
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

December 11, 2017

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

1. **SALMONS DAILY BROOK ESTATES, Lot 49, Tax Map ID 47.-2-14** – Public Hearing to Review an Application for Wetland Permit

REGULAR SESSION:

1. **LJ COPPOLA, 40 Farrington Road, Tax Map ID 68.-2-17** – Review a Request for Release of a Performance Bond
2. **MAZZOTTA LOT LINE ADJUSTMENT, 90 & 114 Reservoir Road, Tax Map IDs 67.-1-13 & 14** – Review of an Application for Final Approval of a Lot Line Adjustment
3. **LOWER TERRACE REALTY, 250 Route 22, Tax Map ID 78.-1-34** – Review of a Sketch Plan Application for Site Plan
4. **ACU LED, LLC, 1535 Route 22, Tax Map ID 46.-1-2** – Review of an Application for Site Plan and Conditional Use Permit
5. **INTERIOR ROCK, 3903 Danbury Road, Tax Map ID 69.13-1-21** – Review of a Sketch Plan Application for Site Plan
6. **GUARDIAN VETERINARY, 4 Hardscrabble Heights, Tax Map ID 78.-2-83** – Review of an Application for Site Plan Amendment
7. **LYONS DEVELOPMENT, One Starr Ridge Road, Tax Map ID 68.-2-2** – Review of an Application for Final Site Plan Approval
8. **Approve Meeting Minutes from November 27, 2017**

December 5, 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#>

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	Building Inspector 1 Main Street Brewster, NY 10509
SEQR Unit New York State Department of Transportation Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603	E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 Commissioner	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 841 Fair Street Carmel, New York 10512

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>absent</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

**TOWN OF SOUTHEAST, NY
RESOLUTION
WETLAND PERMIT APPROVAL**

INTRODUCED BY: LaPerch DATE: December 11, 2017
SECONDED BY: Rush

WHEREAS, SALMONS DAILY BROOK ESTATES, LOT 49 as the Applicant/Owner of certain properties located at 4 Salmons Hollow Road in the R-60 Zoning District in Town of Southeast and known and designated as Tax Map Number 47.-2-14 has submitted an application for a Wetland Permit for +/- 1 acre of wetland buffer disturbance for the construction of a four-bedroom home, driveway, well and subsurface sewage disposal system ("Proposed Action"); and,

WHEREAS, the Town of Southeast Wetlands Consultant issued a report and recommendation dated 11/10/17 in connection with the Proposed Action, as depicted on drawings dated 11/1/17 and prepared by JT Chase Engineering; 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 12/11/17, indicating that no negative environmental impact would exist; 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 11/10/17 (the "Report") which is incorporated herein by reference, the Planning Board of the Town of Southeast hereby GRANTS 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.

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>absent</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

December 12, 2017

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

RE: LJ COPPOLA, 40 Farrington Road, Tax Map ID 68.-2-17

Dear Boardmembers:

At the December 11, 2017 regular meeting of the Town of Southeast Planning Board, a motion was made to positively refer the above referenced application to the Town Board for the reduction of the Performance Bond currently being held.

<u>PROJECT</u>	<u>CURRENT AMOUNT</u>	<u>NEW AMOUNT</u>
LJ COPPOLA	\$298,000.00	\$24,000.00

The Town Engineer's Report is attached for your consideration. If you have any questions, please do not hesitate to contact the Planning Board.

Sincerely,


Thomas LaPerch, Chairman
Southeast Planning Board

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
Frank Reilly, LJ Coppola
Planning Board File



Jacobson

December 8, 2017

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

Re: LJ Coppola (Formerly Reservoir Ridge)
40 Farrington Road
Request For Bond Release
NLJA #0001-0396

Dear Mr. LaPerch:

The Applicant has requested release of the performance bond for the subject project based on completion of improvements associated with a May 22, 2017 Amended Site Plan Approval. The original Site Plan Approval for this project dates back to 2002. We understand that the performance bond being held for the project is currently in the amount of \$298,000.

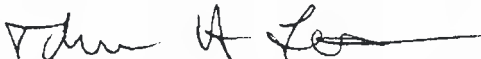
We are aware that the site improvements associated with the Amended Site Plan, as it relates the upper building pad including parking, access, lighting, storm drainage, restoration and landscaping are substantially complete. However, we are also aware that some items associated with the original approval, most notably plantings in the water quality basins, still need to be completed. In addition, while more recent as-built survey reflects the current conditions of the upper site, as-built information is required for the lower stormwater management system, including water quality basins and structures.

As such, at this time we would recommend reduction in the performance bond to an amount that would allow for completion of these items. The amount remaining in the bond should also be of sufficient funds to allow for a maintenance bond for the stormwater management system and landscaping. Based on this, we recommend a reduction in the performance bond to \$24,000. At such time as the water quality basin plantings are complete and final as-built information is provided for the lower drainage system and water quality basins we will conduct a further inspection for final bond release.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.



Thomas H. Fenton, P.E.

cc: T. Hay
M. Levine
S. Coleman
W. Stephens, Jr.
M. Bruen
M. Stancati
A. Ley
J. Buschynski

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

INTRODUCED BY: LaPerch

DATE: December 11, 2017

SECONDED BY: Armstrong

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 **Mazzotta Lot Line Adjustment**; 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 & 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, on 11/13/17 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 11/13/17; 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>absent</u>		

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

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

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

Date: December 11, 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: MAZZOTTA LOT LINE ADJUSTMENT

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant proposes a lot line adjustment between Lots 67.-1-14 (Lot 1) and 67.-1-13 (Lot 2). Both lots are owned by Alessandro Mazzotta and are located in the R-160 Zoning District of the Town of Southeast. Lot 1 is undeveloped and located at 90 Reservoir Road. Lot 2 is currently improved with a single family home and is located at 114 Reservoir Road in the R-160 Zoning District. 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.

Location:

90 & 114 Reservoir Road, Tax Map IDs 67.-1-13 and 67.-1-14

Reasons Supporting This Determination:

The following materials have been reviewed:

- Lot Line Adjustment, prepared for Alessandro & Kristen Mazzotta and Mercurio & Santo Mazzotta, being Tax Lots 67.-1-13 and 67.-1-14 situate in Town of Southeast, Putnam County, NY, prepared by Terry Bergendorff Collins, dated 7/5/17
- Memorandum to Chairman LaPerch from NYC Department of Environmental Protection, dated 12/6/17
- e-mail to Secretary Desidero from NYC Department of Environmental Protection, dated 12/8/17

WHEREAS, on 11/13/17, the Planning Board classified the proposed action as an Unlisted action and circulated its intent to serve as Lead Agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, on 11/13/17 the Planning Board waived the requirement for a publically noticed meeting; 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	
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 ATTN: Commissioner	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	E-911 Coordinator / Assessor 1360 Route 22 Brewster, NY 10509
Putnam County Department of Planning/Development & Public Transportation Putnam County Transit Facility 841 Fair Street Carmel, New York 10512	Highway Superintendent 10 Palmer Road Brewster, NY 10509

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>absent</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

INTRODUCED BY: *LaPerch* DATE: December 11, 2017

SECONDED BY: *Armstrong*

WHEREAS, MAZZOTTA as the Applicant/Owner of certain properties located 90 & 114 Reservoir Road in the Town of Southeast and known and designated as Tax Map Numbers 67.-1-13 & 67.-1-14 has submitted an application for Final Plat approval for a proposed a lot line adjustment between Lots 67.-1-14 (Lot 1) and 67.-1-13 (Lot 2), where both lots are located in the R-160 Zoning District of the Town of Southeast. Lot 1 is undeveloped and located at 90 Reservoir Road. Lot 2 is currently improved with a single family home and is located at 114 Reservoir Road in the R-160 Zoning District. 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. (the “Proposed Project”); and,

WHEREAS, the Applicant submitted an application for Final Plat approval on 11/20/17: 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
Lot Line Adjustment, prepared for Alessandro & Kristen Mazzotta and Mercurio & Santo Mazzotta, being Tax Lots 67.-1-13 and 67.-1-14 situate in Town of Southeast, Putnam County, NY	7/5/17

; 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	

WHEREAS, the Planning Board, in its resolution approving the Preliminary Plat, 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 from the 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.

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>absent</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board

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

INTRODUCED BY: LaPerch

DATE: December 11, 2017

SECONDED BY: Armstrong

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

WHEREAS, the proposed project is located at 250 Route 22 in the GC and R-160 Zoning Districts in the Town of Southeast and identified as Tax Map ID 78.-1-34 ; and

WHEREAS, the applicant proposes to construct a two-story, 3,120 sq. ft. office/garage building for use by a landscape contractor business (general business use) on a 3-acre site. The property is split zoned, with the first 200 feet fronting on Route 22 in GC and the remainder in R-160. General Business is a Conditional Use Permit Use in the GC Zoning District; 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 absent

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

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

December 12, 2017

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

Re: Lower Terrace Realty
GML §239-m

Dear Sir/Madame,

The Planning Board of the Town of Southeast is considering an application for a Site Plan by Lower Terrace Realty for a proposal to construct a 2-story 3,120 SF office/garage building for use by a landscape contractor business (general business use) on a 3-acre site. The property is split zoned, with the first 200 feet fronting on Route 22 in GC and the remainder in R-160. General Business is a Conditional Use Permit Use in the GC Zoning District. The proposed project is located at 250 Route 22, Brewster, Putnam County, New York (Tax Map ID 78.-1-34).

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

Enclosed is the application for your review.

Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845)279-7736, if you should have any questions.

We thank you for your consideration and review of this application.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
JR Folchetti Associates

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION
SEQRA CLASSIFICATION**

INTRODUCED BY: LaPerch

DATE: December 11, 2017

SECONDED BY: Cyprus

WHEREAS, an application is being made by **ACU LED, LLC** for a Site Plan and Conditional Use Permit to convert an existing two-story house to a mixed-use office and residential building, with an office on the first floor and apartment above. The existing driveway and parking area would be re-surfaced and expanded to accommodate 11 parking spaces (including one handicapped parking space). A new handicap ramp, sidewalk, garbage enclosure and bio-retention basin are also proposed. No changes are proposed to the existing 1 story garage on a property located at 1535 Route 22, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 46.-1-2, and is located in the SR-22 Zoning District; and

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

1. Short Environmental Assessment Form (EAF), prepared by PW Scott, dated 11/16/17
2. Statement of Use, prepared by PW Scott, dated 11/14/17
3. Figures, prepared by PW Scott, undated
4. Stormwater Management Bio-Retention Analysis, prepared by PW Scott, dated 11/20/17
5. SY-1, Parking Site Plan, prepared by PW Scott, dated 11/18/17
6. SY-2, Site Details, prepared by PW Scott, dated 11/18/17
7. SY-3, Site Details, prepared by PW Scott, dated 11/18/17

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

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>absent</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

December 12, 2017

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

Re: **ACU LED, LLC**
GML §239-m

Dear Sir/Madame,

The Planning Board of the Town of Southeast is considering an application for a Site Plan and Conditional Use Permit by ACU LED, LLC for a proposal to convert an existing two-story house located at in the SR-22 Zoning District to a mixed-use office and residential building, with an office on the first floor and apartment above. The existing driveway and parking area would be re-surfaced and expanded to accommodate 11 parking spaces (including one handicapped parking space). A new handicap ramp, sidewalk, garbage enclosure, and bio-retention basin are also proposed. No changes are proposed to the existing 1 story garage. The proposed project involves 0.55 acres of disturbance. The proposed project is located on an approximately ±3 acre parcel located on 1535 Route 22 Putnam County, New York (Tax Map ID 46.-1-2).

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

Enclosed is the application for your review.

Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845)279-7736, if you should have any questions.

We thank you for your consideration and review of this application.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
PW Scott Associates



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

December 12, 2017

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: ACU LED, LLC
1535 Route 22
Tax Map ID 46.-1-2

At the regular meeting of the Town of Southeast Planning Board on 12/11/17, 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 a Type II Action under the New York State Environmental Quality Review Act (SEQRA) process on 12/11/17. 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 Associates

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

INTRODUCED BY: *LaPerch*

DATE: December 11, 2017

SECONDED BY: *Cyprus*

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

WHEREAS, the proposed project is located at 3903 Danbury Road in the SR-6 Zoning District in the Town of Southeast and identified as Tax Map ID 69.13-1-21.2 ; and

WHEREAS, the applicant proposes to construct a two-story, 20,000 sq. ft. building, 2,000 sq. ft. of outside storage, and 39 parking spaces for a general business and office use in two phases (one floor each phase); and

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

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

UPON ROLL CALL VOTE:

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

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

December 12, 2017

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

Re: Interior Rock
GML §239-m

Dear Sir/Madame,

The Planning Board of the Town of Southeast is considering an application for a Site Plan, Wetland Permit and Conditional Use Permit by Interior Rock for a proposal to construct a two-story, 20,000 SF building, 2,000 SF of outside storage, and 39 parking spaces for a general business and office use. The project would be constructed in two phases (one floor each phase). The proposed project is located on an approximately ±3.6 acre parcel located on 3903 Danbury Road, Putnam County, New York (Tax Map ID 69.13-1-21.2).

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

Enclosed is the application for your review.

Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845)279-7736, if you should have any questions.

We thank you for your consideration and review of this application.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
PW Scott

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION
SEQRA CLASSIFICATION**

INTRODUCED BY: Rush DATE: December 11, 2017
 SECONDED BY: Cyprus

WHEREAS, an application is being made by **GUARDIAN VETERINARY** for a Site Plan Amendment to utilize an existing two-story building for an emergency animal hospital, where a Special Permit and minor site plan improvements were approved in 2016 and the Applicant now proposes additional minor site plan improvements including re-paving, new lighting fixtures, dumpster relocation and enclosure, AC units, and a generator on a property located at 4 Hardscrabble Heights, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 78.-2-83, 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 11/20/17
2. Memorandum to Chairman LaPerch from Insite Engineering, dated 11/20/17
3. SP-1, Amended Site Plan, prepared by Insite Engineering, dated 8/1/16; last revised 11/7/17

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

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>recused</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>absent</u>		

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

P. Rush / vad
 D. Rush, Acting Chairman
 Southeast Planning Board



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

December 12, 2017

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Guardian Veterinary
4 Hardscrabble Heights
Tax Map ID 78.-2-83

At the regular meeting of the Town of Southeast Planning Board on 12/11/17, 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 a Type II Action under the New York State Environmental Quality Review Act (SEQRA) process on 12/11/17. 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,

David Rush
David Rush, Acting Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Insite Engineering

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

INTRODUCED BY:

La Perch

DATE: December 11, 2017

SECONDED BY:

Armstrong

WHEREAS, LYONS DEVELOPMENT as the Applicant/Owner of certain properties located One Starr Ridge Road in the SR-6 Zoning District in Town of Southeast and known and designated as Tax Map Number 68.-2-2 has submitted an application for Site Plan approval for a proposal to amend the previously approved and currently under construction site plan to relocate the coffee shop from the southernmost retail location to the northernmost space formerly proposed to be a bank with a drive-thru. Proposed project would modify the drive-thru and pick-up window arrangement on the north end of the building and relocate the outdoor seating patio to the north end of the building. A partial basement for a mechanical room with exterior access is also proposed (the "Proposed Project"); and,

WHEREAS, on 10/23/17 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, affirmed its previous Negative Declaration issued on or about 4/27/15, indicating that no negative environmental impact would exist;

WHEREAS, the Town of Southeast Planning Board (the "Planning Board") has thoroughly reviewed the application and the following documents and plans, as well as memos from its consultants:

Drawing No. & Title; submitted by	Original Date; Last Revised
Memorandum to Chairman LaPerch from Bibbo Associates	12/5/17
C-1, Cover Sheet, prepared by Bibbo Associates	1/29/15; 11/13/17
EX-1, Existing Conditions, prepared by Bibbo Associates	1/29/15; 11/8/17
LY-1, Layout Plan, prepared by Bibbo Associates	1/29/15; 11/30/17
TL-1, Truck Turning Layout, prepared by Bibbo Associates	1/29/15; 11/8/17
UT-1, Utilities Site Plan, prepared by Bibbo Associates	1/29/15; 11/8/17
UT-2, Utilities Site Plan, prepared by Bibbo Associates	1/29/15; 11/8/17
P-1, Drainage Profiles, prepared by Bibbo Associates	1/29/15; 11/8/17
EC-1, Erosion Control Plan, prepared by Bibbo Associates	1/29/15; 11/8/17
EC-2, Erosion Control Plan, prepared by Bibbo Associates	1/29/15; 11/8/17
D-1, Drainage System Details, prepared by Bibbo Associates	1/29/15; 11/8/17
D-2, Site Details, prepared by Bibbo Associates	1/29/15; 11/8/17
D-3, Erosion Control Notes and Construction Sequence, prepared by Bibbo Associates	1/29/15; 11/8/17
D-4, Erosion Control Details, prepared by Bibbo Associates	1/29/15; 11/8/17
D-5, Bio Retention Details, prepared by Bibbo Associates	1/29/15; 11/8/17
SDS, Sewage Disposal System, prepared by Bibbo Associates	4/7/15; 11/8/17
D-6, SDS Details, prepared by Bibbo Associates	4/7/15; 11/8/17
D-7, SSDS Details & SSDS Profile, prepared by Bibbo Associates	4/7/15; 11/8/17
W-1, Water System, prepared by Bibbo Associates	7/6/17; 11/8/17
W-2, Water System Details, prepared by Bibbo Associates	7/6/17; 11/8/17
LP-1, Landscape Plan, prepared by Evans Associates Environmental Consulting	7/6/15; 11/13/17
Lighting Layout, Version D, (2 Pages) prepared by RAB Lighting	11/28/17

; 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 138, "Zoning," (specifically Article IX thereof) of the Town of Southeast Code; and,

WHEREAS, the Planning Board is in receipt of a referral dated 11/20/17 from the Architectural Review Board recommending approval of the architecture Proposed Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 138, "Zoning," of the Town Code, the Planning Board hereby grants Final Approval for the Proposed Action, as defined above, subject to the following Conditions identified below. (For purposes of compliance, these conditions, and any other conditions identified in the environmental review of the Proposed Action, shall be enforceable by the Town of Southeast in accordance with the Town Code of the Town of Southeast).

General Conditions

1. The Applicant must conform to all the rules, regulations, and ordinances of the Town of Southeast, County of Putnam, and State of New York.
2. The Applicant is hereby bound by any statements offering modifications, improvements, or offerings to the Town of Southeast made by itself or its representatives in relation to approval of the Proposed Project.
3. Prior to issuance of a Building Permit, the applicant will submit to the Planning Board information pertaining to the specific tenant/use and, if necessary, an amended site plan application showing any proposed modifications to the site for the specific tenant/use.
4. Pursuant to §138-85.D , where a proposed use or proposed building or other structure involves the installation, extension, relocation or reconstruction of a sewage disposal or water supply system, no building permit shall be issued until plans for such a system have been approved by the County of Putnam, State of New York, City of New York or any regulatory agency having jurisdiction as required by law. No certificate of occupancy shall be issued until such a system has been completed and approved by such an agency as required by law or until the use or building or structure has been provided with the connections to a previously completed and approved sanitary sewer and public water supply system.
5. The Proposed Action shall be constructed in coordination with the approved site improvements for the Lyons Development including all stormwater and wastewater treatment systems and conveyance systems.
6. The Applicant is granted approval based on generic review by the Architectural Review Board of building design and elevations and will have to seek a second review if modifications to the approved design are made. The Proposed Action shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed by the Architectural Review Board and approved by the Planning Board.
7. Pursuant to §138-41.E(4), the applicant shall provide to the Town of Southeast Planning Board one full set of final full-sized plans and five copies of the filed plans on eleven-inch by seventeen-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for distribution to the Town Engineer, the Planning Board, the Town Clerk, the Building Inspector, and the Town Planner. This final plan set shall include the final architectural plans recommended by the Architectural Review Board and approved by the Planning Board. Each of these sets shall be bound, and shall contain a signature box on the Index or Title Page for the Planning Board Chairman's Signature. No Building Permits shall be issued until these plan sets have been submitted to the Planning Board Secretary and signed by the Planning Board Chairman.

8. The Applicants shall submit two (2) sets of as-built plans to the Town of Southeast Building Department and one (1) full size set to the Planning Board after final construction is completed. The as-built plans must show all buildings and site improvements, the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.

Financial & Legal Considerations

1. The Applicant shall maintain 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 2017 construction costs. If the construction is not begun during the calendar year 2017, 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. All construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits shall still be applicable except and only to the extent that same are modified herein. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as a waiver of past conditions not recited herein.

Construction Activity

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

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

- a) 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.

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	<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>absent</u>		

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

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board