
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

April 10, 2017

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

1. **ACE ENDICO, 80, 81 & 71 International Blvd.** – Continued Public Hearing to Review an Application for Site Plan Amendment, Subdivision, Conditional Use Permit and Wetland Permit

THERE WILL BE NO DISCUSSION OF THE ACE ENDICO APPLICATION. THE APPLICANT HAS REQUESTED AN ADJOURNMENT TO JUNE 12, 2017.

2. **EMPIRE STATE LANDSCAPING, 2525 Carmel Avenue** – Public Hearing to Review an Application for Conditional Use Permit

REGULAR SESSION:

1. **FARM TO MARKET ROAD SUBDIVISION, 83 & 85 Farm to Market Road** – Review of Request for Extension of Subdivision Approval
2. **LYONS SUBDIVISION, Milltown Road** – Review of Request for Release of Performance Bond
3. **NYSEG DINGLE RIDGE SUBSTATION, 17 & 21 Branch Road** – Review of Application for Final Approval of Lot Line Adjustment
4. **BARRETT HILL, Mt. Ebo Lot 6** – Review of Application for Site Plan Amendment and Special Use Permit

Approve Meeting Minutes from March 13, 2017

April 6, 2017

VAD

Agenda Subject to Change

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION FOR A CONDITIONAL USE PERMIT
FOR EMPIRE STATE LANDSCAPING**

INTRODUCED BY: LaPerch DATE: April 10, 2017
SECONDED BY: Armstrong

WHEREAS, an application is being made by **EMPIRE STATE LANDSCAPING** for a conditional use permit for the use of the property as a landscaping business, which is considered a general business use, on a property located at 2525 Carmel Avenue, in the Town of Southeast, New York; and

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

WHEREAS, the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short Environmental Assessment Form (EAF) dated 1/23/17, and pursuant to §617.5(c)(7), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required; and

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

1. Memorandum from John Karell, Jr., P.E., dated 2/26/17
2. PS-1, Site Plan, prepared by John Karell, Jr., P.E., dated 1/15/17

WHEREAS, the Planning Board has determined on the basis of its own review, and the review of comments received from its consultants, that the information submitted by the applicant is in substantial compliance with Chapter 138, "Zoning," of the Town of Southeast Code; 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 Conditional Use Permit 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).

1. This conditional use permit is for the use of the property as a landscaping business, which is considered a general business use.
2. No towing services shall be operated from the property;
3. No towed, unregistered, or inoperable vehicles may be stored on the property; and
4. All storage of landscape materials, vehicles, and equipment associated with the landscaping business shall occur behind the existing stockade fence and within the existing 5,120 square foot outside storage area. This existing outside storage area shall not be expanded.
5. The Code Enforcement Officer shall have right of entry for inspection, with reasonable notice, to determine compliance with the conditions of this permit.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

absent

P. Wissel, Boardmember

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

absent

M. Hecht, Boardmember

yes

E. Larca, Boardmember

yes

The resolution was passed by a vote of 5 to 0, with 2 ^{absent.} ~~abstentions~~

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

INTRODUCED BY: LaPerch

DATE: April 10, 2017

SECONDED BY: Hecht

WHEREAS, the Planning Board of the Town of Southeast previously granted conditional approval of the Final Plat by resolution dated 5/9/16, and two 90-day extensions of the conditional approval was granted by resolution dated 10/24/16 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 5/9/17, in which to satisfy the conditions of the conditional final plat approval. The applicant shall be eligible for eight (8) 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

yes

D. Rush, Vice Chairman

absent

P. Wissel, Boardmember

yes

D. Armstrong, Boardmember

no

E. Cyprus, Boardmember

absent

M. Hecht, Boardmember

yes

E. Larca, Boardmember

yes

The resolution was passed by a vote of 4 to 1, with 2 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

April 10, 2017

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

RE: **LYONS SUBDIVISION**, Lyons Farm Court, Tax Map ID 57.-1-22

Dear Boardmembers:

At the 4/10/17 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 release of the Performance Bond currently being held.

<u>PROJECT</u>	<u>AMOUNT</u>
LYONS SUBDIVISION	39,200.00

The Planning Board further resolved that the following bond, also associated with this project, may be released at this time:

<u>BOND TYPE</u>	<u>AMOUNT</u>
EROSION & SEDIMENT CONTROL	\$2052.00

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,



Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
Chris Lyons
Planning Board File



Jacobson

April 7, 2017

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

Re: Lyons Subdivision
Lyons Farm Court
Request for Release of Bond
NLJ #0001-0690

Dear Mr. LaPerch:

The above referenced project includes a four lot subdivision with a private road (common driveway) located on the west side of Milltown Road. Our records indicate that the project received final subdivision approval in 1998. At the time of approval bonds were established in the amount of \$39,200 for a performance bond and \$2,052 for sediment & erosion control measures. The roadway construction was completed in October 2000 with the exception of the bituminous pavement surface course.

In November of 2016 the construction of the roadway was fully completed with minor repairs to the binder course and pavement of the surface course. After the final paving was complete we made an inspection at the site at which time we confirmed that the roadway construction was fully complete and generally in accordance with approved plans; and that all off-road areas were fully vegetated and stabilized. As such, we are now recommending final release of all bonds held for the project.

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. Levine
M. Bruen
W. Stephens, Jr.
S. Coleman
M. Stancati
A. Ley
C. Lyons

Nathan L. Jacobson & Associates, Inc.
Nathan L. Jacobson & Associates, P.C. (NY)
86 Main Street P.O. Box 337 Chester, Connecticut 06412-0337
Tel 860.526.9591 Fax 860.526.5416

Consulting Civil and Environmental Engineers Since 1972

**TOWN OF SOUTHEAST, NY
RESOLUTION
FINAL PLAT APPROVAL**

INTRODUCED BY: *La Perch* DATE: April 10, 2017
SECONDED BY: *Wissel*

WHEREAS, NYSEG DINGLE RIDGE SUBSTATION/GEORGE TREMBLAY as the Applicant/Owner of certain properties located 17 and 21 Branch Road in the Town of Southeast and known and designated as Tax Map Numbers 68.2-8 and 68.-2-9 has submitted an application for Final Plat approval for a proposed lot line adjustment to transfer 0.208 acres from 68.-2-8 to 68.-2-9 where no improvements are proposed at this time (the “Proposed Project”); and,

WHEREAS, the Applicant submitted an application for Preliminary Plat approval on 11/21/16: and,

WHEREAS, the Planning Board declared this a Minor Subdivision by resolution dated 2/13/17; and,

WHEREAS, the Applicant submitted an application for Final Plat approval on 4/3/17: and,

WHEREAS, the Southeast Planning Board (the “Planning Board”) is in receipt of the following drawing(s), prepared by Keystone Associates, related to the subdivision application:

Drawing No. & Title	Original Date: Last
Final Subdivision Plat - Tremblay & NYSEG, SH. 1 of 1; Dingle Ridge Substation	8/12/16; 4/3/17

; 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 123, “Subdivision of Land,” (specifically §123-13.C and §123-31) and Chapter 138, “Zoning,” of the Town of Southeast Code; and,

WHEREAS, pursuant to §123-13.D, the Planning Board referred the complete application to the Putnam County Division of Planning and Development on 2/14/17 for its review under §239-n of Article 12-B of the General Municipal Law; and,

WHEREAS, all of the modifications referred to above shall have the effect of (1) improving overall design and layout of the subdivision; and/or (2) further minimizing any potential environmental impacts; and,

NOW, THEREFORE, be it RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 123, "Subdivision of Land," of the Town Code, the Planning Board hereby grants Final Plat approval for the Proposed Action, as defined above.

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. The approved plat and all associated plans and drawings shall serve as the record of all approved improvements.
4. The Applicant shall submit revised Final Plat drawings for the signature of the duly authorized officer of the Planning Board within one-hundred and eighty (180) days of the date of this Final Approval (§123-13.G(2)) to show compliance with all conditions of this approval.
5. Prior to submission of the Final Plat for the signature of the duly authorized officer of the Planning Board the Applicant shall obtain final approval of all street names from the Town Board (§123-35.E) and Town Tax Assessor (§54-A.4).
6. Prior to submission of the Final Plat for the signature of the duly authorized officer of the Planning Board the Applicant shall first obtain the required signatures of the Putnam County Department of Health on the Final Plat.
7. The Applicant shall file the signed approved Final Plat with the County Clerk within sixty (60) days of the date upon which the Final Plat was signed by the duly authorized officer of the Planning Board or the Final Plat shall be considered null and void (see §123-13.J). The Applicant shall provide the Town of Southeast with five (5) copies of the filed plat.

UPON ROLL CALL VOTE:

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

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board