

Please join from your computer, tablet or smartphone:

When prompted, please type your full name

<https://zoom.us/j/215002566>

SEE DIRECTIONS FOR ZOOM MEETING PARTICIPATION ON NEXT PAGE

***** This meeting will be recorded *****

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. WELLINGTON II DEVELOPMENT, 400-408 Route 22, Tax Map ID 78.-1-16** – Continued Review of Application for Site Plan Amendment and Wetland Permit
- 2. INTERIOR ROCK, 3903 Danbury Road, Tax Map ID 69.13-1-21.2** – Review of an Application for Final Approval of Site Plan, Conditional Use Permit and Wetland Permit
- 3. EUROTECH, 19 Sutton Place, Tax Map ID 78.-2-16.6** – Continued Review of an Application for Site Plan Amendment
- 4. ACE ENDICO EXPANSION, 80,71-81 & 91 International Blvd., Tax Map IDs 45.-1-29, 45.-1-31.1 & 31.2** – Continued Review of an Application for Site Plan Amendment, Conditional Use Permit, Minor Subdivision and Wetland Permit
- 5. SOUTHEAST PARKING BY WB NEW YORK, 4 & 10 Independent Way, Tax Map IDs 56.-1-24 & 25** – Review of an Application for Final Re-Approval of Site Plan, Special Permit and Wetland Permit
- 6. DREW REALTY / SITEONE, 160 & 170 Fields Lane, Tax Map IDs 78.-2-4 & 5** – Continued Review of an Application for Subdivision, Site Plan, Conditional Use Permit and Wetland Permit
- 7. STATELINE RETAIL CENTER / RESTAURANT DEPOT, US Route 6, Tax Map ID 68.-2-48.1 & 48.2** – Continued Review an Application for Subdivision, Site Plan, Wetland Permit and Special Permit
- 8. FLYWHEEL FARM, 4-10 Starcobb Lane, Tax Map ID 79.-1-26** – Review of an Application for Conditional Use Permit for Accessory Apartment
- 9. LAS MANANITAS, 1250 Route 22, Tax Map ID 57.-2-40** – Continued Review of an Application for Site Plan Amendment
- 10. APPROVE MEETING MINUTES OF MARCH 9, 2020**
- 11. APPROVE MEETING MINUTES OF MARCH 23, 2020**

March 30, 2020/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#>

***ZOOM MEETING INSTRUCTIONS:**

New to Zoom? Please download the free app now so you are ready when the meeting starts:
<https://zoom.us/download>

Please join from your computer, tablet or smartphone by clicking on this link: <https://zoom.us/j/215002566>
This is the preferred method so you can see the documents and plans being discussed. When prompted, please provide your full name. If you are representing an application, please also provide the name of your firm.

You can also dial in using your phone:

Call-in number: +1 929 436 2866 US

Meeting ID: 215 002 566

FROM YOUR SMARTPHONE

One tap mobile:

+19294362866,,215002566# US

Additional Zoom FAQs and tutorials:

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

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

INTRODUCED BY: *LaPerch*

DATE: April 13, 2020

SECONDED BY: *Armstrong*

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a site plan and wetland permit, and other supporting documents for a project entitled **WELLINGTON II DEVELOPMENT**; and

WHEREAS, the proposed project is located at 400-408 Route 22 in the RMF Zoning District in the Town of Southeast and identified as Tax Map ID 78.-1-16; and

WHEREAS, the applicant is seeking to maintain a parking area that was expanded without site plan approval, install a new fence within the wetland buffer, and to permit a new commercial use within the existing one-story office/shop/storage building; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 12/9/19; 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

D. Rush, Vice Chairman

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

yes

M. Hecht, Boardmember

yes

J. King, Boardmember

yes

L. Eckardt, Boardmember

yes

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

T. LaPerch

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

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

Date: April 13, 2020

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: WELLINGTON II DEVELOPMENT

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The applicant is seeking site plan and wetland permit approval to maintain a parking area that was expanded without site plan approval, install a new fence within the wetland buffer, and to permit a new commercial use within the existing 1-story office/shop/storage building.

Location: 400 – 408 Route 22, Tax Map ID 78.-1-16

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Doug Hahn, PE, Hahn Engineering, dated 3/18/20
- Wetland Buffer Monitoring & Maintenance Plan, prepared by Hahn Engineering, dated 3/6/20
- C-1, Overall Site & Existing Conditions, prepared by Hahn Engineering, dated 11/5/19; last revised 3/3/20
- C-2, Partial Site Plan, prepared by Hahn Engineering, dated 11/5/19; last revised 3/3/20
- C-3, Lighting Plan, prepared by Hahn Engineering, dated 11/5/19; last revised 3/3/20
- Memorandum from NYS Department of Environmental Conservation, dated 1/14/20
- Memorandum from NYS Department of Transportation, dated 1/8/20
- Memorandum from NYC Department of Environmental Protection, dated 12/30/19

WHEREAS, on 12/9/19, 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 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 Clerk 1360 Route 22 Brewster, NY 10509

SEQR Unit New York State Department of Transportation Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603 e-mail: dot.sm.r08.hwpermits@dot.ny.gov	Building Inspector 1 Main Street 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	Putnam County Department of Planning/Development & Public Transportation Putnam County Transit Facility 2 Route 164 Patterson, New York 12563
Putnam County Highways & Facilities 842 Fair Street Carmel New York 10512	Fire Inspector 1 Main Street Brewster, NY 10509

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> | J. King, Boardmember | <u>yes</u> |
| L. Eckardt, 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



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

April 13, 2020

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: WELLINGTON II DEVELOPMENT
400-408 Route 22
Tax Map ID 78.-1-16

At the regular meeting of the Town of Southeast Planning Board on 4/13/20, 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 an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) process on 12/9/19. 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
Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Hahn Engineering

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

INTRODUCED BY: LaPerch DATE: April 13, 2020
 SECONDED BY: Armstrong

WHEREAS, Interior Rock, Inc. as the Applicant/Owner of certain properties located 3903 Danbury Rd, Brewster, NY 10509 in the SR-6 Zoning District in Town of Southeast and known and designated as Tax Map Number 69.13-1-21.2 has submitted an application for Site Plan, Conditional Use Permit, and Wetland Permit approval to construct a proposed two-story, 20,000 square foot building, 2,000 square feet of outside storage, and 38 parking spaces for a general business and office use (the “Proposed Project”); and,

WHEREAS, the Proposed Project would be constructed in two phases, with one floor constructed during each phase; and

WHEREAS, the Town of Southeast Planning Board, acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), and conducting a coordinated environmental review, issued a Negative Declaration on or about September 24, 2018, indicating that the Proposed Project will not have a significant effect on the environment;

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
SY1 Parking Site Plan Phase I; P.W. Scott Engineering & Architecture P.C.	7/17/2017; 1/10/2020
SY1A Parking Site Plan Phase II; P.W. Scott Engineering & Architecture P.C.	7/17/2017; 1/10/2020
SY2 Utility Site Plan Phase I & II; P.W. Scott Engineering & Architecture P.C.	3/20/2018; 1/10/2020
SY2A Utility Site Plan Phase I & II; P.W. Scott Engineering & Architecture P.C.	3/20/2018; 1/10/2020
SY3 Erosion Control Plan; P.W. Scott Engineering & Architecture P.C.	7/17/2017; 1/10/2020
SY3A Sequence of Construction; P.W. Scott Engineering & Architecture P.C.	7/17/2018; 1/10/2020
SY3B Sequence of Construction; P.W. Scott Engineering & Architecture P.C.	7/12/2018; 1/10/2020
SY4 Lighting & Landscaping Plan/Detail; P.W. Scott Engineering & Architecture P.C.	6/14/2018; 1/10/2020
SY5 Erosion Control Details; P.W. Scott Engineering & Architecture P.C.	5/14/2018; 1/10/2020
SY6 Standard Details; P.W. Scott Engineering & Architecture P.C.	5/14/2018; 1/10/2020
SY6A Bio-Retention/Rain Garden Details; P.W. Scott Engineering & Architecture P.C.	5/14/2018; 1/10/2020
SY6B Detention & Spreader Details; P.W. Scott Engineering & Architecture P.C.	5/14/2018; 1/10/2020
SY7 Mitigation Plan; P.W. Scott Engineering & Architecture P.C.	6/14/2018; 1/10/2020
SY7A Mitigation Planting Plan; P.W. Scott Engineering & Architecture P.C.	7/12/2018; 1/10/2020
D1 Pre/Post Development Overlay; P.W. Scott Engineering & Architecture P.C.	5/14/2018; 1/10/2020
A1 Building Plans & Elevations; P.W. Scott Engineering & Architecture P.C.	10/2/2018; 1/10/2020
A2 Renderings; P.W. Scott Engineering & Architecture P.C.	1/17/2018; 1/10/2020
Stormwater Management Report, prepared by PW Scott Engineering	4/2/2018; 6/10/2018
Stormwater Pollution Prevention Plan, prepared by PW Scott Engineering, dated 6/10/18	6/10/2018
Letter to Planning Board Chair and Members; P.W. Scott Engineering & Architecture P.C.	1/10/2020
Town of Southeast Application for Final Site Plan Approval	12/11/2019

Drawing No. & Title; submitted by	Original Date; Last Revised
Putnam County Department of Health Approval of Plans for Wastewater Treatment System	5/28/2019
Putnam County Department of Health Approval of Well Permit Application	1/2/2019
Putnam County Department of Health Approval of Well Pump Test Plan	1/15/2019
NYS Department of Transportation Permit, Region 8, Temporary Construction Access Permit	2/6/2019
Email from Mary McCullough, SEQRA – HW Permit Unit, New York State Department of Transportation, Hudson Valley Region	12/6/2018

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 report dated November 19, 2018 from the Zoning Board of Appeals approving the variances required for the Proposed Project; and

WHEREAS, the Planning Board is in receipt of a referral dated October 30, 2018 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

WHEREAS, the Planning Board is in receipt of a resolution dated November 8, 2018 from the Town Board approving the architecture of the Proposed Action; and

WHEREAS, the Town of Southeast Wetlands Consultant issued a report and recommendation dated September 23, 2018 in connection with the Proposed Action, as depicted on drawings dated July 17, 2017 and last revised August 15, 2018 and prepared by PW Scott, PE; and

WHEREAS, the Proposed Project requires a Highway Work Permit (HWP) from the New York State Department of Transportation (NYSDOT), which has indicated that they shall require a permanent restriction of right-turns in/out only, and that the Applicant shall be required to close off the existing opening in the NYS Route 6 median; and

WHEREAS, the Planning Board finds that there is sufficient reason in the record to support the grant of a wetlands permit in connection with said application; and

NOW, THEREFORE, BE IT RESOLVED, that after reviewing the maps, plans and submissions of the Applicant, together with the Report and Recommendation of the Wetlands Consultant dated September 23, 2018 (the “Report”) which is incorporated herein by reference, the Planning Board of the Town of Southeast hereby grant a permit to allow a portions of the proposed activity to occur within the regulated wetland/wetland buffer area as shown on the proposed plan on file with the Planning Board and Building Department subject to the conditions and mitigations set forth in the Report.

NOW, THEREFORE, BE IT FURTHER 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. The Code Enforcement Officer shall have right of entry for inspection, with reasonable notice, to determine compliance with the conditions of this permit.

NOW THEREFORE BE IT FURTHER 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 Site

Plan 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 Interior Rock, Inc. including all stormwater and wastewater treatment systems and conveyance systems.
6. The Applicant is granted approval based on generic review by the Architectural Review Board of building design and elevations and will have to seek a second review if modifications to the approved design are made. The Proposed Action shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed by the Architectural Review Board and approved by the Town Board.
7. Pursuant to §138-41.E(4), the applicant shall provide to the Town of Southeast Planning Board one full set of final full-sized plans and five copies of the filed plans on eleven-inch by seventeen-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for distribution to the Town Engineer, the Planning Board, the Town Clerk, the Building Inspector, and the Town Planner. This final plan set shall include the final architectural plans recommended by the Architectural Review Board and approved by the Town Board. Each of these sets shall be bound, and shall contain a signature box on the Index or Title Page for the Planning Board Chairman's Signature. No Building Permits shall be issued until these plan sets have been submitted to the Planning Board Secretary and signed by the Planning Board Chairman.
8. The Applicants shall submit two (2) sets of as-built plans to the Town of Southeast Building Department and one (1) full size set to the Planning Board after final construction is completed. The as-built plans must show all buildings and site improvements, the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.
9. As requested by NYSDOT, the Town shall not provide a Certificate of Occupancy for the Proposed Project until:
 - a) NYSDOT Highway Work Permit mitigations and all necessary improvements within the State Right of Way (ROW) are agreed upon.
 - b) A NYSDOT Highway Work Permit for the full project access/mitigations is issued by NYSDOT.
 - c) All NYSDOT Highway Work Permit work is accepted in writing by the NYSDOT.

Financial & Legal Considerations

1. The Applicant shall post a Performance Bond in an amount determined by the Town Engineer and recommended by the Planning Board for Town Board approval to ensure all site grading, stormwater management, and road improvements will be made in accordance with the approved drawings, Town of Southeast Code and to the satisfaction of the Town Engineer and/or Highway Superintendent. The Performance Bond may also be used to finance necessary work to stabilize the project site should the Applicant abandon the project and the Town is forced to complete necessary improvements. The establishment of the Performance Bond shall be done in a form acceptable to the Town Counsel. The bond amount will be based upon 2020 construction costs. If the construction is not begun during the calendar year 2020, the Applicant must re-apply to the Planning Board for an adjustment of the bond amount to account for escalation of material and labor costs. Upon such request to the Planning Board, the Planning Board shall make a recommendation to the Town Board and the Town Board shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond must be paid prior to the start of any work on the site and/or the filing for a Building Permit. The Southeast Planning Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Planning Board or its duly authorized representative has made an inspection of the subject improvements and determined that the Applicant has complied with all the conditions of this approval.

2. No certificate of occupancy for the structures depicted on the project development plan/site plan shall be issued or occupancy permitted unless and until the site improvements associated with the development shall be fully completed by the developer or substantially completed to the satisfaction of the building inspector and a valid performance bond is posted, in an amount equal to the amount necessary to fully complete the outstanding site improvements, to ensure faithful completion thereof within a reasonable period of time not to exceed six months.

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

4. This resolution supersedes all construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as an affirmation of past approvals or conditions not recited herein.

Construction Activity

1. At least ten (10) days prior to commencing construction of any required improvements, the Applicant shall notify the Building Inspector and the Town Engineer, in writing, of the time when it proposes to commence construction of such improvements so that the Building Inspector may cause an inspection to be made to ensure that all Town specifications and requirements shall be met during the construction of required improvements. The Applicant shall provide a general construction phasing schedule to the Building Inspector, Planning Board and Town Engineer and shall update that schedule, and provide copies to the Building Inspector, Planning Board and Town Engineer, throughout the construction process, as necessary.

2. The Town shall require a pre-construction conference between the Town Engineer and Town Highway Superintendent and the owner or owner's representative, general contractor and on-site engineer to review construction phasing plans, inspections schedules, and requirements for complying with all regulations and conditions of this approval prior to commencing construction. The following items shall be completed by the Applicant prior to scheduling a pre-construction conference:

- a) Performance Bond and Erosion and Sediment (E&S) Control Bond shall be posted with the Town Clerk;
- b) Inspection Fees shall be paid to the Planning Board;
- c) Escrow Account shall be in good standing;
- d) In accordance with item #7 under "General Conditions" above, approved/signed plans shall be on file with the Planning Board and the Building Department; and
- e) The MS4 Acceptance, proof of mailing of Notice of Intent (NOI), and E&S shall be completed and on file with MS4 Administrator.

3. The Town of Southeast Building Inspector or its designee may make periodic inspections to ensure that all site work and site improvements are being made in conformance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall designate a responsible and competent person to be the on-site construction manager who shall be responsible for ensuring the continued compliance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall ensure that all remedial measures are taken within 72 hours of any notification of deficiencies relating to construction. If appropriate measures are not implemented to the satisfaction of the Town Engineer, a stop work order may be issued by the Town and/or a fine imposed according to Town Code.
4. Should project changes be required that would represent a significant change to the approved plans, the Applicant may be required to seek an amended approval from the Planning Board.
5. The Applicant shall retain the services of a professional engineer and/or a landscape architect (in accordance with the drawings prepared) throughout the construction process who shall periodically observe the construction of all approved improvements, except improvements to Town of Southeast roads and drainage (which shall be inspected by the Town Engineer and/or Highway Superintendent). The Applicant's professional engineer and/or landscape architect shall provide a statement, in writing, that all approved improvements have been constructed substantially as required and approved by the Planning Board or as such requirements have been modified.
6. Prior to commencing any site clearing, grading, or construction activity, the Applicant shall have the boundary of the property staked out by a licensed surveyor.
7. A copy of the completed NOI to comply with the New York State Department of Environmental Conservation (NYSDEC) General Permit for Construction Activity shall be maintained at the on-site construction office.
8. All sediment and erosion control measures or Best Management Practices indicated on the approved plans and/or required for compliance with the NYSDEC General Permit for Construction Activity shall be installed at the commencement of grading activities and shall be inspected on a weekly basis (or following any storm event in excess of one-half inch) to ensure proper function. All construction activities shall adhere to the provisions for sediment and erosion control contained in the NYSDEC's *New York Standards and Specifications for Erosion and Sediment Control*.
9. The design and construction of all proposed water quantity and water quality best management practices shall adhere to the *New York State Stormwater Management Design Manual*.
10. Any drainage improvements that would affect a Town drainage structure or element or any improvements to Town of Southeast roads shall be made in accordance with the Town Road and Drainage Specifications (Chapter A143 of the Town Code) and shall be made under the direction and supervision of the Highway Superintendent.
11. The Town Highway Superintendent must be notified a minimum of 72 hours in advance of any construction activity affecting the Town drainage system or any Town Road except where emergency repairs are required, in which case the Highway Superintendent must be notified as soon as possible after the affected area has been stabilized.
12. Existing trees, understory vegetation, and ground cover along all property lines shall remain undisturbed to the maximum extent practicable throughout the duration of construction. Should any disturbance be required to construct approved improvements, the area shall be replanted with comparable vegetation as soon as is practicable following completion of construction activity in that area.

13. All disturbed areas shall be stabilized pursuant to NYSDEC regulations. Should disturbed areas remain disturbed for periods longer than one month, more permanent stabilization measures shall be installed.

14. The Project Site is located within or near record(s) of northern long-eared bats (*Myotis septentrionalis*), a species listed as threatened in New York State. To avoid impacts to the this species and the requirements of an Article 11, Title 5, Section 535 of the Environmental Conservation Law, Threatened and Endangered Species, an Article 11 "Take" Permit, the removal of any trees greater than 4-inches diameter at breast height (DBH) associated with this Project shall occur during the Northern Long-eared Bat's hibernation period. This period begins October 31 and ends March 31 (of any given year). If tree cutting cannot occur during the above time frames, the applicant shall contact the NYSDEC to determine if a Take Permit is required and shall copy the Town of Southeast Building Inspector and Planning Board Secretary on all correspondence.

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

D. Armstrong, Boardmember

E. Cyprus, Boardmember

M. Hecht, Boardmember

J. King, Boardmember

L. Eckardt, 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

April 13, 2020

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

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

Dear Boardmembers:

At the 4/13/20 regular meeting of the Town of Southeast Planning Board, a motion was made to refer the above referenced project to the Town Board for the establishment of a Performance Bond for Erosion & Sediment Control and site stabilization.

PROJECT	BOND AMOUNT
INTERIOR ROCK	\$ 34,200.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$757,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$30,280.00, must be remitted to the Planning Board Secretary prior to filing for a Building Permit. If you have any questions, please do not hesitate to contact the Planning Board.

Sincerely,


Thomas LaPerch, Chairman
Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
PW Scott Engineering
Planning Board File



April 6, 2020

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

Re: Interior Rock
3903 Danbury Road
Tax Map ID: 69.13-1-21.2
Bond Estimate
NLJA #0001-1010

Dear Mr. LaPerch:

As requested, we have prepared a performance bond estimate for all site improvements associated with the above referenced project. Our attached Opinion of Probable Construction Costs for site improvements totals \$757,000.

Based on the current "Town of Southeast, Planning Board Fee Schedule" and the above referenced Opinion of Probable Construction Costs, the required inspection fee to be collected for the project is 4% of Site Development Costs or \$30,280.

We have also prepared a performance bond estimate for erosion & sediment controls and site restoration. The required Erosion & Sediment Control / Restoration Bond based on the attached estimate is \$34,200.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'J.M. Dillon'.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay, M. Stancati
M. Levine, S. Coleman
W. Stephens, Jr. A. Ley
M. Burdick P.W. Scott

NATHAN L. JACOBSON & ASSOCIATES, INC.
 Consulting Engineers
 Chester, Connecticut

OPINION OF PROBABLE CONSTRUCTION COSTS
 Performance Bond

Project: Interior Rock
 3930 Danbury Road
 Southeast, New York

Done by: JMD
 Date: 3/27/2020

Project No.: 0001-1010

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	CLEAR TREES (Cut & Chip / Grub)	\$11,123.00	ACRE	2	\$22,246.00
2	STRIP & STOCKPILE TOPSOIL	\$0.51	S.Y.	9438	\$4,813.38
3	CUT AND FILL WITH COMPACTION	\$8.99	C.Y.	16000	\$143,840.00
4	CATCH BASIN	\$3,395.00	EACH	6	\$20,370.00
5	STORM MANHOLE	\$3,945.00	EACH	2	\$7,890.00
6	OUTLET STRUCTURE	\$3,945.00	EACH	1	\$3,945.00
7	SPLITTER BOX	\$1,000.00	EACH	2	\$2,000.00
8	CULTEC UNITS	\$600.00	L.F.	70	\$42,000.00
9	8" Ø HDPEP	\$33.64	L.F.	112	\$3,767.68
10	12" Ø HDPEP	\$36.00	L.F.	149	\$5,364.00
11	15" Ø HDPEP	\$42.00	L.F.	711	\$29,862.00
12	15" HDPE FLARED END SECTION	\$405.00	EACH	1	\$405.00
13	SEDIMENT BASIN	\$96.00	C.Y.	124	\$11,904.00
14	BIO-RETENTION BASIN	\$20,000.00	EACH	3	\$60,000.00
15	RAIN GARDEN	\$27,000.00	L.S.	1	\$27,000.00
16	GRASSED SWALE	\$6.50	L.F.	170	\$1,105.00
17	RIP RAP SWALE	\$12.90	L.F.	60	\$774.00
18	ROUGH GRADE SUBGRADE	\$1.35	S.Y.	3034	\$4,095.90
19	1-1/2" & 1-1/4" PROCESSED AGGREGATE BASE	\$50.16	C.Y.	1033	\$51,815.28
20	FINE GRADE & ROLL BASE	\$2.52	S.Y.	3034	\$7,645.68
21	BITUMINOUS CONCRETE BINDER	\$102.33	TON	350	\$35,815.50
22	BITUMINOUS CONCRETE TOP	\$104.33	TON	175	\$18,257.75
23	CONCRETE SIDEWALK	\$9.17	S.F.	295	\$2,705.15
24	BITUMINOUS CONC. LIP CURB	\$5.25	L.F.	971	\$5,097.75
25	GUIDE RAIL (TIMBER POST & TIMBER RAIL)	\$60.67	L.F.	100	\$6,067.00
26	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.17	S.Y.	5010	\$5,861.70
27	HYDROSEED (FERT. & MULCH)	\$0.57	S.Y.	5010	\$2,855.70
28	WETLAND PLANTINGS	\$60,000.00	L.S.	1	\$60,000.00
29	SIGNS	\$305.00	EACH	2	\$610.00
30	SILT FENCE	\$5.00	L.F.	760	\$3,800.00
31	CONSTRUCTION ENTRANCE	\$1,254.00	EACH	1	\$1,254.00
32	SILT SACK (Catch Basin Insert - Regular Flow)	\$136.00	EACH	6	\$816.00
33	PRECAST CONCRETE RETAINING WALL	\$27.50	S.F.	2482	\$68,255.00
34	CAST-IN-PLACE CONCRETE RETAINING WALL	\$255.00	C.Y.	350	\$89,250.00
35	DUMPSTER ENCLOSURE (Complete)	\$5,000.00	L.S.	1	\$5,000.00
36	PARKING STALL LINE PAINTING	\$10.91	EACH	38	\$414.58
37	PAVEMENT MARKING - HANDICAP SYMBOL	\$63.78	EACH	2	\$127.56
Subtotal:					\$757,030.61

SAY \$757,000.00

NATHAN L. JACOBSON & ASSOCIATES, INC.
 Consulting Engineers
 Chester, Connecticut

OPINION OF PROBABLE CONSTRUCTION COSTS
 Erosion & Sediment Control and Site Restoration Bond

Project: Interior Rock
 3930 Danbury Road
 Southeast, New York

Done by: JMD
 Date: 3/27/2020

Project No.: 0001-1010

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	SEDIMENT BASIN	\$96.00	C.Y.	124	\$11,904.00
2	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.17	S.Y.	9438	\$11,042.46
3	HYDROSEED (FERT. & MULCH)	\$0.57	S.Y.	9438	\$5,379.66
4	SILT FENCE	\$5.00	L.F.	760	\$3,800.00
5	CONSTRUCTION ENTRANCE	\$1,254.00	EACH	1	\$1,254.00
6	SILT SACK (Catch Basin Insert - Regular Flow)	\$136.00	EACH	6	\$816.00
				Subtotal:	\$34,196.12
				SAY	\$34,200.00

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

INTRODUCED BY:

La Perch

DATE: April 13, 2020

SECONDED BY:

Armstrong

WHEREAS, an application is being made by **EUROTECH** for a Site Plan Amendment on a property located at 19 Sutton Place, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 78.-2-16.6, and is located in the OP-1 Zoning District; and

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

1. Short Environmental Assessment Form (EAF) dated 2/3/20
2. Statement of Use, prepared by PW Scott Engineering, dated 1/23/20
3. Building Photographs and Aerial Views
4. SY1, Site Plan, prepared by PW Scott Engineering, dated 1/23/20; last revised 3/10/20
5. SY2, Utility and Grading Plan, prepared by PW Scott Engineering, dated 1/23/20; last revised 3/10/20
6. SY3, Erosion Control, Lighting Plan, Details, prepared by PW Scott Engineering, dated 1/23/20; last revised 3/10/20
7. EX, Existing Conditions, prepared by PW Scott Engineering, dated 3/10/20

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

J. King, Boardmember

yes

L. Eckardt, Boardmember

yes

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

April 14, 2020

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

Re: EUROTECH
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Site Plan Amendment by Eurotech for a proposal to renovate and occupy an existing 53,340 sq. ft. building for General Business on a 10.27-acre parcel to convert the existing building from a Recreation use to a General Business use. The applicant, a commercial construction company, proposes to utilize the building for office; storage of tools, equipment, building materials, hoists and scaffolding; and workshop for carpentry and metal fabrication. Exterior changes include improvements to an existing gravel access way, and restoration of an existing soccer field to lawn on a property located in the OP-1 Zoning District at 19 Sutton Place, Putnam County, New York (Tax Map ID 78.-2-16.6).

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 / vad

Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
PW Scott Engineering

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

April 14, 2020

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Eurotech
19 Sutton Place
Tax Map ID 78.-2-16.6

At the regular meeting of the Southeast Planning Board on 4/13/20, a motion was made to refer the above referenced application to your Board for review and recommendation to the Town Board. The Planning Board Declared this a Type II Action under the New York State Environmental Review Act (SEQRA) process on 4/13/20. 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 Engineering

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

INTRODUCED BY: LaPerch

DATE: April 13, 2020

SECONDED BY: Rush

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for an amended site plan, subdivision, wetland permit, and conditional use permit, and other supporting documents for a project entitled **ACE ENDICO EXPANSION**; and

WHEREAS, the proposed project is located at 80, 71-81 & 91 International Blvd. in the OP-2 Zoning District in the Town of Southeast and identified as Tax Map IDs 45.-1.31.2, 45.-1-31.3, and 45.-1-29; and

WHEREAS, the applicants propose a 117,600 sq. ft. addition and 63,405 sq. ft. parking garage for the existing Ace Endico warehouse and office building. The proposed project requires the relocation of an existing portion of International Boulevard, along with the existing utilities within the right-of-way, to Lots 31.1 and 31.2. The proposed addition and parking garage would be located on Lot 29 and would be in lieu of the previously approved buildings for Lots 31.1 and 31.2, which totaled 119,906 sq. ft. Existing stormwater management infrastructure would remain on Lot 31.2. The proposed project requires Town Board approval for the relocation of a portion of International Blvd., and a front setback variance from the Zoning Board of Appeals; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 12/9/19; 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>yes</u>
D. Armstrong, Boardmember	<u>yes</u>
M. Hecht, Boardmember	<u>yes</u>
L. Eckardt, Boardmember	<u>yes</u>

D. Rush, Vice Chairman	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>
J. King, 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 TO DECLARE LEAD AGENCY**

INTRODUCED BY: LaPerch

DATE: April 13, 2020

SECONDED BY: Cyprus

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Re-approval of a Site Plan, Wetland Permit and Special Permit and other supporting documents for a project entitled **SOUTHEAST PARKING BY WB NEW YORK**; and

WHEREAS, the proposed project is located at 4 & 10 Independent Way in the ED Zoning District in the Town of Southeast and identified as Tax Map IDs Site Plan and Wetland Permit approval from the Planning Board, and Special Permit; and

WHEREAS, the applicant is seeking Site Plan re-approval of a 350-space commuter parking lot on an approximately 30-acre parcel, including a comfort station, lighting, landscaping, stormwater management practices, and wetland mitigation measures. The proposed project, in all aspects, has not changed since the Planning Board granted it Final Site Plan Approval in 2015. The prior approvals expired on July 13, 2019 and were not eligible for extensions; and

WHEREAS the Planning Board scheduled a public hearing on the proposed Site Plan, Wetland Permit and Special Permit for 1/13/20; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 11/25/19; 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
D. Armstrong, Boardmember yes
M. Hecht, Boardmember yes
L. Eckardt, Boardmember yes

D. Rush, Vice Chairman yes
E. Cyprus, Boardmember yes
J. King, Boardmember yes

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

Date: April 13, 2020

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: SOUTHEAST PARKING BY WB NEW YORK

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant is seeking Site Plan re-approval of a 350-space commuter parking lot on an approximately 30-acre parcel. The proposed parking lot includes a comfort station, lighting, landscaping, stormwater management practices, and wetland mitigation measures. The proposed project, in all aspects, has not changed since the Planning Board granted it Final Site Plan Approval in 2015. The prior approvals expired on July 13, 2019 and were not eligible for extensions. The proposed project requires Site Plan and Wetland Permit approval from the Planning Board, and Special Permit approval from the Town Board.

Location: 4 & 10 Independent Way, Tax Map IDs 56.-1-24 & 25

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Insite Engineering, dated 3/23/20
- Memorandum to Secretary Desidero from NYC Department of Environmental Protection, dated 1/7/20
- Memorandum to Chairman LaPerch from Tim Miller Associates, Inc., dated 1/21/20
- Memorandum to Chairman LaPerch from Tim Miller Associates, Inc., dated 12/11/19
- Memorandum to Insite Engineering from NYC Department of Environmental Protection, dated 10/14/15
- Memorandum to Insite Engineering from NYC Department of Environmental Protection, dated 9/18/15
- Memorandum to WB New York from NYS Department of Environmental Conservation, dated 2/24/16
- Memorandum to WB New York from NYS Department of Environmental Conservation, dated 2/20/19
- Stormwater Pollution Prevention Plan, prepared by Insite Engineering, dated 8/3/15

- A-1, Comfort Station First Floor Plan, prepared by Paul Raymond Walter, Architect, PLLC, dated 4/3/15
- A-2, Comfort Station Second Floor Plan, prepared by Paul Raymond Walter, Architect, PLLC, dated 4/3/15
- A-3, Front Elevations, prepared by Paul Raymond Walter, Architect, PLLC, dated 4/3/15
- A-4, Side Elevations, prepared by Paul Raymond Walter, Architect, PLLC, dated 4/3/15
- A-5, Rear Elevations, prepared by Paul Raymond Walter, Architect, PLLC, dated 4/3/15
- Color Renderings of Comfort Station, prepared by Paul Raymond Walter, Architect, PLLC, undated
- OP-1, Existing Conditions, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19
- SP-1, Layout & Landscape Plan, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19
- SP-2, Grading & Utilities Plan, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19
- SP-3, Erosion & Sediment Control Plan, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19
- D-1, Details, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19
- D-2, Details, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19
- D-3, Details, prepared by Insite Engineering, dated 2/5/16, last revised 11/4/19

WHEREAS, on 11/25/19, 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 1/13/20, 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 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 e-mail: dot.sm.r08.hwpermits@dot.ny.gov	Town Clerk 1360 Route 22 Brewster, NY 10509
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 ATTN: Commissioner	E-911 Coordinator / Assessor 1360 Route 22 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 Putnam County Transit Facility	Highway Superintendent 10 Palmer Road Brewster, NY 10509

2 Route 164
Patterson, New York 12563

UPON ROLL CALL VOTE:

T. LaPerch, Chairman yes
D. Armstrong, Boardmember yes
M. Hecht, Boardmember yes
L. Eckardt, Boardmember yes

D. Rush, Vice Chairman yes
E. Cyprus, Boardmember yes
J. King, Boardmember yes

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

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

**TOWN OF SOUTHEAST
PLANNING DEPARTMENT
SPECIAL PERMIT REFERRAL**

INTRODUCED BY: LaPerch
SECONDED BY: Eckardt

DATE: April 13, 2020

WHEREAS, Southeast Parking by WB New York located at 4 & 10 Independent Way, in the Town of Southeast, has applied for a Special Permit from the Town Board of the Town of Southeast to allow a commuter parking lot as a Special Permit Use in the ED Zoning District, and to construct a 350 space commuter parking lot on a 30 acre parcel near the Southeast Train Station, on property designated as Tax Map Numbers 56.-1-24 & 25; and

WHEREAS, the Town Board has requested a report from the Planning Board on the said proposal; and,

WHEREAS, the Planning Board has determined that the above request for a Special Use Permit for this particular project is in conformance with Article X of Chapter 138 of the Zoning Code of the Town of Southeast; and,

WHEREAS, the Planning Board, having reviewed such application together with its consultants, finds that there will be no adverse affect to the surrounding area or the environment; and,

WHEREAS, the Planning Board has determined that the proposed project complies with the Special Permit conditions of § 138-63.7 "Parking Facility"; and,

WHEREAS, the Planning Board, pursuant to § 138-63.7.H, granted a waiver of the minimum parking space dimensions, permitting 100 percent of the parking spaces to be constructed at 8.7 ft x 18 ft; and,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board recommends that the Town Board of the Town of Southeast grant the requested Special Permit.

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>	J. King, Boardmember	<u>yes</u>
L. Eckardt, 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

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

Date: April 13, 2020

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: DREW REALTY / SITEONE

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Applicant proposes a lot line adjustment between parcels 78.-2-4 (Lot 1) and 78.-2-5 (Lot 2). Lot 1 (12.2 acres) would be developed with a 10,500 square foot building and associated outside storage for a wholesale landscape supplier (nursery use). Lot 2 (63.3 acres) would be developed with four new propane storage tanks and 12 truck parking spaces associated with the Durkin related companies and tenants on another portion of Lot 2. The new propane tanks and truck parking would be accessed via a driveway through Lot 1. The proposed project requires site plan, conditional use permit, subdivision, and wetland permit approval from the Planning Board.

Location: 160 & 170 Fields Lane, Tax Map IDs 78.-2-5 & 78.-2-4

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from NYS Department of Transportation, dated 4/3/20
- Memorandum to Chairman LaPerch from Insite Engineering, dated 3/21/20
- VS-1 thru VS-3, Visibility Study, prepared by Insite Engineering, dated 3/21/20
- Memorandum to Chairman LaPerch from Insite Engineering, dated 3/10/20
- OP-1, Amended Overall Site Plan, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- SP-1.1, Layout & Landscape Plan, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- SP-1.2, Enlarged Landscape Plan, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- MP-1, Mitigation Plan, prepared by Insite Engineering, dated 3/10/20
- SP-2, Grading & Utilities Site Plan, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- SP-3, Erosion & Sediment Control Plan, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20

- D-1, Details, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- D-2, Details, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- D-3, Details, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- D-4, Details, prepared by Insite Engineering, dated 12/23/19; last revised 3/10/20
- Memorandum to Chairman LaPerch from Insite Engineering, dated 2/21/20
- Statement of Use, prepared by Insite Engineering, dated 2/21/20
- Lot Line Adjustment Plat, prepared for Drew Realty, LLC by Insite Engineering, dated 12/23/19
- Memorandum to Secretary Desidero from NYC Department of Environmental Protection, dated 2/10/20
- Stormwater Pollution Prevention Plan, prepared by Insite Engineering, dated 1/20/20

WHEREAS, on 1/13/20, 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 2/10/20, 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 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 e-mail: dot.sm.r08.hwpermits@dot.ny.gov	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 Highways & Facilities 842 Fair Street Carmel New York 10512	Highway Superintendent 10 Palmer Road Brewster, NY 10509
Putnam County Department of Planning/Development & Public Transportation Putnam County Transit Facility 2 Route 164 Patterson, New York 12563	E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509

UPON ROLL CALL VOTE:

T. LaPerch, Chairman yes
D. Armstrong, Boardmember yes
M. Hecht, Boardmember yes
L. Eckardt, Boardmember yes

D. Rush, Vice Chairman yes
E. Cyprus, Boardmember yes
J. King, Boardmember yes

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**

April 14, 2020

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Drew Realty / SiteOne
160 & 170 Fields Lane
Tax Map ID 78.-2-5 & 78.-2-4

At the regular meeting of the Southeast Planning Board on 4/13/20, 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 4/13/20. 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,

A handwritten signature in blue ink that reads "Thomas LaPerch" with a stylized flourish at the end.

Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Insite Engineering

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

Date: April 13, 2020

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: Stateline Retail Center / Restaurant Depot

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant, PLI, LLC, proposes to construct a Restaurant Depot and re-subdivide 44 acres of land previously approved as the Stateline Retail Center. The Stateline Retail Center project, which was the subject of an Environmental Impact Statement, included a two-lot subdivision, 184,800 square foot large retail establishment, and 14,800 square foot 2-story office building. The current project would relocate the property line between Lots 1 and 2, and would subdivide Lot 2 into two parcels. The resulting Lot 1 would be 4 acres, Lot 2 would be 11.3 acres, and Lot 3 would be 28.7 acres. A 57,500 square foot Restaurant Depot store (large retail establishment) is proposed for Lot 2. A 127,300 square foot large retail use is conceptually proposed for Lot 3, and a 14,800 square foot office building is conceptually proposed for Lot 1. Lots 1 and 3 would be developed at a later date. The new development program would have the same overall square footage and a similar development footprint to the originally approved project.

The property is located on US Route 6/202 to the east of Old Nichols Road, to the west of Dingle Ridge Road and immediately north of Interstate 84, in the Town of Southeast, Putnam County, New York, and identified as tax map numbers 68.-2-48.1 and 68.-2-48.2, and zoned Special Route 6 (SR-6). The proposed project requires subdivision approval from the Planning Board, and Site Plan, Wetland Permit, and Special Permit from the Town Board.

Location: US Route 6/202, Town of Southeast, Putnam County, NY 10509
 Tax Map ID 68.-2-48.1 and 48.2

Reasons Supporting This Determination:

The following materials have been reviewed:

- Full Environmental Assessment Form (FEAF), drafted by Jeffrey J. Contelmo, PE, dated 1/17/20

- Site Plan Drawings (14 sheets), prepared by Insite Engineering, dated 1/17/20, last revised 3/21/20
- Traffic Assessment Memorandum, prepared by Maser Consulting, P.A., 12/9/2019
- Traffic Response and Report, prepared by Maser Consulting, P.A., dated 01/30/2020
- Traffic Response and Report, prepared by Maser Consulting, P.A., dated 02/28/2020
- Revised Traffic Assessment Memorandum, prepared by Maser Consulting, P.A., dated 3/11/2020
- Amended Stormwater Pollution Prevention Plan (ASWPPP), prepared by Insite Engineering, Surveying, and Landscape Architecture P.C., dated 02/03/2020
- Envisor Equipment Screen Specification Data (6 pages), prepared by Cityscapes Inc.
- Letter from Mary McCullough, SEQRA – HWP Unit, NYSDOT Region 8, to Chairman LaPerch, dated 3/11/2020
- Memorandum from AKRF, Inc., to the Planning Board, dated 4/8/2020
- Letter from Joseph Dillon, PE, to the Planning Board, dated 4/6/2020
- Memorandum from Stephen Coleman, to the Planning Board, dated 4/6/2020

WHEREAS, the Planning Board, as Lead Agency, previously conducted a Coordinated Review for the Stateline Retail Center Project, which had the same overall square footage and land use, and a similar development footprint to the current Stateline Retail/Restaurant Depot project, and issued a Statement of Findings on or about September 28, 2009 (the “2009 Stateline Project”); and

WHEREAS, between 2009 and 2019, the Applicant maintained Site Plan, Special Permit, and Wetland Permit Approval for the 2009 Stateline Project through a series of extensions and re-approvals, which included updates to the environmental analyses; and

WHEREAS, the Stateline Retail Center / Restaurant Depot shall meet the conditions set forth in the SEQRA Findings Statement, dated September 28, 2009, and affirmed April 28, 2014, and April 9, 2018, as applicable; and

WHEREAS, the SEQRA Findings Statement included the following statement, “As the project moves forward through Special Permit review and Site Plan review, including amendments thereto, certain modifications may be made to the project design relating to building location, building footprint, and total square footage. If such plan modifications result in substantially similar amounts of square footage, construction activity staying substantially within the same limits of disturbance, and with substantially similar amounts of impervious surface area as set forth in the DEIS and FEIS, then no further environmental review under SEQRA will be required. If, however, the plans are modified in a manner that may increase the amount or extent of environmental impact beyond that analyzed in the DEIS and FEIS, then the Town may require additional environmental review,” and

WHEREAS, as required by the SEQRA Findings Statement, the Stateline Retail Center / Restaurant Depot project would maintain the same square footage and similar development footprint as the 2009 Stateline Project, and

WHEREAS, as recommended and conceptually approved by the New York State Department of Transportation (NYSDOT), the Stateline Retail Center / Restaurant Depot project would realign

Farrington Road to create a four-way intersection with the new driveway entrance to Lots 2 and 3. The intersection has been designed to accommodate a traffic signal, which would be installed contemporaneous to the development of Lot 3; and

WHEREAS, on January 27, 2020, the Planning Board classified the proposed action as a Type I 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 February 24, 2020, 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 supplemental analyses referenced herein, and has thoroughly analyzed the information concerning relevant areas of environmental concern both submitted by the applicant and gathered 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:

Lead Agency

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

Interested & Involved Agencies

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

Town of Southeast Zoning Board of Appeals
1 Main Street, Brewster, NY 10509

Town of Southeast Building Inspector
1 Main Street, Brewster, NY 10509

Town of Southeast Highway Superintendent
1 Main Street, Brewster, NY 10509

Town of Southeast Wetland Inspector
1 Main Street, Brewster, NY 10509

Town of Southeast Architectural Review Board
1 Main Street, Brewster, NY 10509

Putnam County Department of Health
4 Geneva Road, Brewster, NY 10509

Putnam County Department of Planning and Development
841 Fair Street, Carmel, NY 10512

Putnam County Department of Highways & Facilities
331 Fair Street, Carmel, NY 10512

NYC Department of Environmental Protection
Bureau of Water Supply, Sources Division, 465 Columbus Avenue, Valhalla, NY 10595

NYS Department of Environmental Conservation
Commissioner, 625 Broadway, Albany, NY 12233 and
Region 3, 21 South Putt Corners Road, New Paltz, NY 12561

NYS Department of Transportation, Region 8, SEQR Unit, Traffic Engineering and Safety
Division,
4 Burnett Boulevard, Poughkeepsie, NY 12603

NYS Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau,
Peebles Island, PO Box 189, Waterford, NY 12188-0189

NYS Department of Health
Corning Tower, Empire State Plaza, Albany, NY 12237

United States Army Corps of Engineers
Jacob Javits Federal Building, 26 Federal Plaza, New York, NY 10278-0090

Applicant

PLI LLC
1699 Route 6, Suite 1, Carmel, NY 10512

Project Engineer

Insite Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place, Carmel, NY 10512

Environmental Notice Bulletin

NYS Department of Environmental Conservation
625 Broadway, 4th Floor, Albany, NY 12233-1750

Other

Town of Southeast Town Clerk
1360 Route 22, Brewster, NY 10509

UPON ROLL CALL VOTE:

T. LaPerch, Chairman yes
D. Armstrong, Boardmember yes
M. Hecht, Boardmember yes
L. Eckardt, Boardmember yes

D. Rush, Vice Chairman yes
E. Cyprus, Boardmember yes
J. King, Boardmember yes

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
RESOLUTION TO POSITIVELY RECOMMEND THE APPROVAL OF A
SPECIAL PERMIT FOR A LARGE RETAIL CENTER, SITE PLAN, AND WETLAND PERMIT
FOR THE PROPOSED STATELINE RETAIL CENTER / RESTAURANT DEPOT**

INTRODUCED BY: La Perch **DATE:** April 13, 2020
SECONDED BY: Cyprus

WHEREAS, the Applicant, **PLI, LLC**, proposes to construct a Restaurant Depot and re-subdivide 44 acres of land previously approved as the Stateline Retail Center. The Stateline Retail Center project, which was the subject of an Environmental Impact Statement, included a two-lot subdivision, 184,800 square foot large retail establishment, and 14,800 square foot 2-story office building. The current project would relocate the property line between Lots 1 and 2, and would subdivide Lot 2 into two parcels. The resulting Lot 1 would be 4 acres, Lot 2 would be 11.3 acres, and Lot 3 would be 28.7 acres. A 57,500 square foot Restaurant Depot store (large retail establishment) is proposed for Lot 2. A 127,300 square foot large retail use is conceptually proposed for Lot 3, and a 14,800 square foot office building is conceptually proposed for Lot 1. Lots 1 and 3 would be developed at a later date. The new development program would have the same overall square footage and a similar development footprint to the originally approved project. The property is located on US Route 6/202 to the east of Old Nichols Road, to the west of Dingle Ridge Road and immediately north of Interstate 84, in the Town of Southeast, Putnam County, New York, and identified as tax map numbers 68.-2-48.1 and 68.-2-48.2, and zoned Special Route 6 (SR-6). The proposed project requires subdivision approval from the Planning Board, and Site Plan, Wetland Permit, and Special Permit from the Town Board; and

WHEREAS, the Planning Board, as Lead Agency under the State Environmental Quality Review Act (SEQRA) conducted a thorough review of the proposed project and potential environmental impacts and adopted a Negative Declaration on the Proposed Project on April 13, 2020; and

WHEREAS, the proposed project requires a Special Permit from the Town Board; and

WHEREAS, recognizing that the authority to issue the Special Permit rests with the Town Board, the Planning Board has reviewed the proposed project’s conformance with the Special Permit criteria in order to assist the Town Board in its review and to provide the Planning Board’s input; and

WHEREAS, the table below summarizes the Planning Board’s review of the Special Permit criteria; and

Stateline Retail Center – Special Use Permit Criteria	
§138-63.4:	CONFORMS (Yes/No):
A. Any parcel shall consist of not less than 35 acres and have access via a state or county road; and	Yes.
B. Any retail use in connection with any zoning lot shall be limited to a floor area ratio (FAR) not to exceed 0.15. All other dimensional standards for any parcel shall be the same as those contained in the Commercial Zoning Schedule for the HC-1 and GC-2 zones except as they are superseded by the Town of Southeast Design Guidelines for Large Retail Establishments; and	Yes.
C. Design guidelines. All Large Retail Establishments shall	See below for conformance

<p>comply with the following Town of Southeast Design Guidelines for Large Retail Establishments. The Planning Board, when considering the site plan, and the Town Board, when considering the Special Permit, shall consider the application's conformance to these Design Guidelines in considering approval or denial of the application. Drawing L-1 shows a schematic layout for a Large Retail Establishment showing, in general, a number of the design elements contained in these Design Guidelines. Users of the Design Guidelines shall refer to this drawing and other drawings for clarification of the guidelines but not as a prescriptive site or building design. Table 1 provides a listing of preferred native plant species.</p>	<p><i>with each provision of the Design Guidelines.</i></p>
<p>(1) SITE DESIGN</p>	
<p>[a] Buffers</p>	
<p>[1] All Large Retail Establishments shall include a 75-foot minimum Environmental Conservation Buffer vegetated buffer along the entire frontage with the exception of areas necessary for ingress or egress from the site. Stormwater management features may be included in the Environmental Conservation Buffer as long as the margins of any such feature are planted with vegetation that will reach an appropriate height for screening proposed uses within ten (10) years.</p>	<p><i>Yes.</i></p>
<p>[2] An Environmental Conservation Buffer of at least 50 feet in width shall be provided along side and rear property lines. Where a Large Retail Establishment abuts a Residential Zoning District, a minimum 100-foot Environmental Conservation Buffer shall be provided along the boundary line, unless the Town Board determines that a larger buffer is required. No building containing a Large Retail Establishment shall be closer than 250 feet from any residential use.</p>	<p><i>Yes.</i></p>
<p>[3] Existing mature vegetation shall be retained where feasible within the Environmental Conservation Buffers and within the interior of the site.</p>	<p><i>Yes.</i></p>
<p>[4] New vegetation shall be planted to create a mix of species. Native species or species known to be tolerant to urban stressors (see Table 1) are preferred to non-native species; although non-native ornamental species may be used as accents.</p>	<p><i>Yes.</i></p>
<p>[5] If any significant habitat is found on-site, no disturbance shall occur within that area or within 100 feet of the area.</p>	<p><i>No significant habitat was identified. Some disturbance would occur within the wetland buffer area, however the mitigation measures set forth in the Environmental Impact Statement (EIS) for the Stateline Retail Center Project, as updated for the Stateline</i></p>

	<i>Retail Center / Restaurant Depot project, will adequately mitigate any adverse impacts to onsite and offsite wetlands and associated wetland control areas.</i>
[6] A vegetated berm not less than 3 feet in height and 6 feet in width at its top may be used where existing mature vegetation would not provide adequate screening.	<i>NA</i>
[7] All landscaping as shown on the approved site plan shall be maintained in a healthy growing condition throughout the duration of the use or uses being served. Any plants not so maintained shall be replaced by the property owner with healthy, new plants of comparable size, type and quality at the beginning of the next immediately following growing season.	<i>This provision would be included as a condition of approval and would be handled as an enforcement action should the need arise.</i>
[b] Building Location	
[1] Buildings shall be oriented on-site to avoid disturbance to sensitive natural and topographic features to the maximum extent practicable while presenting a “public face” to major roads.	<i>Yes.</i>
[2] Multiple buildings on a single site shall be oriented to achieve a unified character for the site. Individual buildings shall not be isolated by large expanses of parking lots in order to encourage safe pedestrian movement within the site.	<i>NA. The site is proposed to be divided into three building lots with one building on each lot.</i>
[c] Site Access	
[1] Driveway entrances and exits onto any street shall be provided in such a manner that no undue traffic hazards or traffic congestion will be created. A minimum of two (2) driveways shall be provided. Driveway entrances shall be spaced a minimum of 300 feet apart. Driveways shall not exceed 30 feet in width at the street line unless a greater width is required by the County of Putnam or State of New York.	<i>Yes.</i>
[d] Parking Lots	
[1] Large Retail Establishments that have more than 10 percent Gross Leasable Area in dining or entertainment uses shall use the Urban Land Institute Shared Parking methodology to calculate appropriate parking requirements in place of the required 4.0 spaces per 1,000 square feet of Gross Floor Area.	<i>NA. Restaurant Depot will not have dining for entertainment. Other tenants have not been specified.</i>
[2] Any parking spaces provided above the required number shall be in a separate parking area utilizing a pervious paving technique (see Drawing L-1). Alternatively, additional parking areas may be “land-banked” for future development depending on use.	<i>NA. Only Lot 2 is being developed at this time. It is anticipated that this would be accommodated on Lot 3.</i>
[3] All required parking shall be provided in parking areas that are designed and laid out to avoid uninterrupted stretches of paved surfaces. Parking areas may be separated from each	<i>Parking has primarily been proposed for the front of the building, however, due to the</i>

<p>other by drive aisles, pedestrian walkways, stormwater management facilities, or landscaped areas (see Drawing L-1). Parking areas to the rear or side of buildings are preferred to parking areas in front of (between the major street and any side of) a building. Rear entrances to tenant spaces shall be considered in the overall site design process. Underground or structured parking may be considered and shall not be included in Gross Floor Area.</p>	<p><i>topography and proposed landscaping it will be minimally visible from Route 6.</i></p> <p><i>It is anticipated that additional landscaping and screening of parking areas will be provided on Lot 3, the details of which will be provided during site plan approval for that parcel.</i></p>
<p>[4] Individual parking stalls shall be nine (9) feet by eighteen (18) feet except as required to meet Americans with Disabilities Act (ADA) requirements. Parking stalls in employee parking areas may be eight (8) feet by eighteen (18) feet.</p>	<p>Yes.</p>
<p>[5] Parking areas shall have a minimum 10-foot wide, curbed planting island around the perimeter with appropriate gaps for vehicular access. Such raised planting islands and the landscaping within them shall be designed and arranged in such a way as to provide vertical definition to major traffic circulation aisles, entrances and exits, to channel internal traffic flow and prevent indiscriminate diagonal movement of vehicles and to provide relief from the visual monotony and shadeless expanse of a large parking area. Planted bioswales may be substituted for raised parking islands (see Drawings LD-4, LD-5, and LD-6).</p>	<p>Yes.</p> <p><i>It is anticipated that additional landscaping and screening of parking areas will be provided on Lot 3, the details of which will be provided during site plan approval for that parcel.</i></p>
<p>[6] Large parking areas of 50 spaces or more shall have additional planting islands a minimum of eight (8) feet in width within the parking area between every second parking module (defined as a 60-foot-wide area containing two rows of parking separated by a drive aisle).</p>	<p>Yes.</p>
<p>[7] There shall be a provision for separate pedestrian flow to building entrance(s) outside of drive aisles for each parking area.</p>	<p>Yes.</p>
<p>[8] Twenty-five (25) percent of calculated required parking shall be provided in a designated employee-only parking area that utilizes a pervious paving technique. Where possible, this parking area shall be located to the rear of any building(s).</p>	<p><i>NA. Only Lot 2 is being developed at this time. It is anticipated that this would be accommodated on Lot 3.</i></p>
<p>[9] Twenty-five (25) percent of calculated required parking shall be provided in an overflow area that shall be physically separated from other parking areas by lawn or other vegetated area.</p>	<p><i>NA. Only Lot 2 is being developed at this time. It is anticipated that this would be accommodated on Lot 3.</i></p>
<p>[10] At least one tree, not less than three (3) inches in caliper measured three (3) feet above ground level at time of planting, shall be provided within a planting island for each ten (10) parking spaces in the parking area (see Drawing LD-3).</p>	<p>Yes.</p>
<p>[11] Bicycle parking racks shall be provided in a location no further than 200 feet from a building entrance and not to the</p>	<p><i>It is anticipated that this would be accommodated on Lot 3,</i></p>

rear of any building.	<i>the details of which would be provided during site plan approval for that parcel.</i>
[e] Circulation to Adjoining Parcels	
[1] Where a Large Retail Establishment adjoins another parcel with existing commercial development every opportunity for connecting parking areas and/or driveways shall be explored to avoid separate curb-cuts onto major roads.	<i>Connections are proposed between Lots 2 and 3. Connection to Lot 1 would require significant wetland disturbance.</i>
[2] Where a Large Retail Establishment adjoins a vacant commercially-zoned parcel a stub driveway shall be established in a location conducive to creating a future internal connection point.	<i>No. However, compliance would require significant wetland disturbance and is not appropriate at this time.</i>
[f] Pedestrian Environment	
[1] Pedestrian-scale public spaces (pedestrian walkway, square, or plaza) shall be integrated into the overall site plan to provide meaningful circulation and seating areas.	<i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i>
[2] Pedestrian amenities such as seating or dining areas, fountains, gazebos, kiosks, or other such features shall be provided in any square or plaza. Amenities associated with public transit or bicycle use (bus waiting shelter, information kiosk with bus schedule, bicycle racks, or taxi waiting area) shall be incorporated into public spaces on the site.	<i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i>
[3] A pedestrian walkway shall be a minimum of ten (10) feet in width and shall have street trees planted forty (40) feet on center at a minimum (not less than three (3) inches in caliper measured three (3) feet above ground level at time of planting) (see Drawing LD-3). Pedestrian walkways offering access between buildings and/or providing access to rear parking areas are not required to have planting areas or street trees.	<i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i>
[4] A square or plaza shall be a minimum of thirty (30) feet in any dimension and shall include a vegetated area covering a minimum of fifty (50) percent of the total area when any one linear dimension of the square or plaza equals or exceeds fifty (50) feet (see Drawings L-2, L-3, and LD-1). (Pedestrian walkways shall not be required to meet this standard).	<i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i>
[5] Building(s) shall be designed to have a front façade that has at least one (1) principal functional entry from a pedestrian walkway, square, or plaza.	<i>Yes.</i>
[6] No ground-level façade shall have blank (without doors or windows) walls longer than 50 feet along any pedestrian walkway, square, or plaza. Public art installations such as murals are exempt from this requirement.	<i>The façade has been designed with architectural elements to break up the façade.</i>

<p>[7] Pedestrian walkways, squares, or plazas shall provide continuous pedestrian flow throughout the site and shall provide protected access through a designated crosswalk or walkway between building entrances and all parking areas.</p>	<p><i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i></p>
<p>[8] Pedestrian walkways, squares, and plazas shall be integrated into the overall landscaping and lighting plans for the site.</p>	<p><i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i></p>
<p>[9] Pedestrian walkways and other surface areas of paving material shall offer a variety of pigments and textures that are in harmony with nearby buildings and other paved surfaces and are safe for pedestrian traffic, including the handicapped. Pervious surfaces shall be used wherever practicable to minimize the need for stormwater infrastructure.</p>	<p><i>It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i></p>
<p>[g] Loading & Refuse Collection Areas</p>	
<p>[1] All loading and refuse collection areas shall be screened from public views from primary driveways and pedestrian walkways, squares, or plazas and shall not be located along the front façade of any building or within any parking area. Loading and refuse collection areas shall be internal to a structure to the extent possible.</p>	<p>Yes.</p>
<p>[h] Signage</p>	
<p>[1] All signs shall be carefully integrated with other site design elements. Signs shall be designed so that they are visible and informative at the pedestrian scale. Signs shall not be mounted above the eave line of any structure or be placed in or attached to any window. Signs must comply with the provisions in Article XII of the Zoning Code.</p>	<p><i>The applicant is required to submit an application to the ARB.</i></p>
<p>[i] Lighting</p>	
<p>[1] A site lighting plan shall be provided in conformance with Article XIII of the Zoning Code. Pedestrian-scale lighting fixtures shall be provided in parking areas and along pedestrian walkways and in squares or plazas.</p>	<p>Yes.</p>
<p>[j] Storage of Merchandise</p>	
<p>[1] Any areas intended for storage or display of merchandise shall be identified on the site plan and shall be approved by the Town Board as part of the Special Permit process.</p>	<p><i>No outside storage is proposed for Lot 2. It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i></p>
<p>[2] Vending machines, ice machines, newspaper boxes, or similar equipment may not be located outside of any building.</p>	<p>Yes.</p>
<p>(2) BUILDING DESIGN</p>	
<p>[a] Building Size</p>	

<p>[1] Large single-use buildings are to be avoided. Where a large tenant is considered, the same building shall include several smaller tenants with separate exterior access to balance the scale of the larger tenant and to facilitate improved building design. In all cases, all buildings shall comply with the design parameters set forth herein.</p>	<p><i>Restaurant Depot is a large single tenant on a separate lot. It is anticipated that this would be accommodated on Lot 3, the details of which would be provided during site plan approval for that parcel.</i></p>
<p>[b] Building Height</p>	
<p>[1] Buildings may be one (1) or two (2) stories to a maximum height of 35 feet. Vertical elements such as clocktowers, cupolas, or other architectural embellishments may extend the total height of the building but shall be no greater than 50 feet in height (see Drawing LD-2).</p>	<p>Yes.</p>
<p>[c] Building Style</p>	
<p>[1] Buildings shall be designed to be compatible with buildings in the surrounding area, but in all cases shall be of high-quality design and materials. Colonial or Classic design style is considered appropriate for any location within the Town of Southeast. Examples of the types of architecture compatible with the Town’s vision are shown in the Typology of Architecture pages included at the end of this Chapter. These images are not prescriptive but do show what is preferred.</p>	<p>Yes.</p>
<p>[d] Building Facades & Materials</p>	
<p>[1] Building facades shall present a varied appearance at street level and be designed to give individual identity to each building and/or use as well as to help achieve the planned pedestrian scale using features such as:</p> <ul style="list-style-type: none"> • The height of cornices, lintels and sill levels, articulated floor levels and other horizontal building features. • The spacing and proportion of columns, piers and other elements of the basic structural grid. • The spacing and proportion of window and door openings, bays or other aspects of building fenestration. • Colors, textures and the general nature of exterior materials and treatment, including building ornament and trim. 	<p>Yes.</p>
<p>[2] Blank wall exposures shall be limited. No ground-level façade shall have blank (without doors or windows) walls longer than 50 feet along any pedestrian walkway, square, or plaza. Public art installations such as murals are exempt from this requirement.</p>	<p>Yes.</p>

<p>[3] The design of building facades shall reflect the scale of existing or planned building development through modulation of vertical and horizontal elements by features such as:</p> <ul style="list-style-type: none"> • Variation in roof heights. • Changes in the predominant wall plane and/or in facade elements such as window openings and balconies. • Use of horizontal projections or recesses in the building facade such as bay windows, cornices, balustrades, etc. • Use of pitched roofs and other roof elements such as cross gables, dormer windows, turrets, and clocktowers to provide visual interest, reduce the scale of continuous roofs and break the line where the building meets the sky. 	<p>Yes.</p>
<p>[4] Treatment of the sides and rear of proposed buildings shall be in a manner substantially consistent in appearance, amenity and quality of materials to the treatment given to their front facade.</p>	<p><i>The rear façade has minimal articulation. However, those portions of the rear façade that would be intermittently visible from I-84 would be articulated.</i></p>
<p>[5] Building facades shall be architecturally articulated horizontally so that there are breaks in the façade plane where building entrances, windows, or landscaped areas may be located.</p>	<p>Yes.</p>
<p>[6] Building facades shall be architecturally articulated vertically to define a pedestrian scale along any pedestrian walkway, square, or plaza. Arcades, awnings, roof- or eave-lines, or second-story windows may be used to define the pedestrian scale. (Any awning, roof, or eave that extends above a pedestrian walkway, square, or plaza shall have a minimum clear height (height from sidewalk to the bottom of any awning, roof, or eave) of eight (8) feet six (6) inches and a maximum clear height of ten (10) feet above the sidewalk and shall extend beyond the building face a minimum of five (5) feet).</p>	<p>Yes.</p>
<p>[7] All buildings shall have an appropriate rhythm of entrances and windows consistent with the overall size of the building and orientation to any pedestrian walkways, squares, or plazas.</p>	<p>Yes.</p>
<p>[8] Exterior cladding shall be consistent with the overall building style and shall include a variety of colors and textures to help articulate the main facades.</p>	<p>Yes.</p>
<p>[e] Building Roofs</p>	
<p>[1] Fully-enclosed gabled roofs (minimum pitch of 8:12) are preferred to flat roofs with parapets. On larger buildings a variety of roof-lines shall be used to break up the horizontal extent of the building. Where parapets are used, the parapet shall be provided along each façade. Parapet height is limited to ten (10) feet above the flat roof.</p>	<p>Yes.</p>

<p>[2] Where flat roofs are required due to building size, roofing materials having a Solar Reflectance Index (SRI) equal to or greater than the values in the table below for a minimum of 75 percent of the roof surface shall be used or a green roof on at least 50 percent of the roof area shall be used.</p>	<p>Yes.</p>
<p>[f] Building Materials</p>	
<p>[1] While synthetic materials may be acceptable, natural building materials including, but not limited to, clapboard and shingle siding, brick, stone, glass, or glass block are preferred and encouraged over synthetic materials. Generic, unadorned Concrete Masonry Units (CMUs) shall not be used as a primary exposed building material on any facade. CMUs with any type of variegated surface (e.g., Architectural Block or Split-Faced CMUs) are permitted but shall not comprise the majority of the surface area of any one facade.</p>	<p>Yes.</p>
<p>[2] Treatment of the sides and rear of proposed buildings shall be in a manner substantially consistent in appearance, amenity and quality of materials to the treatment given to their street frontage.</p>	<p><i>The rear façade has minimal articulation. However, those portions of the rear façade that would be intermittently visible from I-84 would be articulated.</i></p>
<p>[3] Windows and doors shall be trimmed with wood or stone a minimum of four (4) inches in width.</p>	<p>Yes.</p>
<p>[g] Mechanical Equipment</p>	
<p>[1] All HVAC or similar equipment shall be screened from ground-level views and views from any roads or adjoining properties at a higher elevation.</p>	<p><i>HVAC layout has not been provided, however, the applicant proposes to fully shield all HVAC equipment with RTU screening.</i></p>
<p>D. The developer shall provide adequate proof to the Town Board, prior to the issuance of any certificate of occupancy, that the developer has contracted with a private security company for the purpose of patrolling the premises for the safety and security of its customers, employees and businesses invitees and to ensure that the premises do not become a focal point for loitering or vagrancy. Such contract, or replacements thereof, shall remain in full force and effect during the occupancy of any premises developed hereunder. Failure to adequately maintain security services for the premises shall result in the revocation of any certificate of occupancy by the Town of Southeast; and</p>	<p>TBD</p>
<p>E. The Town Board may require the inclusion of any of the foregoing conditions in a declaration of restrictive covenants executed in recordable form and to be recorded by the applicant/owner as a condition of any Special Permit approval.</p>	<p>TBD</p>

WHEREAS, the Planning Board, in its review of the proposed project, believes that the proposed project substantially complies with the Special Permit criteria; and

WHEREAS, the Town of Southeast Planning Board (the “Planning Board”) is in receipt of the following drawings, prepared by Insite Engineering, Surveying, & Landscape Architecture, PC, related to the site plan application:

Drawing No. & Title	Last Revised
SMP-1 Site Master Plan	3/21/2020
EX-1 Existing Conditions Plan	3/21/2020
SP-1.1 Proposed Layout & Landscape Plan	3/21/2020
SP-1.2 Proposed Layout & Landscape Plan	3/21/2020
SP-2 Proposed Grading & Utilities Plan	3/21/2020
SP-3 Proposed Erosion Control Plan	3/21/2020
SP-4 Proposed Site Plan	3/21/2020
LP-1 Proposed Lighting Plan	3/21/2020
VMP-1 Vehicle Maneuvering Plan	3/21/2020
PR-1 Road Profiles	3/21/2020
D-1 Details	3/21/2020
D-2 Details	3/21/2020
D-3 Details	3/21/2020
D-4 SSTS Details	3/21/2020

; and,

WHEREAS, the Town of Southeast Planning Board (the “Planning Board”) is in receipt of the following drawings, prepared by ADA Architects, Inc., related to the site plan application:

Drawing No. & Title	Last Revised
EL-2b Preliminary Elevations	11/22/2019
SK-5c Preliminary Fixture Plan	12/9/2019
Rendering	Undated

; 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 application has been referred to the ARB for a report and recommendation to the Town Board, which is pending; and,

WHEREAS, the Planning Board is in receipt of minutes from the ZBA dated March 15, 2010 and April 19, 2010 granting variances for the manufactured slope, the size and location of the proposed signage, and the proposed monument signs; and

WHEREAS, the application has been referred to the ZBA for an area variance for additional manufactured slopes; and

NOW THEREFORE BE IT RESOLVED, that the Town of Southeast Planning Board hereby recommends the approval of a Special Use Permit for a large retail center; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends that the Town Board grant Wetland Permit Approval for the Proposed Project subject to the conditions outlined in the memorandum from the Town Wetland Inspector dated April 6, 2020; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends Site Plan Approval for Lot 2 subject to the following conditions:

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 Town 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. The Applicant is granted approval based on generic review by the Architectural Review Board of building design and elevations and will have to seek a second review if modifications to the approved design are made. The Proposed Action shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed by the Architectural Review Board and approved by the Town Board.
5. Within thirty (30) days of Final Site Plan Approval, the Applicant shall provide to the Town 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. The final plan set shall be certified by the Supervisor of the Town of Southeast.
6. The Applicant shall submit two (2) sets of as-built plans to the Town of Southeast Building Department after final construction is completed. The as-built plans must show the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.

Financial & Legal Considerations

1. The Applicant shall post a Performance Bond in an amount determined by the Town Engineer and approved by the Town Board to ensure all site grading, stormwater management, and road improvements will be made in accordance with the approved drawings, Town of Southeast Code and to the satisfaction of the Town Engineer and/or Highway Superintendent. The Performance Bond may also be used to finance necessary work to stabilize the project site should the Applicant abandon the project and the Town is forced to complete necessary improvements. The establishment of the Performance Bond shall be done in a form acceptable to the Town Counsel. The bond amount will be based upon 2020 construction costs. If the construction is not begun during the calendar year 2020, the Applicant must re-apply to the Town Board for an adjustment of the bond amount to account for escalation of material and labor costs.

Upon such request the Town Board shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond must be paid prior to the start of any work on the site and/or the filing for a Building Permit. The Town Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Town Board or its duly authorized representative has made an inspection of the subject improvements and determined that the Applicant has complied with all the conditions of this approval.

2. 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. This resolution supersedes all construction, design, approvals, conditions, restrictions, and requirements of any previously approved site plan or building permits for the affected parcels. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as an affirmation of past approvals or conditions not recited herein.

Construction Activity

1. At least ten (10) days prior to commencing construction of any required improvements, the Applicant shall notify the Town Board and the Town Engineer, in writing, of the time when it proposes to commence construction of such improvements so that the Town Board 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 Town Board and Town Engineer and shall update that schedule, and provide copies to the Town Board and Town Engineer, throughout the construction process, as necessary. 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.

2. The Town Board 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.

3. 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 Town Board.

4. 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 Town Board or as such requirements have been modified.

5. 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.
6. A copy of the completed Notice of Intent (NOI) to comply with the New York State Department of Environmental Conservation General Permit for Construction Activity shall be maintained at the on-site construction office.
7. All sediment and erosion control measures or Best Management Practices indicated on the approved plans and/or required for compliance with the New York State Department of Environmental Conservation 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 New York State Department of Environmental Conservation's *New York Standards and Specifications for Erosion and Sediment Control*.
8. 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*.
9. 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.
10. 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.
11. 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.
12. All disturbed areas shall be stabilized pursuant to New York State Department of Environmental Conservation 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 Town 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, the Building Inspector shall notify the applicant in writing of the violation. If the required landscaping maintenance is not performed within 30 during the growing season, or within 30 days of the start of the growing season if the violation is noted during the winter months, to the satisfaction of the Town Engineer and/or Building Inspector, 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. 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.

5. To allow for a more natural landscape and appropriate screening, the proposed trees shall be planted in a variety of caliper widths and tree heights, with larger trees planted at key locations.

Architecture and Signage

1. The application shall be subject to all representations made to the Planning Board, ARB, and Town Board with regards to the proposed architecture. Any substantive changes to the proposed architecture shall be referred by the Building Inspector to the ARB for review and recommendation to the Town Board.

2. Prior to the erection of any signage or sign monuments, tenant signage design criteria shall be prepared by the Applicant and submitted to the ARB for review and approval. The tenant signage design criteria shall include the maximum dimensions, location, mounting style, materials, lighting, and any other such design elements as the ARB deems necessary to ensure that a cohesive signage package is developed for the site. The tenant signage design criteria shall govern all tenant signage on the site.

3. Prior to the erection of any tenant signage, the proposed tenant sign shall be reviewed and approved by the ARB in conformance with the approved tenant signage design criteria.

4. Rooftop HVAC equipment shall be fully screened from view, and upon installation, screening shall be adjusted as necessary to ensure proper shielding.

Stormwater Management

1. Pursuant to § 119-13 of the Code of the Town of Southeast, the Applicant/property owner shall submit a plan for ownership, construction, operation and maintenance of stormwater facilities. This plan shall provide for the inspection, operation and maintenance of each and every component of such facilities and shall specify the methods and procedures to be used to provide and ensure the funds required for such inspection, operation and maintenance and who will be responsible there for. A four-year performance guaranty shall be provided for the entire stormwater management system by the developer to cover any modifications, corrections, or

material failures. In addition, the developer shall fund or otherwise guarantee an inspection and maintenance program for a period of no less than 10 years.

2. The Applicant shall provide for the long term maintenance and continuation of stormwater control measures approved by the Town of Southeast. Stormwater control measures shall be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

3. This resolution binds the Applicant, property owner, and its successors, to the maintenance provisions depicted in the approved stormwater pollution prevention plan and site plan.

4. The Applicant shall maintain, clean, repair, replace and continue the stormwater control measures depicted in the approved stormwater pollution prevention plan to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices, aeration system, and retention ponds.

5. The Applicant/property owner shall be responsible for all expenses related to the maintenance of the stormwater control measures.

6. The Applicant/property owner shall provide for the periodic inspection of the stormwater control measures, not less than once per year, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Town Engineer within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

7. The Applicant/property owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Town.

8. The Applicant/property owner shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Town or in accordance with the recommendations of the inspecting engineer.

9. If ever the Town determines that the Applicant/Property owner has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Town or by the inspecting engineer, the Town is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property.

10. All stormwater management basins shall be maintained to provide vector control. The aeration system shall be monitored and repaired as necessary. Any garbage or debris shall be removed on a regular basis.

11. Any plant material associated with the stormwater management facilities 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. Plant material approved as part of the stormwater pollution prevention plan shall be maintained for the life of the facility and replaced as necessary,

Outdoor Storage

1. No outdoor display or storage shall be permitted on Lot 2.

Community Space

1. As committed by the Applicant in a letter dated December 1, 2009, 1,500 square feet of space on the second floor of the retail center shall be made available to the community for public meetings, functions, or similar uses, including activities for seniors. The community space shall be accessible by elevator, and shall have ADA compliant restroom facilities. A secured storage cabinet and/or closets that could be used by the seniors or other civic and community organizations to safely store items shall be made available. It is anticipated that this space would be constructed and made available on Lot 3.

BE IT FURTHER RESOLVED, that a copy of this resolution be circulated to the Town Board of the Town of Southeast.

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

J. King, Boardmember

L.Eckardt, 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**

April 13, 2020

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Stateline / Restaurant Depot
US Route 6
Tax Map IDs 68.-2-48.1 and 48.2

At the regular meeting of the Southeast Planning Board on 4/13/20, 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 4/13/20. 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
Planning Board
One Main Street
Brewster, NY 10509

April 13, 2020

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: Stateline Retail Center / Restaurant Depot
US Route 6/202, Town of Southeast, Putnam County, NY 10509
Tax Map ID 68.-2-48.1 and 48.2
SR-6 Zoning District

Dear Boardmembers:

At the April 13, 2020 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. Manufactured slopes in excess of 30 feet in height. In accordance with Section 138-15.1A.(1) "No manufactured slope shall exceed 30 feet in height or have a slope angle steeper than two horizontal to one vertical or 50%."

A copy of the Town Engineer's February 19, 2020 memorandum is attached for your information.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachments including Code Section Regarding Mailings and/or letter referenced above

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



(3) Notification of nearby property owners.

- (a)** Except as otherwise provided herein, the notice shall be sent by United States Postal Service certified or registered mail, return receipt requested, to the owners of all lots within the State of New York, including the Village of Brewster, within 500 feet of the lot or land to which the application or petition pertains, except that the owner of a single-family residential lot applying for area variances shall mail said notice to property owners within the following proximity:

[Amended 8-26-2010 by L.L. No. 4-2010; 5-19-2016 by L.L. No. 4-2016]

[1] If the subject property is located partially or wholly within a commercial zoning district or partially within an R-160 or R-80 Zoning District: 500 feet.

[2] If the subject property is located partially or wholly within an R-40 or R-60 Zoning District: 300 feet.

[3] If the subject property is located partially or wholly within an R-20 Zoning District: 100 feet.

[4] If the subject property or structure is wholly located within a parcel of property owned in common by a cooperative corporation and the subject property is owned and occupied pursuant to proprietary leasehold, notice shall be given to such cooperative corporation and to the record owner of proprietary leases immediately adjacent to the subject property or structure. In the event the subject property or structure is located within 50 feet of the cooperative corporation's boundary line, the owners of property abutting the cooperative corporation's boundary and within 100 feet of the subject parcel or structure shall be given notice.

[5] If the subject property lies adjacent to, or in the event the relative proximity of a cooperative housing corporation to the subject property requires the giving of notice of an application to owners within the cooperative housing corporation, notice shall be deemed sufficient if given to the board of directors of the cooperative housing corporation in the manner prescribed herein.

[6] If the subject property lies within or adjacent to, or in the event the relative proximity of a condominium housing development to the subject property requires the giving of notice of an application to owners within the condominium housing development, notice shall be deemed sufficient if given by certified mail, return receipt requested, to the managing agent of the condominium housing development and by regular mail to those individual property owners otherwise entitled to notice pursuant to Subsection **B(3)(a)[1]** through **[5]** hereof.

- (b)** The owners of the lands or properties to receive notice hereunder and their addresses shall be as indicated in the current records of the Tax Assessor of the Town or the Tax Assessor of any adjacent taxing jurisdiction, and the applicant shall be permitted to rely on such information as accurate.

- (4)** At the time of the public hearing by the Town Board, the Zoning Board of Appeals or the Planning Board concerning a site plan or of the Town Board concerning a planned subdivision plat, the applicant shall provide to such agency a copy of the required notice, a list of the owners of all lots to whom such notice was mailed and either an affidavit that the mailing was completed, as requested herein, or copies of all mailing receipts.



February 19, 2020

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

Re: Stateline Retail Center
Restaurant Depot
US Route 6
Tax Map #68.-2-48.1 & 48.2
Subdivision/Site Plan/Wetlands Application
NLJ #0001-0868

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through February 3, 2020.

- Item 1: Letter to Town of Southeast Town Board & Planning Board from Jeffrey J. Contelmo, P.E., dated February 3, 2020.
- Item 2: Letter to Town of Southeast Planning Board from Philip J. Grealy, Ph.D., P.E., dated January 30, 2020, accompanied by Traffic Response and Report.
- Item 3: Report entitled "Report of Geotechnical Investigation, Proposed Warehouse Development 3711-3751 Danbury Road, Section 068, Block 0002, Portion of Lot 48, Brewster, Putnam County, New York", dated August 9, 2019, prepared by Whitestone Associates, Inc.
- Item 4: Set of thirteen (13) drawings entitled "Restaurant Depot, U.S. Route 6, Town of Southeast, Putnam County, New York", dated 1-17-20, scales as noted, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.
- Item 5: Report entitled "Restaurant Depot, Former Stateline Retail Center Project Site, DEP Log #2006-EB-0522-SP.1, Amended Stormwater Pollution Prevention Plan (ASWPPP), Town of Southeast, New York", dated February 3, 2020, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.

The above referenced information has been submitted in response to our January 9, 2020 engineering review letter. Follow up comments to our January 9th comments are provided in bold.

1. *The report from Maser Consulting analyses the reconstruction of the site access drive and its intersection with Route 6. The report proposes an access plan that includes the realignment of Farrington Road and U.S. Route 6. The previously approved plan included a plan for the realignment of the intersection with Route 6 along with stormwater treatment measures. The current application does not include a proposed realignment plan or stormwater treatment measures. Any intersection*



Jacobson

Mr. Thomas LaPerch, Chairman

Re: Stateline Retail
Restaurant Depot
Subdivision/Site Plan/Wetlands Application
NLJ #0001-0868

February 19, 2020

Page 2

improvement measures necessary for the development of the proposed project should be included as part of this application.

Appendix A included with the response to the "Traffic and Synchro Analysis" includes a preliminary layout of the revised intersection plan.

2. *The proposed Mechanically Stabilized Earth Retaining Wall detail should include the location of guide rail posts to determine that the posts will not conflict with the geosynthetic reinforcement.*
This comment has been adequately addressed.
3. *The Proposed Grading and Utilities Plan show manufactured slopes in excess of 30 feet in height. In accordance with Section 138-15.1A.(1) "No manufactured slope shall exceed 30 feet in height or have a slope angle steeper than two horizontal to one vertical or 50%."*
The Applicant intends to request a variance for manufactured slopes in excess of 30 feet.
4. *The detail for the Extended Detention Dry Pre-Treatment Basin 2.0 EDB Outlet Structure (OS 2.0 EDB) contains several inconsistencies with elevations and pipe sizes when compared to the HydroCAD stormwater model and the Site Plan. These discrepancies should be reconciled.*
This comment has been adequately addressed.
5. *The Proposed Grading and Utilities Plan shows end section ES 5 outletting to the Extended Detention Pretreatment Basin at elevation 481±. The Drainage Table indicates that ES 5 should be placed at elevation 476.5.*
This comment has been adequately addressed.
6. *The berm elevation shown between Extended Detention Pretreatment Basin and the Infiltration Basin is shown as 481.5. It would appear that the proposed grading would place this elevation at 482.5. This elevation should be verified.*
This comment has been adequately addressed.
7. *The detail for the Micropool Extended Detention Pond (NYSDEC Design P-1) Permanent Outlet Structure (OS 1.1) on drawing D-2 indicates that the diameter of the outlet pipe is to be 12 inches. The HydroCAD model and Site Plan indicate that the diameter of the outlet pipe is to be 18 inches. This discrepancy should be reconciled.*
This comment has been adequately addressed.
8. *The detail for Infiltration Basin 2.0 1B Outlet Structure Detail (NYSDEC Design I-2) shows the top of structure elevation to be 474.0. the HydroCAD model utilizes 474.5. This discrepancy should be reconciled.*
This comment has been adequately addressed.
9. *The Asphalt Pavement Detail should be revised to indicate an 8-inch base course of NYSDOT #304.02 to be placed beneath the asphaltic pavement.*



Jacobson

Mr. Thomas LaPerch, Chairman

Re: Stateline Retail
Restaurant Depot
Subdivision/Site Plan/Wetlands Application
NLJ #0001-0868

February 19, 2020

Page 3

Section 64-17 of the Southeast Code requires driveways to be constructed on a minimum of eight inches of well graded run-of-bank gravel. We have no objection to the recommendation of a 6" base by the geotechnical engineer, however a variance will be required.

10. *Subsurface investigations should be performed within the limits of the proposed stormwater basins. While a Geotechnical Report has been submitted, the Test Location Plan included with the report does not accurately depict the shape and quantity of stormwater basins. Additionally, the Record of Subsurface Exploration does not include surface elevations for test locations SPP-1 through SPP-6. The boring locations should be depicted on the Proposed Grading and Utilities Plan. With accurate locations on the proposed plan, ground surface elevations can be interpolated, and the subsurface information can be deciphered.*
11. *A portion of the proposed retaining wall at the southeast corner of Lot 2 is located on Lot 3. This comment has been adequately addressed.*
12. *An easement will be required for the proposed grading for Lot 2 that extends into Lot 3. Comment acknowledged.*
13. *An easement will be required to access Lot 2 over Lot 3. Comment acknowledged.*
14. *A drainage easement will be required for storm drainage and stormwater treatment measures for Lot 2 that cross into Lot 3. Comment acknowledged.*

Should you have any questions, please feel free to contact me.

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay M. Burdick
M. Levine M. Stancati
S. Coleman A. Ley
W. Stephens, Jr. Insite Engineering

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

INTRODUCED BY: LaPerch DATE: April 13, 2020

SECONDED BY: Armstrong

WHEREAS, an application is being made by **FLYWHEEL FARM** for a Conditional Use Permit for an accessory apartment on a property located at 4-10 Starcobb Lane, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 79.-1-26, 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 3/19/20
2. Statement of Use, prepared by J. Robert Folchetti & Associates, dated March 2020
3. G 1 of 4, Boundary Survey, prepared by Terry Bergendorff Collins, revised 3/12/20
4. G 2 of 4, Preliminary Site Layout, prepared by J. Robert Folchetti & Associates, dated March 2020
5. G 3 of 4, General Site Layout & Typical Details, prepared by J. Robert Folchetti & Associates, dated March 2020
6. G 4 of 4, Photographic Map, prepared by J. Robert Folchetti & Associates, dated March 2020
7. T-1.0, Title Sheet, prepared by Fractal Architects, dated 6/28/19
8. A-1.0, Construction Plans, prepared by Fractal Architects, dated 7/18/19
9. A-2.0, Exterior Elevations, prepared by Fractal Architects, dated 7/18/19
10. A-3.0, Building Section & Details, prepared by Fractal Architects, dated 7/18/19
11. D-1.0, Demolition Plans and Notes, prepared by Fractal Architects, dated 7/18/19
12. E-1.0, Electrical Plans, RCP & Notes, prepared by Fractal Architects, dated 7/18/19

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	<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>	J. King, Boardmember	<u>yes</u>
L. Eckardt, 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