

**TOWN OF SOUTHEAST**  
1360 Route 22  
Brewster, New York 10509  
Thursday, April 23, 2020  
**WORK SESSION/REGULAR MEETING 7:00 P.M.**

**NOTICE OF TOWN BOARD MEETING AND AGENDA**

**Please Note:** This meeting will take place by videoconferencing and it will be recorded. It will be posted on the Town's Website [southeast-ny.gov](http://southeast-ny.gov) and a transcript of the meeting will be posted within thirty (30) days of the meeting.

If you have any questions that you would like to address with Town Board during this meeting, please e-mail your questions to [thay@southeast-ny.gov](mailto:thay@southeast-ny.gov) before 6:00 P.M. the day of the meeting and the Board will respond to your inquiry at the end of the meeting during "public comment."

**To join the meeting:**



1. If you **have not used Zoom before:** Please download the free app prior to the meeting so you are ready when the meeting starts:

<https://zoom.us/download>

2. Join from your computer, tablet or smartphone click the following link:

<https://zoom.us/j/161192867?pwd=VUhZnkMxSFdBVmlHOUFhc2g3Q3ViZz09>



*When prompted, please provide your full name.*

**OR**

3. You can also dial in by using your phone:



***Call-in number:*** 1-929-436-2866

***Meeting ID:*** 161 192 867

***Meeting Password:*** 025225

**For Additional Zoom FAQs and tutorials:**

<https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started>

**TOWN OF SOUTHEAST  
1360 Route 22  
Brewster, New York 10509  
Thursday, April 23, 2020  
WORK SESSION/REGULAR MEETING 7:00 P.M.**

**Pledge of Allegiance**

**Public Hearing:**

1. Special Permit – Classic M&J Properties, 4 Sodom Lane South, Tax Map # 68.5-2-13

**Work Session:**

1. N/A

**Regular Meeting:**

1. Correspondence
2. Approval of Voucher List
3. Setting of Meeting Dates and Public Hearings

All meetings will be held at 1360 Route 22, Brewster, New York  
At 7:00 P.M. unless otherwise noted:

Thursday, May 7, 2020

Thursday, May 21, 2020

4. Budget Transfers
5. Resolution – Interior Rock, Inc. Commercial Site Plan – Establishing – Performance Bond
6. Resolution – Special Permit – Extension – W.B. New York, LLC – Independent Way
7. Supervisor’s Financial Report

**Public Comment/Public Comments submitted prior to 6:00 P.M., Thursday 04/23/20  
Recognition of Town Board/Town Board Comment**

TOWN BOARD  
TOWN OF SOUTHEAST, NY

**INTERIOR ROCK, INC. COMMERCIAL SITE PLAN**  
**RESOLUTION ESTABLISHING PERFORMANCE BOND**

RESOLUTION NO. \_\_\_\_\_/20

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Town Board is in receipt of a recommendation from the Town Planning Board dated April 13, 2020 with respect to the establishment of a performance Bond for the INTERIOR ROCK, INC. commercial site plan for premises located at 3903 Danbury Road (Tax Map No. 69.13-1-21.2); and

**WHEREAS**, upon review thereof, the Town Board agrees to accept this recommendation.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bond amount shall be established for the project set forth below:

**PROJECT NAME:**

**BOND AMOUNT:**

Interior Rock – Site Plan

Site Improvements: \$ 757,000.00

Soil & Erosion: \$ 30,280.00

And be it further

**RESOLVED**, that a certified copy of this resolution shall be transmitted by the Town Clerk to the Planning Board Secretary forthwith.

**UPON A ROLL CALL VOTE:**

Upon Roll Call Vote:

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK    )  
                                  : ss.:  
COUNTY OF PUTNAM    )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 23<sup>rd</sup> day of April, 2020.

\_\_\_\_\_  
MICHELE STANCATI  
Town Clerk

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**SPECIAL PERMIT - EXTENSION  
W.B. NEW YORK, LLC – INDEPENDENT WAY**

RESOLUTION NO. \_\_\_\_\_ / 2020

DATE: April 23, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, W. B. New York, LLC, owner of premises located at Independent Way, Tax Map No. 56.-1-24 and 56.-1-25, (the “Subject Premises”) has made application to this Town Board to renew a Special Permit to allow the development of a commercial parking facility on the Subject Premises; and

**WHEREAS**, the Subject Premises are located in an ED Zone; and

**WHEREAS**, Commercial Parking Facilities are only permitted in an ED zone upon the grant of a Special Permit by the Town Board; and

**WHEREAS**, the Applicant had been previously granted approval to construct the parking facility and received the grant of a special permit from this Board; and

**WHEREAS**, the Applicant has applied to the Planning Board for an extension of its previously granted site plan approval; and

**WHEREAS**, the Town Board is in receipt of a report and recommendation from the Southeast Planning Board dated April 13, 2020 finding that the proposal of WB New York, LLC is in compliance with the applicable general and special standards of Article X of Chapter 138 of the Town Code; and

**WHEREAS**, the Planning Board, as Lead Agency for purposes of State Environmental Quality Review Act (“SEQRA”) has re-issued a Negative Declaration dated April 13, 2020, thereby concluding review under SEQRA; and

**WHEREAS**, a duly noticed public hearing was held by the Town Board for the original proposal on November 20, 2014 in connection with this application and there have been no substantive changes to the project since the original grant of special permit.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast hereby makes the following findings of fact in connection with the instant application:

1. The proposed use is in such location and is a size and character that it will be in harmony with the appropriate and orderly development of the surrounding district and will not be detrimental to the immediate site or adjacent properties;

2. The location and size of the proposed use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout, and its relation to access streets will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous, provided the conditions set forth herein are incorporated in any final approval;

3. The exterior appearance of proposed structures will not hinder or discourage the development and use of adjacent land and buildings; and

4. The proposed use will not require such additional public facilities or services or create fiscal burdens upon the Town greater than those which characterize uses permitted as of right.

**AND BE IT FURTHER**

**RESOLVED**, that due to the fact that there have been no substantive changes to the project and no substantive changes to the Zoning requirements affecting the Subject Premises, the Town Board hereby waives any requirement for further public hearings on the application of a Special Permit; and be it further

**RESOLVED**, that based upon the foregoing findings, the Town Board of the Town of Southeast hereby grants and extends a Special Use Permit to W. B. New York, LLC in connection with the Subject Premises in accordance with Statement of Use prepared and submitted to the Planning Board in connection with this Project Development Plan application and incorporated herein by reference, on the following conditions:

1. The applicant shall operate the facility in compliance with all conditions set forth in Article X of the Zoning Code; and

2. All signs or advertising in connection with the subject enterprise shall comply with the provisions of the Zoning Code.

3. In an effort to mitigate any adverse impact of the project may have on pedestrian and vehicular traffic in the vicinity, any final approval by the Planning Board shall contain a condition that the Applicant shall construct a side walk along Independent Way connecting the Subject Premises to the existing parking facilities adjacent to the MetroNorth facilities located at the end of Independent Way and shall be responsible for the maintenance and upkeep including the removal of snow and ice from the side walks. No certificate of occupancy or certificate of compliance shall be issued for the proposed development unless and until such sidewalk facilities are constructed and approved by the Town's consulting Engineer.

4. The Planning Board shall employ the advice of its engineering and design professionals to mitigate any adverse drainage or sheet flow of storm water which may be exacerbated by the impervious surfaces and improvements being proposed and incorporate same into any final approval of the foregoing Project Development Plan application.

And be it further

**RESOLVED**, that the foregoing grant of extension of the Special Permit shall run concurrently with the grant of final Site Plan Approval by the Planning Board; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to W.B. New York LLC, the owner of the Subject Premises, and to the Secretary of the Town of Southeast Planning Board, forthwith.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK    )  
                                  : ss.:  
COUNTY OF PUTNAM    )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 23<sup>rd</sup> day of April, 2020.

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MICHELE STANCATI  
Town Clerk