
TOWN OF SOUTHEAST

PLANNING BOARD/ARCHITECTURAL REVIEW BOARD AGENDA

January 10, 2022

7:00 p.m. Public Hearings / Regular Session

Town Hall, 1360 Route 22, Brewster, NY 10509

PUBLIC HEARING:

1. **GUARDIAN VETERINARY SPECIALISTS, 4 & 20 Hardscrabble Heights, Tax Map IDs 78.-2-83 & 81** – Public Hearing to Review an Application for Site Plans and Lot Line Change

REGULAR SESSION:

1. **GARCEAU ACCESSORY APARTMENT, 404 Milltown Road, Tax Map ID 58.-1-5** – Continued Review of Application for Conditional Use Permit
2. **HOLLY CREST SUBDIVISION, Route 22, Reservoir Ridge Road and Lower Mine Road, Tax Map IDs 78.-1-43, 77.-1.31, 77.-1-2, 77.-1-1 & 67.-1-2** – Review of an Application for Final Approval of Lot Line Adjustment
3. **WATERVIEW ESTATES SUBDIVISION, 1, 9, 11 & 8 Waterview Lane, Tax Map IDs 67.-1-48.1, 2,.3 and 4** – Review of a Request for Establishment of a Performance Bond
4. **EAVENS HOME IMPROVEMENTS, 1604 Route 22, Tax Map ID 46.-2-40** – Architectural Review of a Sign
5. **VERIZON, 1 Geneva Road, Tax Map ID 45.-1-26** – Review of a Request for Exemption from Site Plan and Conditional Use Permit Review
6. **VERIZON, 87 Hillside Park, Tax Map ID 67.-1-38.2** – Review of a Request for Exemption from Site Plan and Conditional Use Permit Review
7. **T-MOBILE NORTHEAST, LLC, 1944 Route 22, Tax Map ID 35.-2-3** – Review of a Request for Exemption from Site Plan and Conditional Use Permit Review
8. **T-MOBILE NORTHEAST, LLC, 171 Joe’s Hill Road, Tax Map ID 68.-2-35.-1** – Review of a Request for Exemption from Site Plan and Conditional Use Permit Review
9. **TESLA, 1 Starr Ridge Road, Tax Map ID 68.-2-2** – Continued Review of Application for Site Plan Amendment
10. **SALSA FRESCA, 1577 Route 22, Tax Map ID 46.-1-16.-1** – Architectural Review of Changes to an Approved Commercial Structure
11. **VOLZ-CLOVERLEAF, 1051 Route 22, Tax Map ID 68.-1-2** – Continued Review of Application for Site Plan, Conditional Use Permit and Wetland Permit
12. **LANDSCAPE CONCEPTS, 50-58 Sodom Road, Tax Map ID 57.17-1-5** – Vote to Reset Public Hearing Date to January 24, 2022
13. **EUROTECH, 19 Sutton Place, Tax Map ID 78.-2-16.6** – Vote to Reset Public Hearing Date to January 24, 2022

APPROVE MEETING MINUTES of December 13, 2021

**Agenda Subject to Change
January 5, 2022/VAD**

**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#>

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

INTRODUCED BY: LaPerch

DATE: January 10, 2022

SECONDED BY: Rush

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of an application for a subdivision/site plan, and other supporting documents for a project entitled **GUARDIAN VETERINARY SPECIALISTS**; and

WHEREAS, the proposed project is located at 4 & 20 Hardscrabble Heights in the OP-1 Zoning District in the Town of Southeast and identified as Tax Map IDs 78.-2-83 & 81; and

WHEREAS, the applicants propose a lot line adjustment to add 0.9 acres from 20 Hardscrabble Heights to 4 Hardscrabble Heights to accommodate a new driveway and a 41-space parking area for employees of the existing veterinary services building. The proposed project requires a lot line adjustment and site plan approval from the Planning Board, and area variances for rear parking setback and slope from the Zoning Board of Appeals; and

WHEREAS the Planning Board scheduled a public hearing on the proposed subdivision/site plan for 1/10/22; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 12/13/21; 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/Architectural Review 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

M. Hecht, Boardmember

yes

J. King, Boardmember

yes

L. Eckardt, Boardmember

absent

G. Pangis, Boardmember

yes

W. Lewis, Boardmember

yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board

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

Date: January 10, 2022

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/Architectural Review 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: Guardian Veterinary Specialists

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Guardian Veterinary Specialists (the "Applicant") proposes a lot line adjustment to add 0.9 acres from 20 Hardscrabble Heights to 4 Hardscrabble Heights to accommodate a new driveway and 41 space parking area for employees of the existing veterinary services building (the "Proposed Project"). The proposed project requires a lot line adjustment and site plan approval from the Planning Board, and area variances for rear parking setback and slope from the Zoning Board of Appeals.

Location: 4 and 20 Hardscrabble Heights, Brewster, NY 10509. Tax Map ID No.: 78.-2-83 & 84

Reasons Supporting This Determination:

The following materials have been reviewed:

- Town of Southeast Application for Site Plan Approval/Lot Line Adjustment for 4 Hardscrabble Heights, LLC
- Town of Southeast Site Plan Application Submission Checklist
- List of Properties within 500'
- Statement of Use
- Full Environmental Assessment Form dated January 7, 2022
- Letter from Todd Atkinson, PE to Ashley Ley, AICP, dated January 7, 2022
- Letter from Todd Atkinson, PE to Cynthia Garcia, NYCDEP, dated January 6, 2022
- Set of ten (10) drawings titled "Property of 4 Hardscrabble Heights, LLC, 4 Hardscrabble Heights, Town of Southeast, Putnam County, New York, S.B.L. 78.-2-83, Amended Site Plan and Lot Line Change", prepared by J. Robert Folchetti & Associates, L.L.C., dated November 2021
- Memorandum from AKRF, Inc. to the Planning Board dated January 6, 2022, and revised January 10, 2022
- Letter from Nathan L. Jacobson & Associates, P.C. to the Planning Board dated December 7, 2021

WHEREAS, on December 13, 2021, the Planning Board/Architectural Review 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/Architectural Review Board held a publicly noticed meeting on January 10, 2022, at which time members of the public were given the opportunity to comment on the proposed project; and

WHEREAS, the Planning Board/Architectural Review 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/Architectural Review 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 / ARB Department
One Main Street
Brewster, NY 10509
Telephone Number: (845) 279-7736

A Copy of this Notice has been filed with:

| INVOLVED/INTERESTED AGENCY | |
|--|--|
| New York State Department of Environmental Conservation Region 3 21 South Putt Corners New Paltz, NY 12561 ATTN: Regional Director | 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 Department of Health 1 Geneva Road Brewster, New York 10509 |
| Town Board 1360 Route 22 Brewster, NY 10509 | Town of North Salem 266 Titicus Road North Salem, NY 10560 |
| Planning Board 1 Main Street Brewster, NY 1050 | Town Clerk 1360 Route 22 Brewster, NY 10509 |
| Zoning Board of Appeals 1 Main Street Brewster, NY 1050 | Building Inspector 1 Main Street Brewster, NY 10509 |
| E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509 | Highway Superintendent 10 Palmer Road Brewster, NY 10509 |
| Southeast Fire Inspector 1 Main Street Brewster, NY 10509 | Guardian Veterinary Specialists 4 Hardscrabble Heights Brewster, NY 10509 |

UPON ROLL CALL VOTE:

| | | | |
|-------------------------|----------------|------------------------|------------|
| T. LaPerch, Chairman | <u>yes</u> | D. Rush, Vice Chairman | <u>yes</u> |
| M. Hecht, Boardmember | <u>yes</u> | J. King, Boardmember | <u>yes</u> |
| L. Eckardt, Boardmember | <u>absent</u> | G. Pangis, Boardmember | <u>yes</u> |
| W. Lewis, Boardmember | <u>abstain</u> | | |

The resolution was passed by a vote of 5 to 0, with 1 absent & 1 abstain.

T LaPerch
T. LaPerch, Chairman / mad
Southeast Planning Board /
Architectural Review Board

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

January 10, 2022

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: Guardian Veterinary Specialists
4 & 20 Hardscrabble Heights
Tax Map ID: 78.-2-83 & 84
OP-1 Zoning District

Dear Boardmembers:

At the January 10, 2022, 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. Parking rear setback variance per Chapter 138 Attachment 5, Town of Southeast Commercial Zoning Schedule, 23 feet is provided where 50 feet is required.
2. Variance for maximum slope of a driveway per Section 138-46D(7), a 13% driveway grade is provided where a maximum of 10% is permitted.

A copy of the Town Planner's January 10, 2022, 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



Environmental, Planning, and Engineering Consultants
34 South Broadway
Suite 300
White Plains, NY 10601
tel: 914 949-7336
fax: 929 284-1085
www.akrf.com

Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: January 6, 2022 (Revised 1/10/22)
Re: Guardian Veterinary
cc: Todd Atkinson, PE

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

- Town of Southeast Application for Site Plan Approval/Lot Line Adjustment for 4 Hardscrabble Heights, LLC
- Town of Southeast Site Plan Application Submission Checklist
- List of Properties within 500'
- Statement of Use
- Full Environmental Assessment Form dated January 7, 2022
- Letter from Todd Atkinson, PE to Ashley Ley, AICP, dated January 7, 2022
- Letter from Todd Atkinson, PE to Cynthia Garcia, NYCDEP, dated January 6, 2022
- Set of ten (10) drawings titled "Property of 4 Hardscrabble Heights, LLC, 4 Hardscrabble Heights, Town of Southeast, Putnam County, New York, S.B.L. 78.-2-83, Amended Site Plan and Lot Line Change", prepared by J. Robert Folchetti & Associates, L.L.C., dated November 2021

PROJECT DESCRIPTION

Guardian Veterinary Specialists (the "Applicant") proposes a lot line adjustment to add 0.9 acres from 20 Hardscrabble Heights to 4 Hardscrabble Heights (Tax Map ID 78.-2-83 & 81) to accommodate a new driveway and 41 space parking area for employees of the existing veterinary services building (the "Proposed Project"). The Proposed Project requires a lot line adjustment and site plan approval from the Planning Board, and area variances for parking setbacks from the Zoning Board of Appeals.

COMMENTS

1. The proposed project requires the following two area variances:
 - a. Variance for maximum slope of a driveway per 138-46D(7), 13% grade is provided where a maximum of 10% is permitted.
 - b. Parking rear setback variance, 23 feet is provided where 50 is required.

2. The Planning Board is in receipt of comments from NYCDEP dated January 5, 2022. The EAF has been revised to address the comments in the NYCDEP letter. The original application included two EAFs, one for each property. The Applicant has submitted a revised combined EAF that covers both sites, as well as a letter to NYCDEP to clarify their initial submission.

RECOMMENDED ACTIONS

At the January 10, 2022, meeting AKRF recommends that the Planning Board Declare Lead Agency, open and close the public hearing, consider Negative Declaration, and refer the application to the Zoning Board of Appeals.

**TOWN OF SOUTHEAST, NY
PLANNING BOARD / ARCHITECTURAL REVIEW BOARD RESOLUTION
CONDITIONAL USE PERMIT APPROVAL**

INTRODUCED BY:

LaPerch

DATE: January 10, 2022

SECONDED BY:

Hecht

WHEREAS, IRMA AND STEPHANE GARCEAU as the Applicant/Owner of certain properties located 404 Milltown Road in the R-160 Zoning District in Town of Southeast and known and designated as Tax Map Number 58.-1-5 has submitted an application for Conditional Use Permit approval for a proposal to convert a portion of a pre-existing Quonset hut storage building into a one-bedroom accessory dwelling unit. A new 1,000-gallon septic system will be installed. The square footage of the accessory dwelling unit will be 650 square feet, which exceeds 25% of the 1,920-square-foot main house. Two parking spaces will be provided. The site has a pre-existing, non-conforming side yard setback of three feet; (the “Proposed Project”); and,

WHEREAS, the Town of Southeast Planning Board/Architecture Review Board (the “Planning Board”), acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), and conducting a coordinated environmental review, Classified this as a Type II Action on or about 12/13/21, indicating that no environmental impact would exist;

WHEREAS, the Planning Board has thoroughly reviewed the application and the following documents and plans, as well as memos from its consultants:

| Drawing No. & Title; submitted by | Original Date; Last Revised |
|--|------------------------------------|
| Memorandum to Chairman LaPerch from PW Scott Engineering | 12/14/21 |
| Photos of Existing Quonset Hut, no preparer | undated |
| A1, Plan & Elevations, prepared by PW Scott Engineering | 11/8/21 |
| SY1, Storage Building Conversion, prepared by PW Scott Engineering | 6/2/21; 12/14/21 |
| Short Environmental Assessment Form, prepared by Irma Garceau | 11/18/21 |
| Floor Plan, prepared by PW Scott Engineering, stamped by Department of Health 10/25/21 | 6/2/21 |
| SP1, Storage Building Conversion, prepared by PW Scott Engineering | 6/2/21; 9/28/21 |
| SP1A, Storage Building Conversion, prepared by PW Scott Engineering | 6/2/21; 9/28/21 |
| SP2, Details & Erosion Control, prepared by PW Scott Engineering | 6/2/21; 9/28/21 |
| SP3, Pump Sheet, prepared by PW Scott Engineering | 6/2/21; 9/28/21 |

; and,

WHEREAS, the Planning Board has reviewed said drawings in addition to reports and correspondence filed with those drawings and has caused the same to be reviewed by its consultants; and,

WHEREAS, the Planning Board has determined on the basis of its own review and the review comments received from its consultants that the drawings and reports and other information submitted by the applicant are in substantial compliance with Chapter 138, “Zoning,” (specifically Article IX thereof) of the Town of Southeast Code; and,

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 an Accessory Apartment, as described 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 Project, 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 Project, 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 Project, 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.

Financial & Legal Considerations

- 1. 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.

UPON ROLL CALL VOTE:

| | | | |
|-------------------------|---------------|------------------------|------------|
| T. LaPerch, Chairman | <u>yes</u> | D. Rush, Vice Chairman | <u>yes</u> |
| M. Hecht, Boardmember | <u>yes</u> | J. King, Boardmember | <u>yes</u> |
| L. Eckardt, Boardmember | <u>absent</u> | G. Pangis, Boardmember | <u>yes</u> |
| W. Lewis, Boardmember | <u>yes</u> | | |

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
 T. LaPerch, Chairman
 Southeast Planning Board *lad*

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

INTRODUCED BY: *La Perch*

DATE: January 10, 2022

SECONDED BY: *King*

WHEREAS, HOLLY CREST SUBDIVISION/GUS BONIELLO as the Applicant/Owner of certain properties located on Route 22, Reservoir Ridge Road and Lower Mine Road, in the Town of Southeast and known and designated as Tax Map Numbers 78.-1-43, 77.-1.31, 77.-1-2, 77.-1-1 & 67.-1-2, has submitted an application for Final Plat approval for proposed lot line adjustments between five existing parcels totaling 262.835 acres located on Lower Mine Road and Reservoir Road (the “Proposed Project”); and,

WHEREAS, the no new lots would be created and all lots would be dimensionally compliant with the Town of Southeast Zoning Code; and,

WHEREAS, no new structures or land disturbance is proposed; and,

WHEREAS, the Applicant submitted an application for Final Plat approval on 12/21/21: and,

WHEREAS, the Southeast Planning Board/Architecture Review Board (the “Planning Board”) is in receipt of the following drawings related to the subdivision application:

| Drawing No. & Title | Original Date; Last Revised |
|--|------------------------------------|
| Narrative to Planning Board, prepared by Boniello Development | 10/4/21 |
| Sketch Plan of Proposed Subdivision Situate in the Town of Southeast, Putnam County, NY, Lots 78.-1-43, 77.-1.31, 77.-1-2, 77.-1-1 & 67.-1-2, prepared by Link Land Surveyors, | 7/21/21 |
| Lot Line Adjustment Plat of Holly Crest, prepared by Link Land Surveyors | 12/14/21; 1/4/22 |

; and,

WHEREAS, the Planning Board has reviewed said drawings in addition to reports and correspondence filed with those drawings and has caused the same to be reviewed by its consultants; and,

WHEREAS, the Planning Board has determined on the basis of its own review and the review comments received from its consultants that the drawings and reports and other information submitted by the applicant are in substantial compliance with Chapter 123, “Subdivision of Land,” (specifically §123-13.C and §123-31) and Chapter 138, “Zoning,” of the Town of Southeast Code; and,

WHEREAS, pursuant to §123-13.D, the Planning Board referred the complete application to the Putnam County Division of Planning and Development on 10/25/21 for its review under §239-n of Article 12-B of the General Municipal Law; and,

WHEREAS, the Planning Board is in receipt of the following information relative to approvals from outside agencies:

| Board/Agency | Resolution/Report | Date |
|--|---|-------------|
| Town Board | Special Permit | n/a |
| Zoning Board of Appeals | Variance(s) | n/a |
| New York City Department of Environmental Protection | Letter of Complete Application | n/a |
| Putnam County Department of Health | Approval of Wastewater Treatment System | n/a |

WHEREAS, the Planning Board, acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), and conducting a coordinated environmental review, Classified this as a Type II Action on about 10/25/21, indicating that no negative environmental impact would exist; and,

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

General Conditions

1. The Applicant must conform to all the rules, regulations, and ordinances of the Town of Southeast, County of Putnam, and State of New York.
2. The Applicant is hereby bound by any statements offering modifications, improvements, or offerings to the Town of Southeast made by itself or its representatives in relation to approval of the Proposed Project.
3. The approved plat and all associated plans and drawings shall serve as the record of all approved improvements.
4. The Applicant shall submit revised Final Plat drawings for the signature of the duly authorized officer of the Planning Board within one-hundred and eighty (180) days of the date of this Final Approval (§123-13.G(2)) to show compliance with all conditions of this approval.
5. Prior to submission of the Final Plat for the signature of the duly authorized officer of the Planning Board the Applicant shall obtain final approval of all street names from the Town Board (§123-35.E) and Town Tax Assessor (§54-A.4).
6. Prior to submission of the Final Plat for the signature of the duly authorized officer of the Planning Board the Applicant shall first obtain the required signatures of the Putnam County Department of Health on the Final Plat.
7. All changes or modifications to the Final Plat made in response to compliance with the conditions of this Final Approval shall be reviewed by the Town Engineer who may require the Applicant to present such changes to the Planning Board prior to having the Final Plat signed by the duly authorized officer of the Planning Board if such changes constitute a substantial alteration to the Final Plat.

8. The Applicant shall file the signed approved Final Plat with the County Clerk within sixty (60) days of the date upon which the Final Plat was signed by the duly authorized officer of the Planning Board or the Final Plat shall be considered null and void (see §123-13.J). The Applicant shall provide the Town of Southeast with five (5) copies of the filed plat.

9. The Applicant shall provide any and all deed easements and road dedications, as noted on the subdivision drawings and where applicable, to the satisfaction and approval of the Town Attorney prior to filing of the Final Plat (see §123-13.H(2)) with the County Clerk.

10. The Final Plat may be submitted in sections (pursuant to §123-13.I) and the Town Engineer shall review such sections to ensure the orderly development of the subdivision. All conditions within this approval, as well as any other permit or approval from a separate agency, shall apply to any and all subdivision sections filed for the Proposed Project.

UPON ROLL CALL VOTE:

| | | | |
|-------------------------|----------------|------------------------|------------|
| T. LaPerch, Chairman | <u>yes</u> | D. Rush, Vice Chairman | <u>yes</u> |
| M. Hecht, Boardmember | <u>yes</u> | J. King, Boardmember | <u>yes</u> |
| L. Eckardt, Boardmember | <u>absent</u> | G. Pangis, Boardmember | <u>yes</u> |
| W. Lewis, Boardmember | <u>abstain</u> | | |

The resolution was passed by a vote of 5 to 0, with 1 absent. 1 abstain.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board trad

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

January 10, 2022

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

RE: WATERVIEW ESTATES SUBDIVISION, 1, 9, 11 & 8 Waterview Lane, TAX MAP IDs 67.-1-48.1, 48.2, 48.3 & 48.4

Dear Boardmembers:

At the 1/10/21 regular meeting of the Town of Southeast Planning Board/Architectural Review Board, a motion was made to refer the above referenced project to the Town Board for the establishment of a Performance Bond for all common improvements.

| PROJECT | | BOND AMOUNT |
|--------------------------------------|-----------|----------------------|
| WATERVIEW ESTATES SUBDIVISION | | \$ 441,000.00 |
| Site Improvements | \$401,000 | |
| Soil Erosion & Sediment Control | \$40,000 | |

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$441,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$22,050.00; and Recreation Fees of \$7,500.00 per lot for three new lots totaling \$22,500.00 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/Architectural Review Board.

Sincerely,



Thomas LaPerch, Chairman
Southeast Planning Board/Architectural Review Board

Attachment

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
Insite Engineering
File



January 4, 2022

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

Re: Waterview Estates Subdivision
Allview Ave & N.Y.S. Route 22
Tax Map IDs 67.-1-48.1,2,3 and 4
Bond Estimate
NLJ #0001-0817

Dear Mr. LaPerch:

As requested, we have prepared a Bond Estimate for proposed common subdivision improvements associated with the subject project. Our detailed Opinion of Probable Construction Cost is attached.

The attached Opinion of Probable Construction Costs totals \$441,000. Please be advised that our estimate is based on current 2022 construction costs. Should items covered by this Bond not be constructed during this calendar year, an appropriate escalation factor may be needed.

Of the \$441,000 estimate of costs for site improvements, \$40,000 is required to insure the installation and maintenance of all temporary and permanent erosion and sediment control measures and site regrading / restoration.

Based on the "Town of Southeast, Planning Board Fee Schedule" and the above recommended bond amount, the required inspection fee to be collected for the project is 5% of Site Development Costs or \$22,050 and the required Recreation Fee is \$7,500 per lot for 3 new lots or \$22,500.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

A handwritten signature in black ink that reads "Thomas H. Fenton".

Thomas H. Fenton, P.E.

THF:thf

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

NATHAN L. JACOBSON & ASSOCIATES, P.C.
Consulting Engineers
Chester, Connecticut

2022 OPINION OF PROBABLE CONSTRUCTION COSTS
Performance Bond

Project: Waterview Estates Subdivision
1569 Allview Avenue & NYS Route 22
Southeast, New York

Done by: THF
Date: 01/04/2022
Revised:

Project No.: 0001-0817

| Item No. | Item | Unit Cost | Unit | Quantity | Total |
|-----------------|--|------------------|-------------|-----------------|---------------------|
| 1 | CLEAR AND GRUB | \$3,000.00 | ACRE | 4 | \$12,000.00 |
| 2 | STRIP & STOCKPILE TOPSOIL | \$0.52 | S.Y. | 20,000 | \$10,400.00 |
| 3 | SINGLE CATCH BASIN | \$3,860.00 | EACH | 13 | \$50,180.00 |
| 4 | STORM MANHOLES | \$3,380.00 | EACH | 2 | \$6,760.00 |
| 5 | 6" Ø UNDERDRAIN | \$32.00 | L.F. | 380 | \$12,160.00 |
| 6 | 15" Ø HDPEP | \$43.00 | L.F. | 1,124 | \$48,332.00 |
| 7 | 18" Ø HDPEP | \$56.00 | L.F. | 317 | \$17,752.00 |
| 8 | 15" HDPE FLARED END | \$450.00 | EACH | 5 | \$2,250.00 |
| 9 | 18" HDPE FLARED END | \$550.00 | EACH | 1 | \$550.00 |
| 10 | ROUGH GRADE SUBGRADE | \$0.70 | S.Y. | 2,040 | \$1,428.00 |
| 11 | SUBBASE COURSE (Item 304.02) | \$50.16 | C.Y. | 840 | \$42,134.40 |
| 12 | FINE GRADE & ROLL BASE | \$1.45 | S.Y. | 2,040 | \$2,958.00 |
| 13 | BITUMINOUS CONCRETE | \$102.33 | TON | 290 | \$29,675.70 |
| 14 | BITUMINOUS CONCRETE LIP CURBING | \$6.00 | L.F. | 1,115 | \$6,690.00 |
| 15 | MODIFIED RIP RAP | \$73.00 | C.Y. | 35 | \$2,555.00 |
| 16 | SPREAD STOCKPILED TOPSOIL TO 6" | \$1.20 | S.Y. | 16,500 | \$19,800.00 |
| 17 | HYDROSEED | \$0.57 | S.Y. | 16,500 | \$9,405.00 |
| 18 | SILT FENCE | \$5.00 | L.F. | 1,600 | \$8,000.00 |
| 19 | CONSTRUCTION FENCE | \$2.00 | L.F. | 1,200 | \$2,400.00 |
| 20 | SILT SACK (Catch Basin Insert - Regular Flow) | \$140.00 | EACH | 13 | \$1,820.00 |
| 21 | CONSTRUCTION ENTRANCE | \$1,265.00 | EACH | 1 | \$1,265.00 |
| 22 | STORMWATER BASIN (including outlet structures) | \$50,000.00 | L.S. | 1 | \$50,000.00 |
| 23 | VEGETATED SWALE | \$15.00 | L.F. | 180 | \$2,700.00 |
| 24 | RIP RAP SWALE | \$45.00 | L.F. | 135 | \$6,075.00 |
| 25 | METAL BEAM GUIDERAIL | \$50.00 | L.F. | 620 | \$31,000.00 |
| 26 | RETAINING WALL | \$30.00 | S.F. | 2,100 | \$63,000.00 |
| TOTAL | | | | | \$441,290.00 |
| SAY | | | | | \$441,000 |

NATHAN L. JACOBSON & ASSOCIATES, P.C.
Consulting Engineers
Chester, Connecticut

2022 OPINION OF PROBABLE CONSTRUCTION COSTS
Erosion & Sediment Control and Site Restoration Bond

Project: Waterview Estates Subdivision
1569 Allview Avenue & NYS Route 22
Southeast, New York

Done by: THF
Date: 01/04/2022
Revised:

Project No.: 0001-0817

| Item No. | Item | Unit Cost | Unit | Quantity | Total |
|-----------------|--|------------------|-------------|-----------------|-----------------|
| 1 | SILT FENCE | \$5.00 | L.F. | 1,600 | \$8,000.00 |
| 2 | SILT SACK (Catch Basin Insert - Regular Flow) | \$140.00 | EACH | 13 | \$1,820.00 |
| 3 | CONSTRUCTION ENTRANCE | \$1,265.00 | EACH | 1 | \$1,265.00 |
| 4 | SPREAD STOCKPILED TOPSOIL TO 6" | \$1.20 | S.Y. | 16,500 | \$19,800.00 |
| 5 | HYDROSEED | \$0.57 | S.Y. | 16,500 | \$9,405.00 |
| | | | | TOTAL | \$40,290.00 |
| | | | | SAY | \$40,000 |

TOWN OF SOUTHEAST

PLANNING BOARD / ARCHITECTURAL REVIEW BOARD

APPLICATION REVIEW

MEETING DATE: January 10, 2022

SIGN REVIEW

STRUCTURE REVIEW

Residential

Commercial

NAME OF APPLICATION: Eavens Home Improvements

ADDRESS & TAX NUMBER: 1604 Route 22, Tax Map ID 46.-2-40

REPRESENTATIVE: Eavens Home Improvements

PLANNING BOARD REFERRAL DATE (IF APPLICABLE):

ZONING COMPLIANCE APPROVAL DATE: 12/21/21

APPLICATION DETAILS (INCLUDE DRAWING NUMBERS AND DATES, IF APPLICABLE):

1. PB/ARB Application, prepared by Eavens Home Improvements, dated 12/7/21
2. Owner Consent Form signed by Garden Homes Management, dated 12/7/21
3. E-mail with material specs, from Extreme Designs, dated 12/20/21
4. Photo Rendering of Sign on Building, no preparer, undated

Please Circle:

APPROVED

DENIED

Conditions of Approval:

1. Sign should read "EAVENS" in all capital letters in a larger font; then below that: Home Improvement Showroom;
2. All type must be same color and style;
3. Phone number must be removed from wall sign.

PB/ARB CHAIRMAN: T. fa Perch /ond

DATE: 1.10.22

**TOWN OF SOUTHEAST
PLANNING BOARD / ARCHITECTURAL REVIEW BOARD
RESOLUTION TO EXEMPT
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *La Perch*

DATE: January 10, 2022

SECONDED BY: *Pangor*

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of a request for an exemption by **Verizon Wireless** for a like-kind antenna replacement at a wireless telecommunications services facility located at **1 Geneva Road**, Tax Map No. 45.-1-26, in the Town of Southeast; and

WHEREAS, the Applicant proposes to upgrade their antennas and associated equipment mounted on an existing 179-foot-tall monopole. The upgrade consists of the removal of nine (9) Remote Radio Head units (RRH) and the installation of six (6) RRH units; and

WHEREAS, the Planning Board/Architectural Review Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

| Drawing No. & Title; submitted by | Original Date; Last Revised |
|---|------------------------------------|
| Letter to Town of Southeast from Emily Garland of NB+C | undated |
| Structural Analysis Report, prepared by ATC Tower Services | 4/2/21; |
| CD-3, Site Layout Plan, prepared by JMC Engineers | 7/21/17; 10/6/17 |
| G-001, Title Sheet, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| G-002, General Notes, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| C-101, Detailed Site Plan, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| C-201, Tower Elevation, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| C-401, Antenna Information & Schedule, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| C-501, Construction Details, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| E-501, Grounding Details, prepared by Dewberry Engineers, Inc. | 5/5/21; 6/22/21 |
| R-601, Supplemental, prepared by Dewberry Engineers, Inc. | 5/5/21 |
| R-602, Supplemental, prepared by Dewberry Engineers, Inc. | 5/5/21 |

WHEREAS, the Planning Board/Architectural Review Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

NOW, THEREFORE be it RESOLVED, the Planning Board/Architectural Review Board is empowered under §138-54.1B(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including

approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1B(3)(a));

2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1B(3)(b));
3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1B(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1B(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1B(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1B(3)(f));

NOW THEREFORE, be it RESOLVED, the Planning Board/Architectural Review Board finds that the application from Verizon Wireless is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

M. Hecht, Boardmember

yes

J. King, Boardmember

yes

L. Eckardt, Boardmember

absent

G. Pangis, Boardmember

yes

W. Lewis, Boardmember

yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board

**TOWN OF SOUTHEAST
 PLANNING BOARD / ARCHITECTURAL REVIEW BOARD
 RESOLUTION TO EXEMPT
 SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *La Perch*

DATE: January 10, 2022

SECONDED BY: *King*

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of a request for an exemption by **Verizon Wireless** for a like-kind antenna replacement at a wireless telecommunications services facility located at **87 Hillside Park**, Tax Map No. 67.-1-38.2, in the Town of Southeast; and

WHEREAS, the Applicant proposes to upgrade their antennas and associated equipment mounted on an existing 130-foot-tall monopole. The upgrade consists of the removal of nine (9) Remote Radio Head units (RRHs) and six (6) antennas; and the installation of six (6) RRHs and nine (9) antennas; and

WHEREAS, the Planning Board/Architectural Review Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

| Drawing No. & Title; submitted by | Original Date; Last Revised |
|---|------------------------------------|
| Letter to Town of Southeast from Emily Garland of NB+C | undated |
| Structural Analysis Report, prepared by ATC Tower Services | 3/31/21; |
| G-001, Title Sheet, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| G-002, General Notes, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| C-101, Detailed Site Plan, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| C-201, Tower Elevation, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| C-401, Antenna Information & Schedule, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| C-501, Construction Details, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| E-501, Grounding Details, prepared by Dewberry Engineers, Inc. | 4/22/21; 6/30/21 |
| R-601, Supplemental, prepared by Dewberry Engineers, Inc. | |
| R-602, Supplemental, prepared by Dewberry Engineers, Inc. | |
| V-101, Compound Detail & Descriptions, prepared by Tectonic | 7/8/16; 7/18/16 |
| V-102, Existing Conditions, prepared by Tectonic | 7/8/16; 7/18/16 |

WHEREAS, the Planning Board/Architectural Review Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

NOW, THEREFORE be it **RESOLVED**, the Planning Board/Architectural Review Board is empowered under §138-54.1B(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1B(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1B(3)(b));
3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1B(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1B(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1B(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1B(3)(f));

NOW THEREFORE, be it RESOLVED, the Planning Board/Architectural Review Board finds that the application from Verizon Wireless is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
yes
absent
yes

D. Rush, Vice Chairman

yes
yes
yes

M. Hecht, Boardmember

J. King, Boardmember

L. Eckardt, Boardmember

G. Pangis, Boardmember

W. Lewis, Boardmember

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board

rad

**TOWN OF SOUTHEAST
 PLANNING BOARD / ARCHITECTURAL REVIEW BOARD
 RESOLUTION TO EXEMPT
 SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch*
 SECONDED BY: *Hecht*

DATE: January 10, 2022

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of a request for an exemption by **T-Mobile Northeast, LLC** for a like-kind antenna replacement at a wireless telecommunications services facility located at **1944 Route 22**, Tax Map No. 35.-2-3, in the Town of Southeast; and

WHEREAS, the Applicant proposes the replacement of three (3) existing panel antennas with three (3) new panel antennas, the replacement of three (3) existing Remote Radio Units (RRUs) with three (3) new RRUs, and the replacement of associated cables. In addition, a BTS cabinet breaker and cables would be installed within the existing fenced compound; and

WHEREAS, the Planning Board/Architectural Review Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

| Drawing No. & Title; submitted by | Original Date; Last Revised |
|---|------------------------------------|
| Letter to Secretary Desidero Re: Site Plan/Conditional Use Exemption Application from Ferraro & Stamos, LLP | 12/15/21 |
| Letter to Secretary Desidero Re: Legal Memorandum, from Ferraro & Stamos, LLP | 12/14/21 |
| Structural Analysis Report, prepared by B+T Group | 6/2/21 |
| T-1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| T-2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-3, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-4, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-5, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| E-1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| G-1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| G-2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| G-3, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |

WHEREAS, the Planning Board/Architectural Review Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

NOW, THEREFORE be it RESOLVED, the Planning Board/Architectural Review Board is empowered under §138-54.1B(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:


1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1B(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1B(3)(b));
3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1B(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1B(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1B(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1B(3)(f));

NOW THEREFORE, be it RESOLVED, the Planning Board/Architectural Review Board finds that the application from T-Mobile Northeast, LLC is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

UPON ROLL CALL VOTE:

| | | | |
|-------------------------|---------------|------------------------|------------|
| T. LaPerch, Chairman | <u>yes</u> | D. Rush, Vice Chairman | <u>yes</u> |
| M. Hecht, Boardmember | <u>yes</u> | J. King, Boardmember | <u>yes</u> |
| L. Eckardt, Boardmember | <u>absent</u> | G. Pangis, Boardmember | <u>yes</u> |
| W. Lewis, Boardmember | <u>yes</u> | | |

The resolution was passed by a vote of 6 to 0, with 1 absent.


 T. LaPerch, Chairman
 Southeast Planning Board /
 Architectural Review Board

**TOWN OF SOUTHEAST
 PLANNING BOARD / ARCHITECTURAL REVIEW BOARD
 RESOLUTION TO EXEMPT
 SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *La Perch*

DATE: January 10, 2022

SECONDED BY: *Hecht*

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of a request for an exemption by **T-Mobile Northeast, LLC** for a like-kind antenna replacement at a wireless telecommunications services facility located at **171 Joe's Hill Road**, Tax Map No. 68.-2-32.-1, in the Town of Southeast; and

WHEREAS, the Applicant proposes to remove six (6) antennas, remove nine (9) Remote Radio Head (RRH) units, remove three (3) Tower Mounted Amplifiers (TMA), remove four (4) coax cables, and install nine (9) antennas, install six (6) RRHs, and install three (3) 1-5/8" hybrid cables on an existing 96 foot tall monopole, and to replace existing cabinets, cables, and associated equipment within the existing fenced compound;

WHEREAS, the Planning Board/Architectural Review Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

| Drawing No. & Title; submitted by | Original Date; Last Revised |
|---|------------------------------------|
| Letter to Secretary Desidero Re: Site Plan/Conditional Use Exemption Application from Ferraro & Stamos, LLP | 12/15/21 |
| Letter to Secretary Desidero Re: Legal Memorandum, from Ferraro & Stamos, LLP | 12/15/21 |
| Structural Analysis Report, prepared by Tower Engineering Professionals | 7/23/21 |
| T-1, prepared by French & Parrello Associates | 10/6/21; 10/26/21 |
| T-2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-1.1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-1.2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-1.3, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-3, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-4, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-5.1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| C-5.2, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| E-1, prepared by French & Parrello Associates | 6/14/21; 6/28/21 |
| G-1, prepared by French & Parrello Associates | |
| G-2, prepared by French & Parrello Associates | |
| G-3, prepared by French & Parrello Associates | |

WHEREAS, the Planning Board/Architectural Review Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

NOW, THEREFORE be it RESOLVED, the Planning Board/Architectural Review Board is empowered under §138-54.1B(3) to exempt the requirements for Conditional Use approval and

related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1B(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1B(3)(b));
3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1B(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1B(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1B(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1B(3)(f));

NOW THEREFORE, be it RESOLVED, the Planning Board/Architectural Review Board finds that the application from T-Mobile Northeast, LLC is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

UPON ROLL CALL VOTE:

| | | | |
|-------------------------|---------------|------------------------|------------|
| T. LaPerch, Chairman | <u>yes</u> | D. Rush, Vice Chairman | <u>yes</u> |
| M. Hecht, Boardmember | <u>yes</u> | J. King, Boardmember | <u>yes</u> |
| L. Eckardt, Boardmember | <u>absent</u> | G. Pangis, Boardmember | <u>yes</u> |
| W. Lewis, Boardmember | <u>yes</u> | | |

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board

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

INTRODUCED BY: LaPerch

DATE: January 10, 2022

SECONDED BY: King

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of an application for Subdivision, Site Plan, Conditional Use Permit and Wetland Permit, and other supporting documents for a project entitled **VOLZ CLOVERLEAF**; and

WHEREAS, the proposed project is located at 1051 Route 22 in the SR-6 Zoning District in the Town of Southeast and identified as Tax Map ID 68.-1-2; and

WHEREAS, the applicant proposes to construct a commercial building with associated stormwater management, a private septic system, lighting, and landscaping, and a tiered parking area with solar canopies, on a 17-acre property where the use is described as “general business,” with accessory parking areas for Enterprise Rent-A-Car; and

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

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

UPON ROLL CALL VOTE:

T. LaPerch, Chairman yes
M. Hecht, Boardmember yes
L. Eckardt, Boardmember absent
W. Lewis, Boardmember yes

D. Rush, Vice Chairman yes
J. King, Boardmember yes
G. Pangis, Boardmember yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board