
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

November 13, 2017

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. SALMONS DAILY BROOK ESTATES, Lot 49, 4 Salmons Hollow Road, Tax Map ID 47.2-2-14 –**
Continued Review of an Application for a Wetland Permit
- 2. MAZZOTTA LOT LINE ADJUSTMENT, 90 & 114 Reservoir Road, Tax Map IDs 67.-1-13 & 14 –**
Review of an Application for Subdivision
- 3. SALINGER LOT LINE ADJUSTMENT, 185 & 187 Guinea Road, Tax Map IDs 78.-1-8 & 78.-1-9**
– Review of an Application for Subdivision

Approve Meeting Minutes from October 23, 2017

November 1, 2017

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#>

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

INTRODUCED BY: *LaPerch*

DATE: November 13, 2017

SECONDED BY: *Cyprus*

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a Lot Line Adjustment, and other supporting documents for a project entitled **MAZZOTTA**; and

WHEREAS, the proposed project is located at 90 & 114 Reservoir Road in the R-160 Zoning District in the Town of Southeast and identified as Tax Map IDs 67.-1-13 and 14; and

WHEREAS, the applicant proposes a lot line adjustment between Lots 67.-1-14 (Lot 1) and 67.-1-13 (Lot 2), where Lot 1 is undeveloped and located at 90 Reservoir Road and Lot 2 is currently improved with a single family home and is located at 114 Reservoir Road. The proposed lot line adjustment would enlarge Lot 2 (from 1.377 acres to 10.183 acres) and reduce Lot 1 (from 17.571 acres to 8.785 acres). No disturbance, new construction or other site changes are proposed; and

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

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

UPON ROLL CALL VOTE:

T. LaPerch, Chairman *yes*
P. Wissel, Boardmember *yes*
E. Cyprus, Boardmember *yes*
E. Larca, Boardmember *yes*

D. Rush, Vice Chairman *yes*
D. Armstrong, Boardmember *yes*
M. Hecht, Boardmember *yes*

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: November 13, 2017

SECONDED BY: Hecht

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a subdivision, and other supporting documents for a project entitled **SALINGER LOT LINE ADJUSTMENT**; and

WHEREAS, the proposed project is located at 185 & 187 & 221-255 Guinea Road in the RC and R-160 Zoning Districts in the Town of Southeast and identified as Tax Map IDs 78.-1-7, 8 & 9; and

WHEREAS, the applicants propose to reconfigure the lot lines of three existing lots in the as follows: Lot A (78.-1-7) would transfer approximately 13 acres to Lots B (78.1-8) and C (78.1-9). The total acreage of Lot A would decrease from 25.029 acres to 12.2 acres. The total acreage of Lot B would increase from 2.873 acres to 8.8905 acres, and the total acreage of Lot C would increase from 2.079 acres to 8.8905 acres. No new lots would be created; and

WHEREAS, on 10/24/16 the Planning Board waived a public hearing on the proposed subdivision; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 10/24/16; 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. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>yes</u>	M. Hecht, Boardmember	<u>yes</u>
E. Larca, Boardmember	<u>yes</u>		

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: November 13, 2017

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: Salinger Lot Line Adjustment

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicants propose to reconfigure the lot lines of three existing lots in the RC and R-160 Zoning Districts. Lot A (78.-1-7) would transfer approximately 13 acres to Lots B (78.1-8) and C (78.1-9). The total acreage of Lot A would decrease from 25.029 acres to 12.2 acres. The total acreage of Lot B would increase from 2.873 acres to 8.8905 acres, and the total acreage of Lot C would increase from 2.079 acres to 8.8905 acres. No new lots would be created. The proposed configuration would eliminate the pre-existing, non-conforming size of Lots B and C, and would lessen certain pre-existing, non-conforming dimensional features of these lots. No new non-conforming dimensional features are proposed.

Location: 185, 187, 221-255 Guinea Road & TAX IDs 78.-1-7, 8 & 9

Reasons Supporting This Determination:

The following materials have been reviewed:

- Property Line Adjustment Map prepared for Salinger's Orchard, Inc., Bruce C. Salinger, & Robert & Linda Salinger, prepared by Terry Bergendorff Collins, dated June 1, 2010; last revised 10/25/17

WHEREAS, on 10/24/16, 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, on 10/24/16, the Planning Board waived a publically noticed meeting on the proposed project; and

WHEREAS, the Planning Board has reviewed the short Environmental Assessment Form (EAF) and has thoroughly analyzed the information concerning relevant areas of environmental concern both submitted by the applicant and gather by the Planning Board through its consultants and the public; and

WHEREAS, in addition to the factors considered above, the Planning Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

- (i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))
- (ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;" (§617.7(c)(1)(iii))
- (iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;" (§617.7(c)(1)(iii))
- (iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))
- (v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))
- (vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))
- (vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))
- (viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))
- (ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))
- (x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))
- (xi) Not result in "changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Town of Southeast, acting as Lead Agency, and having reviewed the EAF and all supplementary information, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.

For Further Information:

Contact Person: Victoria Desidero
 Address: Town of Southeast Planning Department
 One Main Street
 Brewster, NY 10509
 Telephone Number: (845) 279-7736

A Copy of this Notice has been filed with:

INVOLVED/INTERESTED AGENCY	
Putnam County Department of Health 1 Geneva Road Brewster, New York 10509	Town 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	Building Inspector 1 Main Street 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	Highway Superintendent 10 Palmer Road Brewster, NY 10509
New York City Department of Environmental Protection Bureau of Water Supply 465 Columbus Avenue Valhalla, New York 10595-1336	

UPON ROLL CALL VOTE:

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

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, NY
RESOLUTION
FINAL PLAT APPROVAL**

INTRODUCED BY: *LaPerch* DATE: November 13, 2017

SECONDED BY: *Armstrong*

WHEREAS, the **SALINGERS** as the Applicants/Owners of certain properties located 185, 187 and 221-255 Guinea Road in the Town of Southeast and known and designated as Tax Map Numbers 78.-1-7, 8 & 9 have submitted an application for Final Plat approval for a proposal to reconfigure the lot lines of three existing lots in the RC and R-160 Zoning Districts. Lot A (78.-1-7) would transfer approximately 13 acres to Lots B (78.1-8) and C (78.1-9). The total acreage of Lot A would decrease from 25.029 acres to 12.2 acres. The total acreage of Lot B would increase from 2.873 acres to 8.8905 acres, and the total acreage of Lot C would increase from 2.079 acres to 8.8905 acres. No new lots would be created. The proposed configuration would eliminate the pre-existing, non-conforming size of Lots B and C, and would lessen certain pre-existing, non-conforming dimensional features of these lots. No new non-conforming dimensional features are proposed; and,

WHEREAS, the Applicant submitted an application for Final Plat approval on 10/15/17: and,

WHEREAS, the Southeast Planning Board (the "Planning Board") is in receipt of the following drawings, prepared by Surveyor Terry Bergendorff Collins, related to the subdivision application:

Drawing No. & Title	Original Date; Last Revised
Property Line Adjustment Map prepared for Salinger's Orchard, Inc., Bruce C. Salinger, & Robert & Linda Salinger situate in Town of Southeast, Putnam County, NY	7/1/10; 10/25/17

; and,

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

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

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

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

Board/Agency	Resolution/Report	Date
Town Board	Wetland Permit	n/a
Town Board	Special Permit	n/a
Town Board	Architecture Approval	n/a
Architecture Review Board	Referral to Town Board	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 has confirmed that the requirements of the State Environmental Quality Review Act (SEQRA) have been met and that proposed mitigation measures will avoid significant adverse environmental impacts to the maximum extent practicable; 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.

Financial & Legal Considerations

1. Any and all outstanding inspection, engineering, or planning consulting fees shall be paid to the Town prior to the Planning Board Chairman signing the Final Plat.

UPON ROLL CALL VOTE:

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

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board