
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

September 24, 2018

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

- 1. NYSEG TILLY FOSTER METROPOLITAN TRANSPORTATION AUTHORITY PROJECT, (See Attached Map)** – Public Hearing to Review of an Application for a Wetland Permit

REGULAR SESSION:

- 1. BAKER FARM SUBDIVISION, Enock Crosby Road, Tax Map ID 55.-1-4** – Continued Review of an Application for a Subdivision
- 2. CASTELLANO CONDITIONAL USE PERMIT, 160 Guinea Road, Tax Map ID 78.-1-86** – Review of an Application for a Conditional Use Permit for an Accessory Apartment
- 3. INTERIOR ROCK, 3903 Danbury Road, Tax Map ID 69.13-1-21.2** – Continued Review of an Application for Site Plan, Wetland Permit and Conditional Use Permit
- 4. LAS MANANITAS, 1250 Route 22, Tax Map ID 57.-2-40** – Continued Review of an Application for Site Plan Amendment
- 5. SOUTHEAST EXECUTIVE PARK PARKING AREA, 185 Route 312, Tax Map ID 45.-1-3** – Continued Review of an Application for Site Plan Amendment
- 6. RUFFIAN, LLC, 3834 Danbury Road, Tax Map ID 69.-1-9** – Review of an Application for Site Plan and Wetland Permit
- 7. FWL GROUP, LLC, 200 & 280 Fields Lane, Tax Map IDs 78.-2-1 & 2** – Continued Review of an Application for Site Plan, Wetland Permit and Lot Line Adjustment
- 8. CHASE BANK – BREWSTER CLOCKTOWER COMMONS, 700 Clocktower Commons, Tax Map ID 57.-1-12.-1** – Review of an Application for Final Site Plan Approval
- 9. Approve Meeting Minutes from August 27, 2018**

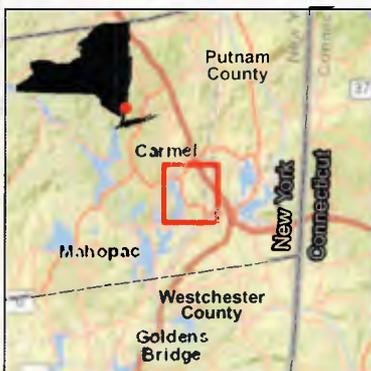
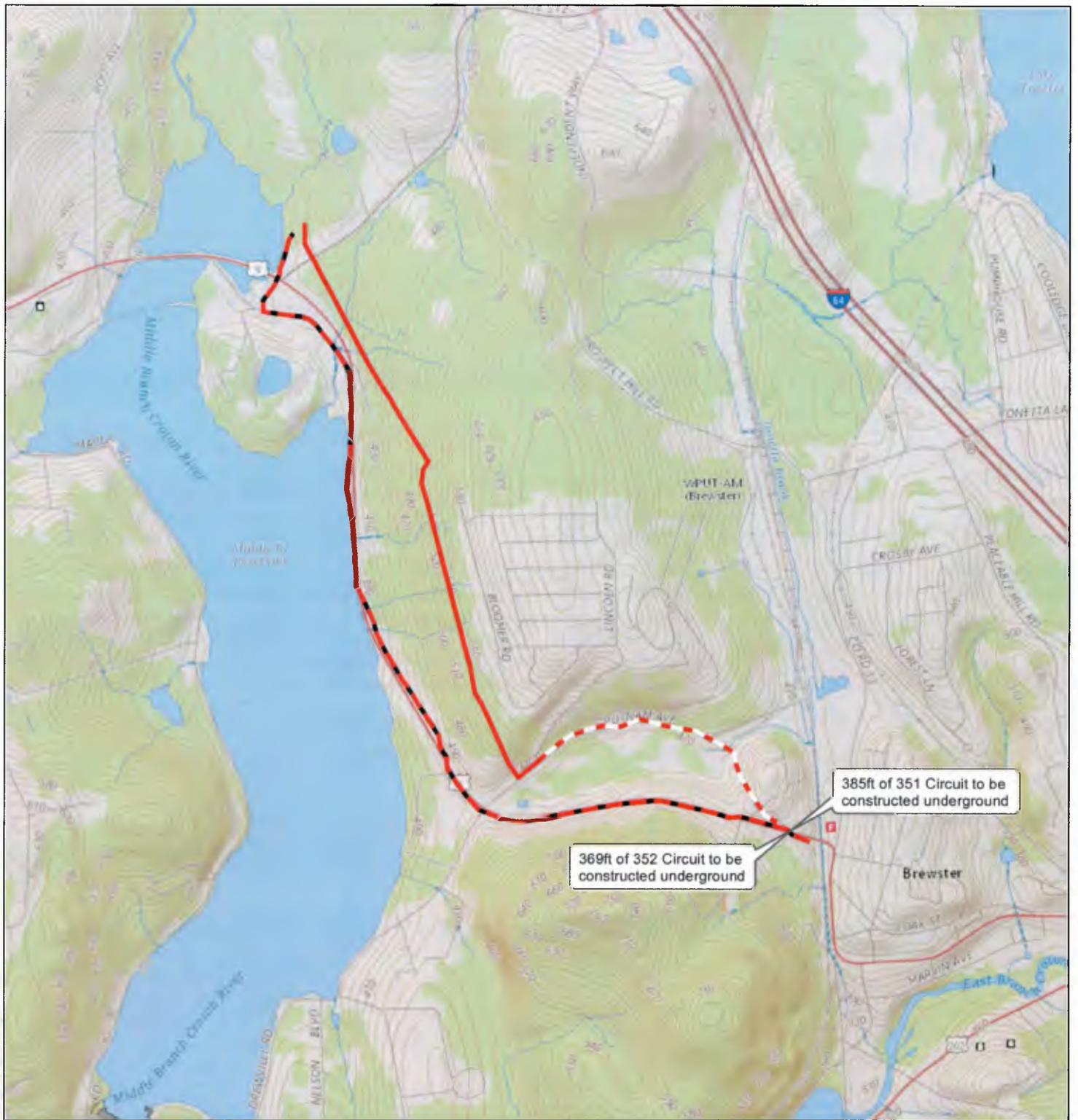
September 14, 2018

VAD

Agenda Subject to Change

FOR MORE INFORMATION ON MAJOR PROJECTS UNDER PLANNING BOARD REVIEW, CLICK ON THE LINK BELOW:

<http://www.southeast-ny.gov/322/Major-Planning-Board-Projects#>



Legend

Distribution Lines To Be Worked

- 532 Circuit New - 441 Circuit Rebuild
- 531 Circuit New
- 531 Circuit New - 441 Circuit Rebuild

Feet

Sources: ESRI, NYSEG

Tilly Foster MTA Project

Figure: 1
 Location Map
 Town of Southeast & Village of Brewster
 Putnam County, NY

Created: 6/24/2018 10 Maxwell Drive
 Clifton Park, NY 12065

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

INTRODUCED BY: *LaPerch*

DATE: September 24, 2018

SECONDED BY: *Armstrong*

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 **NYSEG TILLY FOSTER MTA PROJECT**; and

WHEREAS, the applicant proposes the construction of new double circuit distribution lines on multiple parcels adjacent to the Middle Branch Reservoir. The Proposed Project involves the development of 2.04 miles of new double circuit distribution line (new 532 Circuit and rebuild 441 Circuit), 0.67 miles of new double circuit distribution line (new 531 Circuit and rebuild 441 Circuit), 1.40 miles of new distribution line (531 Circuit), 0.07 miles of new underground distribution line (351 Circuit), and 0.07 miles of new underground distribution line (352 Circuit). The Project will require work on 151 structures; and

WHEREAS the Planning Board scheduled a public hearing on the proposed Wetland Permit for 9/24/18; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 8/27/18; 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

yes

yes

yes

yes

D. Rush, Vice Chairman

yes

yes

yes

D. Armstrong, Boardmember

E. Cyprus, Boardmember

M. Hecht, Boardmember

E. Larca, Boardmember

J. Gress, Boardmember

The resolution was *passed* by a vote of *7* to *0*, with *0* absent.

T. LaPerch

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

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION
CLASSIFY AS TYPE II ACTION
AND TOWN OF SOUTHEAST MINOR PROJECT**

INTRODUCED BY:

LaPerch

DATE: September 24, 2018

SECONDED BY:

Cyprus

WHEREAS, an application is being made by **CASTELLANO** for a Conditional Use Permit for an accessory apartment on a property located at 160 Guinea Road, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 78.-1-86, and is located in the R-60 Zoning District; and

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

1. Short Environmental Assessment Form (EAF) dated 8/23/18
2. Project Description, prepared by Vincent Leto of Westchester Modular Homes, dated 8/30/18; last revised 9/20/18
3. Site Plan for Jeffrey Castellano – 160 Guinea Road, prepared by Anthony Pisarri, P.E., P.C., dated 8/15/18; last revised 8/24/18
4. Topographic Survey prepared for Richard Button, Situate in Town of Southeast, Putnam County, prepared by Terry Bergendorff Collins, dated 7/18/08
5. Owner Consent Form Signed by Richard Buttons, dated 6/28/18

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)(9), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Town of Southeast Planning Board, finds the Proposed Action to be a Town of Southeast Minor Project as defined in Town Code Section 138-4, Definitions.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

E. Larca, Boardmember

yes

J. Gress, Boardmember

yes

yes

The resolution was passed by a vote of 7 to 0, with 0 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

T. LaPerch
/vnd

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

Date: September 24, 2018

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: INTERIOR ROCK

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant proposes to construct a two-story, 20,000 square foot building with 2,000 square feet of associated outside storage, and 40 parking spaces for a general business and office use. The project would be constructed in two phases (one floor each phase). Twenty-nine of the parking spaces would be constructed in Phase 1, and the remaining 11 spaces would be constructed in Phase 2. The proposed project is located at 3903 Danbury Road (Tax Map 69.13-21.2) and is in the SR-6 Zoning District. The proposed project requires a Conditional Use Permit, site plan, and wetland permit approval from the Planning Board. The project also requires an area variance for the proposed retaining wall height from the Zoning Board of Appeals.

Location:

3903 Danbury Road & TAX ID 69.13-1-21.2

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from PW Scott Engineering re: response to Stephen Coleman comments, dated 8/14/18
- Memorandum to Chairman LaPerch from PW Scott Engineering, re: response to Jacobson & Associates comments, dated 8/14/18
- SY1, Parking Site Plan Phase I, prepared by PW Scott Engineering, dated 7/17/17; last revised 8/15/18
- SY2, Utility Site Plan Phase I, & II prepared by PW Scott Engineering, dated 3/20/18; last revised 8/15/18
- SY2-A, Utility Site Plan Phase I, & II prepared by PW Scott Engineering, dated 3/20/18; last revised 8/15/18
- SY6-A, Bio-Retention Garden Details, prepared by PW Scott Engineering, dated 5/14/18; last revised 8/15/18
- SY6-B, Detention & Spreader Details, prepared by PW Scott Engineering, dated 5/14/18; last revised 8/15/18

- SY7, Mitigation Plan, prepared by PW Scott Engineering, dated 6/14/18; last revised 8/15/18
- SY7-A, Mitigation Planting Plan, prepared by PW Scott Engineering, dated 7/12/18; last revised 8/15/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: NYS DOT Traffic Impact Analysis Highway Design Manual, dated 8/7/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: Reduction in Required Yards and Parking Setbacks, dated 7/12/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: Response to Stephen Coleman dated 7/11/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: Response to AKRF, dated 7/11/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: Response to Jacobson & Associates, dated 7/11/18
- Statement of Use, prepared by PW Scott Engineering, dated 10/05/18; last revised 7/15/18
- Drainage Report Addendum, prepared by PW Scott Engineering, undated
- SY1A, Parking Site Plan Phase II, prepared by PW Scott Engineering, dated 7/17/17; last revised 7/12/18
- SY3, Erosion Control Plan, prepared by PW Scott Engineering, dated 7/17/17; last revised 7/12/18
- SY3A, Sequence of Construction, prepared by PW Scott Engineering, dated 7/17/18
- SY3B, Sequence of Construction, prepared by PW Scott Engineering, dated 7/12/18
- SY4, Lighting Plan, prepared by PW Scott Engineering, dated 6/14/18; last revised 7/12/18
- SY5, Erosion Control Details, prepared by PW Scott Engineering, dated 5/14/18; last revised 7/12/18
- SY6, Standard Details, prepared by PW Scott Engineering, dated 5/14/18; last revised 7/12/18
- Memorandum to Chairman LaPerch from PW Scott Engineering, re: Response to AKRF memo, dated 7/15/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: Response to Jacobson & Associates, dated 7/15/18
- Memorandum to Chairman LaPerch from PW Scott Engineering re: Response to Stephen Coleman, including three options for how to position the building, dated 7/11/18
- SY1C, Alternative Parking Site Plan, prepared by PW Scott Engineering dated 7/10/18
- Stormwater Management Report, prepared by PW Scott Engineering. Dated 4/2/18; last revised 6/10/18
- Stormwater Pollution Prevention Plan, prepared by PW Scott Engineering, dated 6/10/18
- D1, Pre/Post Development Overlay, prepared by PW Scott Engineering, dated 5/14/18; last revised 6/15/18
- R1, Project Renderings, prepared by PW Scott Engineering, dated 1/17/18
- Memorandum to Stephen Coleman, Wetland Inspector from PW Scott Engineering, including Wetland Functional Evaluation Report prepared by Michael Nowicki, dated 6/9/18
- SWPPP Treatment Analysis, prepared PW Scott Engineering, dated 4/2/18

- Stormwater Management Report, prepared by PW Scott Engineering, dated 4/2/18
- SY1D, Wetland Avoidance Report, prepared by PW Scott Engineering, dated 3/22/18
- Memorandum from NYC Department of Environmental Protection, dated 1/23/18

WHEREAS, on 12/11/17, 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 8/13/18, 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 full 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

Town of Southeast

Planning Board
One Main Street
Brewster, NY 10509

September 25, 2018

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: INTERIOR ROCK, 3903 Danbury Road, TAX ID 69.13-1-21.2

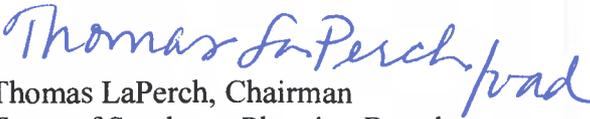
Dear Boardmembers:

At the 9/24/18 regular meeting of the Town of Southeast Planning Board a motion was made to refer the above referenced application to your Board for the following:

1. A 10-foot tall retaining wall is proposed in the front yard where a maximum height of 3 feet is permitted.

A copy of the Town Planner's memorandum is attached for your information.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
PW Scott Architecture & Engineering
Planning Board File
Zoning Board of Appeals File



Environmental, Planning, and Engineering 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: September 20, 2018
Re: Interior Rock
cc: PW Scott

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

- Partial Site Plan Set (7 of 18 sheets), prepared by PW Scott, dated 7/17/17 and last revised 8/15/18
- Letter from PW Scott to Gregory Bentley, dated 8/6/18
- Letter from PW Scott to Tom LaPerch, dated 8/7/18
- Letters from PW Scott dated 8/14/2018

PROJECT DESCRIPTION

The Applicant proposes to construct a two-story, 20,000 square foot building with 2,000 square feet of associated outside storage, and 38 parking spaces for a general business and office use. The project would be constructed in two phases (one floor each phase). The proposed project is located at 3903 Danbury Road (Tax Map 69.13-21.2) and is in the SR-6 Zoning District. The proposed project requires a Conditional Use Permit, site plan, and wetland permit approval from the Planning Board.

COMMENTS

The Applicant has submitted revised plans in response to AKRF's memos dated, June 12, 2018, July 5, 2018, and August 3, 2018. AKRF's comments that were not previously addressed are recited below *italics* and new or follow-up comments are presented in **bold**.

1. *The parking calculation tables include "warehouse," warehouse is not a permitted use in the SR-6 Zoning District. The required parking should be based on the permitted and proposed uses. In addition, the parking calculation tables (in terms of total number of spaces) do not match the parking information provided in the Full EAF. These should be reconciled. (6/12/18)*

The proposed parking ratios are not consistent with the Town of Southeast Code which requires 1 space per 250 square feet for "retail stores, shops, personal and business services" (see 138-67.C); 1 space per 1.5 employees "...office buildings (not primarily serving customers or clients on the premises)..."(see 138-67.H); and 1 space per 250 square feet for "offices" (see 138.67.J). Furthermore, it is unclear why "retail" is being used for the parking generation as there is no mention

of retail in the statement of use; instead the proposed project is described as "general business." However, the Statement of Use gives very little description of what "Interior Rock" is and what services they provide, or would provide, on site. (7/5/18)

The parking calculations have been revised to be consistent with the Code. However, only 3 pages of the revised EAF were submitted. A complete corrected EAF should be provided for the Planning Board's files. (8/3/18)

A complete corrected EAF should be provided for the Planning Board's files.

- 2. The Application will require a highway work permit from NYSDOT. Attached is an e-mail from Gregory Bentley, Regional Highway Work Permit Coordinator at NYSDOT. These comments should be addressed by the Applicant prior to a determination of significance.*

The Applicant has sufficiently addressed NYSDOT's comments for the purposes of a Determination of Significance under SEQRA. The Applicant may address any additional concerns directly with NYSDOT through the Highway Work Permit approval process.

- 3. The Application requires an area variance for the proposed retaining wall in the front yard. A 10 foot tall retaining wall is proposed where a maximum height of 3 feet is permitted.**

RECOMMENDED ACTIONS

At the September 20, 2018, meeting, AKRF recommends that the Planning Board consider a Negative Declaration, and refer the application to the Architecture Review Board and Zoning Board of Appeals.

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

September 25, 2018

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Interior Rock
3903 Danbury Road
Tax Map ID 69.13-1-21.2

At the regular meeting of the Southeast Planning Board on 9/24/18, 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 9/24/18. The applicant will be sending your Board a copy of the proposed plans to aid you in your review.

If there is any additional information you require, please contact the Planning Board office.

Very truly yours,


Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
PW Scott Architecture & Engineering

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

INTRODUCED BY: LaPerch **DATE:** September 24, 2018
SECONDED BY: Armstrong

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Site Plan Amendment, and other supporting documents for a project entitled **LAS MANANITAS**; and

WHEREAS, the proposed project is located at 1250 Route 22 in the RC Zoning District in the Town of Southeast and identified as Tax Map IDs 57.-2-40 and 57.-2-35; and

WHEREAS, the applicant installed asphalt paving in an area approved by the Planning Board as gravel. The applicant is seeking Site Plan approval for the expansion and paving of an existing parking area, new 1,000 sq. ft. shed, proposed decks (one on the restaurant and one on the house), paved drop off area, driveway improvements, seasonal tent site, seasonal canopy, and erosion and sediment control measures; 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>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
D. Armstrong, Boardmember	<u>yes</u>	E. Cyprus, Boardmember	<u>yes</u>
M. Hecht, Boardmember	<u>yes</u>	E. Larca, Boardmember	<u>yes</u>
J. Gress, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 7 to 0, with 0 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

INTRODUCED BY: LaPerch

DATE: September 24, 2018

SECONDED BY: Armstrong

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Site Plan Amendment, and other supporting documents for a project entitled **SOUTHEAST EXECUTIVE PARK PARKING AREA**; and

WHEREAS, the proposed project is located at 185 Route 312 in the HC-1 Zoning District in the Town of Southeast and identified as Tax Map ID 45.-1-3; and

WHEREAS, the applicant proposes a new two-tiered parking lot on Town property to provide 75 spaces for use by CareMount Medical, the current occupant of Southeast Executive Park, and for users of the Town Park. Secondary access to the parking area would be provided through a new driveway connection to Independent Way under an easement agreement to be formed with NYSEG. This new driveway would enable vehicles exiting CareMount and headed west on Route 312 to use the existing traffic light at Independent Way and Route 312. A new right-turn only lane is also proposed for the existing CareMount driveway; 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

yes
yes
yes
yes

D. Rush, Vice Chairman

yes
yes
yes

D. Armstrong, Boardmember

E. Cyprus, Boardmember

M. Hecht, Boardmember

E. Larca, Boardmember

J. Gress, Boardmember

The resolution was passed by a vote of 7 to 0, with 0 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

September 25, 2018

Director
Putnam County Division of Planning and Development
2 Route 164
Patterson, NY 12563

Re: Southeast Executive Park Parking
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for a Site Plan Amendment to add a new two-tiered parking lot on Town property to provide 75 spaces for use by CareMount Medical, the current occupant of Southeast Executive Park, and for users of the Town Park. Secondary access to the parking area would be provided through a new driveway connection to Independent Way under an easement agreement to be formed with NYSEG. This new driveway would enable vehicles exiting CareMount and headed west on Route 312 to use the existing traffic light at Independent Way and Route 312. A new right-turn only lane is also proposed for the existing CareMount driveway. The proposed project is located in the HC-1 Zoning District located at 185 Route 312, Putnam County, New York (Tax Map 45.-1-3).

The Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQRA), is herewith referring the subject application to the Putnam County Division of Planning and Development pursuant to General Municipal Law §239-m.

Enclosed is the application for your review. Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845)279-7736, if you should have any questions. We thank you for your consideration and review of this application.

Sincerely,

Thomas LaPerch
Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Bibbo Associates

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

INTRODUCED BY: *LaPerch*
SECONDED BY: *Cyprus*

DATE: September 24, 2018

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Site Plan, Conditional Use Permit and Wetland Permit, and other supporting documents for a project entitled **RUFFIAN, LLC**; and

WHEREAS, the proposed project is located at 3834 Danbury Road in the SR-6 Zoning District in the Town of Southeast and identified as Tax Map ID 69.-1-9; and

WHEREAS, the applicant proposes to construct a new driveway, a three-space parking lot near the existing one-story garage and two-story residence/office, and gravel outside storage area with 19 parking spaces for a general business use; 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	<i>yes</i>	D. Rush, Vice Chairman	<i>yes</i>
D. Armstrong, Boardmember	<i>yes</i>	E. Cyprus, Boardmember	<i>yes</i>
M. Hecht, Boardmember	<i>yes</i>	E. Larca, Boardmember	<i>yes</i>
J. Gress, Boardmember	<i>yes</i>		

The resolution was *passed* by a vote of *7* to *0*, with *0* absent.

T. LaPerch

T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

September 25, 2018

Director
Putnam County Division of Planning and Development
2 Route 164
Patterson, NY 12563

Re: Ruffian, LLC
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for a Site Plan, Conditional Use Permit and Wetland Permit by Ruffian, LLC to construct a new driveway, a three-space parking lot near the existing one-story garage and two-story residence/office, and gravel outside storage area with 19 parking spaces for a general business use. The proposed project is located in the SR-6 Zoning District on an approximately ±10-acre parcel located at 3834 Danbury Road, Putnam County, New York (Tax Map ID 69.-1-9).

The Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQRA), is herewith referring the subject application to the Putnam County Division of Planning and Development pursuant to General Municipal Law §239-m. Enclosed is the application for your review.

Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845)279-7736, if you should have any questions. We thank you for your consideration and review of this application.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
JR Folchetti & Associates

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

Date: September 24, 2018

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: FWL Group, LLC

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant proposes to construct a 28,000 square foot commercial building and nursery with an associated parking lot, driveway, stormwater management system, well, and septic on the property located at 200 and 280 Fields Line. A portion of the driveway would be located within the NYSDEC 100 feet wetland buffer. In addition, a portion of the driveway, parking area, and building would be located within the 133 foot Town of Southeast wetland buffer. This is also a subdivision application to join the two lots.

Location:

200 & 280 Fields Lane & TAX ID 78.-2-1&2

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Insite Engineering, dated 9/5/18
- Wetland Buffer Monitoring & Maintenance Plan for FWL Group, LLC, prepared by Insite Engineering, dated 4/2/18
- Statement of Use, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- ALT-2, Alternative with Retaining Walls, prepared by Insite Engineering, dated 9/5/18
- Stormwater Pollution Prevention Plan, prepared by Insite Engineering, dated 7/23/18; last revised 9/5/18
- Lot Merger Map, prepared for FWL Group by Insite Engineering dated 4/2/18
- A10, Proposed Floor Plan, prepared by Sergio Marin Architecture + Design, dated 6/13/18
- A20, Elevations Front / Right, prepared by Sergio Marin Architecture + Design, dated 6/13/18
- A21, Elevations Rear / Left, prepared by Sergio Marin Architecture + Design, dated 6/13/18
- OP-1, Overall Site Plan, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- SP-1, Layout & Landscape Plan Plan, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18

- SP-2, Grading & Utilities Plan, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- SP-3, Erosion & Sediment Control Plan, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- LP-1, Lighting Plan, prepared by Insite Engineering, dated 7/23/18;
- D-1, Details, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- D-2, Details, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- D-3, Details, prepared by Insite Engineering, dated 4/2/18; last revised 9/5/18
- Memorandum from NYS Department of Transportation, dated 8/20/18
- Memorandum from NYS Department of Transportation, dated 4/11/18
- Memorandum from NYC Department of Protection, dated 4/4/18
- Memorandum from NYS Department of Conservation, dated 3/27/18; addendum dated 3/29/18

WHEREAS, on 3/12/18, 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 8/13/18, 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
Putnam County Department of Planning/Development & Public Transportation of Putnam County Transit Facility 841 Fair Street Carmel, New York 10512	Highway Superintendent 10 Palmer Road Brewster, NY 10509
	E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
yes
yes
yes

D. Rush, Vice Chairman

yes
yes
yes

D. Armstrong, Boardmember

E. Cyprus, Boardmember

M. Hecht, Boardmember

E. Larca, Boardmember

J. Gress, Boardmember

The resolution was passed by a vote of 7 to 0, with 0 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

September 25, 2018

TO: Architectural Review Board

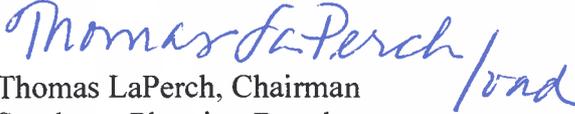
FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: FWL Group, LLC
200 & 280 Fields Lane
Tax Map ID 78.-2-2

At the regular meeting of the Southeast Planning Board on 9/24/18, 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 9/24/18. The applicant will be sending your Board a copy of the proposed plans to aid you in your review.

If there is any additional information you require, please contact the Planning Board office.

Very truly yours,


Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Insite Engineering

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

INTRODUCED BY: LaPerch DATE: September 24, 2018
 SECONDED BY: Hecht

WHEREAS, CHASE BANK – CLOCKTOWER COMMONS as the Applicant/Owner of certain properties located 700 Clocktower Commons in the SR-22 Zoning District in Town of Southeast and known and designated as Tax Map Number 57.-1-12.-1, is seeking Site Plan approval for a proposed addition of a new drive-thru ATM at an existing Chase Bank drive-thru location. The applicant proposes to utilize the existing canopy and drive-thru lane. The existing concrete island would be re-built to accommodate new electrical services to service the drive-thru ATM (the “Proposed Project”); and,

WHEREAS, the Town of Southeast Planning Board, acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), and conducting a coordinated environmental review, classified this as a Type II Action on or about 8/13/18, indicating that no 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
Statement of Use, prepared by TPG Architecture	8/13/18; 9/21/18
To Whom It May Concern Letter from TPG Architecture	9/5/18
Environmental Assessment Form, prepared by TPG Architecture	7/2/18
R-001, Proposed Drive Up Lane, prepared by TPG Architecture	8/16/18
G-001, Master Legend, Notes, Symbols & Abbreviations, prepared by TPG Architecture	5/16/18; 9/5/18
G-002, General Notes, prepared by TPG Architecture	5/16/18; 9/5/18
G-003, General Notes, prepared by TPG Architecture	5/16/18; 9/5/18
G-001, Master Legend, Notes, Symbols & Abbreviations, prepared by TPG Architecture	5/16/18; 9/5/18
G-004, Symbols & Legends, prepared by TPG Architecture	5/16/18; 9/5/18
G-005, ADA Standards, prepared by TPG Architecture	5/16/18; 9/5/18
G-006, 2013 FEMA Flood Map, prepared by TPG Architecture	5/16/18; 9/5/18
A-101-103, Ground Floor Plans, prepared by TPG Architecture	5/16/18; 9/5/18
1 of 1, Partial Boundary & Topographic Survey, prepared by Stonefield Engineering & Design	5/5/18
1 of 1, Existing Lighting Report, prepared by Stonefield Engineering & Design	5/16/18
C1, Cover Sheet, prepared by Stonefield Engineering & Design	9/4/18
C2, Existing Conditions, prepared by Stonefield Engineering & Design	9/4/18
C3, Demolition & Site Plan, prepared by Stonefield Engineering & Design	9/4/18
C4, Overall Lighting Plan, prepared by Stonefield Engineering & Design	9/4/18
C5, ATM Lighting Plan, prepared by Stonefield Engineering & Design	9/4/18
C6, Notes & Details, prepared by Stonefield Engineering & Design	9/4/18
E-001.00, Electrical Symbols List, prepared by TPG Architecture	4/27/18; 5/9/18
E-002.00, Electrical General Notes, prepared by TPG Architecture	4/27/18; 5/9/18
E-201.00, Ground Floor Electrical Power Plan, prepared by TPG Architecture	4/27/18; 5/9/18

; 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 8/23/18 from the Architectural Review Board recommending approval of the architecture 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 Chase Bank Clocktower Commons 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.

3. Any and all outstanding inspection, engineering, or planning consulting fees shall be paid to the Town prior to the issuance of a Certificate of Occupancy for any improved lot.

4. 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.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
yes
yes
yes

D. Rush, Vice Chairman

yes
yes
yes
yes

D. Armstrong, Boardmember

E. Cyprus, Boardmember

M. Hecht, Boardmember

E. Larca, Boardmember

J. Gress, Boardmember

The resolution was passed by a vote of 7 to 0, with 0 absent.

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