRED?	REFERRAL DATE	STATUS/DATE OF LETTER	
Yes No			
<input type="checkbox"/> <input checked="" type="checkbox"/>	Town Board		
<input checked="" type="checkbox"/> <input type="checkbox"/>	Town of Southeast ARB		
<input checked="" type="checkbox"/> <input type="checkbox"/>	Wetland Permit		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Historic Sites Commission		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Town Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	MS4 Permit		
<input type="checkbox"/> <input checked="" type="checkbox"/>	E-911 Coordinator		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Planning Department (GML)		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	County Health Department		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYSDEC		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYCDEP		
<input checked="" type="checkbox"/> <input type="checkbox"/>	NYSDOT		
<input type="checkbox"/> <input checked="" type="checkbox"/>	Army Corps of Engineers		
VARIANCES OR BOARD WAIVER (IF APPLICABLE) <input type="checkbox"/> Y <input type="checkbox"/> N			
Variance or Waiver Request:			
Date Granted or Denied, and any conditions:			

PLANNING BOARD ACTIONS:	
Date	Discussion/Decisions/Resolutions
10/24/16	

<p>RECOMMENDED ACTION FOR MEETING:</p> <ol style="list-style-type: none"> 1) Classify Action as Type II under SEQRA 2) Classify Action as Town of Southeast Minor Project 3) Set the Public Hearing (required for wetlands) 4) Refer application to ARB
--

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

October 25, 2016

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Apple Farm Market
1545 Route 22
Tax Map ID 46.-1-3

At the regular meeting of the Town of Southeast Planning Board on October 24, 2016, a motion was made to refer the above referenced Minor Project to your Board for review and recommendation to the Planning Board. The Planning Board classified this as a Type II Action under the New York State Environmental Quality Review Act (SEQRA) process on 10/24/16. 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,


David Rush, Acting Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Hahn Engineering



AKRF, Inc.
Environmental 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: October 18, 2016
Re: Apple Farm Market
cc: James J. Hahn

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

1. Site Plan drawing set (2 sheets), prepared by James. J. Hahn, dated September 28, 2016.
2. Letter from James J. Hahn to Victoria Desidero, dated September 30, 2016.
3. Application for Site Plan Approval, dated September 27, 2016.
4. Statement of Use

PROJECT DESCRIPTION

The Applicant proposes to convert an existing retail structure (former florist) to a produce market selling fruits, vegetables, and firewood. The property is located at 1545 Route 22, in the SR-22 Zoning District. A 3,530 sf enclosed canopy is proposed to be added to the front of the existing building. In addition, the Applicant proposes to expand the parking area with new pervious pavement, repave and restripe the existing parking area, remove and replace the existing sanitary absorption trenches, add new pole mounted lighting, install new landscaping, and remove two existing sheds. The existing parking area and new permeable pavement is located within the Town of Southeast 200 foot wetland buffer. The wetland is located on the opposite side of NYS Route 22. The Proposed Project requires Site Plan, Wetland Permit, and Conditional Use Permit Approval.

COMMENTS

1. While it is noted that most of the dimensional requirements of the Code are not applicable to the SR-22 District, the site plan should be revised to include a complete lot and bulk table. In particular, FAR and height, which are specified in the Special Permit criteria of the SR-22 District, should be provided.
2. A landscaping plan, including planting type and size, should be provided. Since the project is located in the SR-22 District, additional landscaping and other accommodations are required within the parking area. The Applicant should refer to Section 138-63.6.C of the Code.

3. A site lighting plan should be submitted.
4. The SR-22 District includes design guidelines applicable to the proposed building and canopy addition (see Section 138-63.6.C). Elevations should be prepared pursuant.
5. Bollards or similar should be provided between the parking area and the proposed canopy area to protect pedestrians from vehicular traffic.

RECOMMENDED ACTIONS

At the October 24, 2016 Planning Board meeting, AKRF recommends that the Planning Board: classify the action as Type II under SEQRA; classify the project as Town of Southeast Minor Project; consider setting or waiving the Public Hearing; and refer application to ARB.



Jacobson

October 20, 2016

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

Re: Apple Farm Market
1545 Route 22
Amended Site Plan
NLJ #0001-0995

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through October 3, 2016:

- Item 1: Letter to Ms. Victoria Desidero from James J. Hahn dated September 30, 2016.
- Item 2: Town of Southeast Application for Site Plan Approval dated 9/27/16 accompanied by Statement of Use.
- Item 3: Set of two (2) drawings entitled "Proposed Apple Farm Market, 1545 Route 22, T.M. # 46.-1.3, Town of Southeast, Putnam County, New York", scale as noted, dated 9/28/16 prepared by James J. Hahn, P.C.

The subject application proposes to convert a florist shop into a retail farm market. The existing parking area is proposed to be milled and repaved along with restoration of the existing subsurface sewage system. A 3,530 s.f. enclosed canopy will be added to the front of the building.

We have the following comments:

1. An outdoor lighting plan should be submitted in accordance with § 138-104C of the Southeast Code.
2. A preliminary landscaping plan should be submitted in accordance with § 138-50D(1) of the Southeast Code.



Jacobson

Mr. Thomas LaPerch, Chairman

Re: Apple Farm Market
1545 Route 22
Amended Site Plan
NLJ #0001-0995

October 20, 2016

Page 2

3. A protective vehicular barrier should be placed between the parking area and the proposed enclosed canopy.
4. A pole mounted accessible parking sign should be placed at each designated parking space.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, INC.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay
M. Levine
S. Coleman
W. Stephens, Jr.

M. Bruen
M. Stancati
A. Ley
J. Hahn

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Brewster Hill General Store

S/B/L: 45.12-1-23

Zone: R20

Description: Site disturbance for UST replacement and construction of retaining wall.

Engineer: Folchetti

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: 5/13/13

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 (*2013 approval still valid – no referral needed*)
- 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
5/13/13	Classified as Minor Project and Type II Action; set public hearing; referred to ARB
6/10/13	Open & Close Public Hearing
10/28/13	Final site plan approved
10/24/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Recommend classification as a TOSE Minor Project and Type II Action under SEQRA.
- 2) Consider waiving or setting the public hearing.

NOTE: No changes to Site Plan from previously approved application; as such, ARB recommendation still valid.

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

INTRODUCED BY: Rush DATE: October 24, 2016
SECONDED BY: Wissel

WHEREAS, an application is being made by **BREWSTER HILL GENERAL STORE** for re-approval of a Site Plan Amendment for site disturbance for UST replacement and construction of a retaining wall on a property located at 563 Rte. 312, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 43.12-1-23, and is located in the R-20 Zoning District; and

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

1. Memorandum to Chairman LaPerch from Hogan & Rossi, dated 10/4/16
2. Existing Site Layout, prepared by JR Folchetti & Associates, dated April 2014
3. Underground Storage Tank Layouts and Details, prepared by JR Folchetti & Associates, dated April 2014

NOW, THEREFORE BE IT RESOLVED, that the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short EAF, and pursuant to §617.5(c)(7), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required.

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

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



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: October 18, 2016
Re: Brewster Hill General Store
cc: John Folchetti, PE

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

- Site Plan Set (3 sheets) prepared by J. Robert Folchetti & Associates, LLC, dated April 2013 and last revised May 2013.
- Town of Southeast Planning Board Application for Site Plan Approval
- Town of Southeast Planning Board Resolution for Site Plan Approval (10/28/2013)

PROJECT DESCRIPTION

While replacing existing underground storage tanks, the applicant expanded and re-graded the existing parking area and installed a new retaining wall and was issued a stop work order/notice of violation by the Building Inspector. The Applicant received site plan approval on October 28, 2013, to restore the expanded parking area to grass and install new landscaping. However, building permits were never obtained and the work was never completed. As such, the site plan approval has expired. The Applicant now seeks re-approval of the previously approved plan.

COMMENTS

Changes to the Town of Southeast Zoning Code since the original Site Plan approval have no effect on this project. As such, no changes to the proposed site plan are required.

RECOMMENDED ACTIONS

At the October 24, 2016 Planning Board meeting, AKRF recommends that the board classify the project as a Town of Southeast Minor Project and Type II Action under SEQRA. In addition, the Planning Board should consider waiving or setting the public hearing.



Jacobson

October 20, 2016

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

Re: Brewster Hill General Store
563 Route 312
Final Site Plan
NLJ #0001-0948

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through October 11, 2016.

- Item 1: Letter to Hon. Tom LaPerch, Chairman from Jamie Spillane, Esq, dated October 4, 2016.
- Item 2: Town of Southeast Application for Final Site Plan Approval.
- Item 3: Set of three (3) drawings entitled "Brewster Hill General Store, Town of Southeast, Putnam County, New York.", scale as noted, dated April 2013, last revised June 2013, prepared by J. Robert Folchetti & Associates, L.L.C.

Final Site Plan approval for the proposed improvements was granted on October 13, 2013. Since the time of the final approval, the site improvements were completed, but beyond the approval expiration. The current application has been filed to reconcile the Notice of Violation that was issued for improvements being constructed outside of the permit window.

The submitted application has not been revised since the October 2013 final approval. As such, we would have no objection should the Planning Board choose to grant a re-approval of the subject application.

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



Jacobson

Mr. Thomas LaPerch, Chairman
Re: Brewster Hill General Store
563 Route 312
Final Site Plan
NLJ #0001-0948

October 20, 2016

Page 2

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
Hogan & Rossi

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Guardian Veterinary Specialists **S/B/L:** 78.-2-83 **Zone:** OP-1

Description: The Applicant proposes to utilize an existing two-story building located at 4 Hardscrabble Heights, in the OP-1 Zoning District of the Town of Southeast for an emergency animal hospital. Minor improvements to the parking lot, including re-stripping, new sidewalks, curbing, and new lighting fixtures, are proposed.

Engineer: Insite Engineering

SEQR ACTIONS COMPLETED:	TYPE OF ACTION: Type II
<input type="checkbox"/> Intent to Declare Lead Agency	Date:
<input type="checkbox"/> Declare Lead Agency	Date:
<input type="checkbox"/> EAF Submitted	Date:
<input type="checkbox"/> Determination of Significance by Board	Date(s):

MAJOR/MINOR PROJECT: Minor Project
 Date Classified: Waiver of Public Hearing (Minor Project Only)? Y N

AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT? Y N
 If yes, list alternative names:

LOCAL AND AGENCY REVIEW REQUIRED?	REFERRAL DATE	STATUS/DATE OF LETTER
Yes No		
<input checked="" type="checkbox"/> <input type="checkbox"/> Town Board (Special Permit)		
<input checked="" type="checkbox"/> <input type="checkbox"/> Town of Southeast ARB		
<input type="checkbox"/> <input checked="" type="checkbox"/> Wetland Permit		
<input type="checkbox"/> <input checked="" type="checkbox"/> Historic Sites Commission		
<input checked="" type="checkbox"/> <input type="checkbox"/> Town Highway Department (TBD - may be needed for parking lot re-surfacing)		
<input checked="" type="checkbox"/> <input type="checkbox"/> MS4 Permit (TBD - may be needed for parking lot re-surfacing)		
<input type="checkbox"/> <input checked="" type="checkbox"/> E-911 Coordinator		
<input type="checkbox"/> <input checked="" type="checkbox"/> County Planning Department (GML)		
<input type="checkbox"/> <input checked="" type="checkbox"/> County Highway Department		
<input checked="" type="checkbox"/> <input type="checkbox"/> County Health Department		
<input type="checkbox"/> <input checked="" type="checkbox"/> NYSDEC		
<input type="checkbox"/> <input checked="" type="checkbox"/> NYCDEP		
<input type="checkbox"/> <input checked="" type="checkbox"/> NYSDOT		
<input type="checkbox"/> <input checked="" type="checkbox"/> Army Corps of Engineers		

VARIANCES OR BOARD WAIVER (IF APPLICABLE) Y N
 Variance or Waiver Request:
 Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:	
Date	Discussion/Decisions/Resolutions
8/22/16	Classify the action as a Type II Action under SEQRA and a Town of Southeast "Minor Project;" consider waiving the public hearing; refer to the ARB; and to Town Board for a Special Permit.
10/24/16	

RECOMMENDED ACTION FOR MEETING:
 1) Consider Final Site Plan Approval.

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

INTRODUCED BY:

Rush

DATE: October 24, 2016

SECONDED BY:

Janke

WHEREAS, GUARDIAN VETERINARY SPECIALISTS as the Applicant/Owner of certain properties located 4 Hardscrabble Heights in the OP-1 Zoning District in Town of Southeast and known and designated as Tax Map Number 78.-2-83 has submitted an application for Site Plan approval for a proposal to utilize an existing two-story building for an emergency animal hospital with minor improvements to the parking lot, including re-striping, new sidewalks, curbing, and new lighting fixtures (the “Proposed Project”); and,

WHEREAS, the Town of Southeast Planning Board, classified this a Type II Action under the State Environmental Quality Review Act (SEQRA) on or about 8/22/16, 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 Insite Engineering	10/5/16
Statement of Use, prepared by Insite Engineering	10/5/16
Program for Construction Completion and Occupancy, prepared by Insite Engineering	8/1/16
SC.6 & SC.6a, Proposed Floor Layouts, prepared by GBds	9/21/16
SP-1, Amended Site Plan, prepared by Insite Engineering	8/1/16; 10/5/16
LP-1, Amended Lighting Plan, prepared by Insite Engineering	8/22/16; 10/5/16

; 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 9/21/16 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

WHEREAS, the Planning Board is in receipt of a resolution dated 9/22/16 from the Town Board approving special permit 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 Guardian Veterinary Specialists 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
 - c) 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.

Lighting

- 1. Pole lighting in parking area shall be on a motion sensor.

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

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



AKRF, Inc.
Environmental 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: October 12, 2016
Re: Guardian Veterinary Specialists
cc: Insite Engineering

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

- Letter from Jeffrey Contelmo, PE to Chairman LaPerch dated October 5, 2016.
- Final Site Plan Approval Application and supporting documents, dated September 22, 2016.
- Short EAF dated August 1, 2016
- Amended Site Plan, prepared by Insite Engineering, dated October 5, 2016.
- Amended Lighting Plan, prepared by Insite Engineering, dated October 5, 2016

PROJECT DESCRIPTION

The Applicant proposes to utilize an existing two-story building located at 4 Hardscrabble Heights, in the OP-1 Zoning District of the Town of Southeast for an emergency animal hospital. Minor improvements to the parking lot, including re-striping, new sidewalks, curbing, and new lighting fixtures, are proposed. An animal hospital is a Special Permit use in the OP-1 Zoning District. No outdoor dog run is proposed.

COMMENTS

- A photometric outdoor lighting plan has been provided. The proposed lighting plan complies with the regulations of Section 138-98.

RECOMMENDED ACTIONS

At the October 24, 2016, Planning Board meeting, AKRF recommends that the Planning Board consider Final Site Plan approval. *