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**TOWN OF SOUTHEAST PLANNING BOARD AGENDA**

**June 25, 2018**

**CIVIC CENTER, 1360 Route 22**

**7:30 p.m.**

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**PUBLIC HEARINGS:**

**REGULAR SESSION:**

- 1. BARTOLO CHEESECAKE, 16 Mt. Ebo Road South, Tax Map ID 46.-2-29** – Consider Final Approval of Conditional Use Permit
- 2. SOUTHEAST PARKING BY WB NEW YORK, Independent Way, Tax Map IDs 56.-1-24 & 25** – Review of a Request for Extension of Site Plan and Wetland Permit Approval
- 3. LOWER TERRACE REALTY, 250 Route 22, Tax Map ID 78.-1-34** – Review of Application for Final Approval of Site Plan, Conditional Use Permit & Wetland Permit and Recommendation of a Performance Bond to the Town Board
- 4. PALMER SITE PLAN, 2334 Route 6, Tax Map ID 56.-1-10** – Review of a Sketch Plan Application
- 5. Approve Meeting Minutes from June 14, 2018**

**June 18, 2018**

**VAD**

**Agenda Subject to Change**

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

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

**TOWN OF SOUTHEAST, NY  
PLANNING BOARD RESOLUTION FOR A CONDITIONAL USE PERMIT  
FOR BARTOLO CHEESECAKE**

INTRODUCED BY: LaPerch                      DATE: June 25, 2018  
SECONDED BY: Armstrong

**WHEREAS**, an application is being made for a Conditional Use Permit for "Light Manufacturing" to occupy a space within an existing building for the preparation of cheesecakes for wholesale distribution on a property located at 16 Mt. Ebo Road South, in the Town of Southeast, New York; and

**WHEREAS**, the property is identified as Tax Map Number 46.-2-29, and is located in the OP-2 Zoning District; and

**WHEREAS**, the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short Environmental Assessment Form (EAF) dated 5/2/18, 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; and

**WHEREAS**, the Planning Board is in receipt of the following documents in support of this application:

1. Business Description for Bartolo Hudson Valley Foods, prepared by Bartolo Drago, undated
2. Goldbely Online Marketing Partnership Agreement, no preparer, undated
3. A-1.1, Floor Plan, prepared by Miguel A. Sostre Architecture, dated 4/19/18
4. Putnam County Department of Planning, Development, and Public Transportation Approval under Section 239 Case Referral, dated 6/5/18

**WHEREAS**, the Planning Board has determined on the basis of its own review, and the review of comments received from its consultants, that the information submitted by the applicant is in substantial compliance with Chapter 138, "Zoning," of the Town of Southeast Code; 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 Conditional Use Permit Approval for the Proposed Action, as defined above, subject to the following Conditions identified below. (For purposes of compliance, these conditions, and any other conditions identified in the environmental review of the Proposed Action, shall be enforceable by the Town of Southeast in accordance with the Town Code of the Town of Southeast).

1. The Code Enforcement Officer shall have right of entry for inspection, with reasonable notice, to determine compliance with the conditions of this permit.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

D. Armstrong, Boardmember

yes

E. Cyprus, Boardmember

absent

M. Hecht, Boardmember

absent

E. Larca, Boardmember

yes

J. Gress, Boardmember

yes

The resolution was passed by a vote of 5 to 0, with 2 <sup>absent</sup> ~~abstentions~~.

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board

**TOWN OF SOUTHEAST  
RESOLUTION  
EXTENSION OF FINAL APPROVAL**

**INTRODUCED BY:** *LaPerch*

**DATE:** June 25, 2018

**SECONDED BY:** *Rush*

**WHEREAS**, the Planning Board of the Town of Southeast has previously granted Final Approval of Site Plan and Wetland Permit by resolution dated 7/13/15, for a certain Project Development known as **SOUTHEAST PARKING aka WB NEW YORK, LLC**, located at 10 Independent Way in the ED Zone, also known and designated as Tax Map Numbers 56.-1-24 & 25 and,

**WHEREAS**, the Planning Board is in receipt of a letter from the owner or their representative requesting an extension of the Final Approval for an additional period of one (1) year so that the applicant will be able to maintain Amended Site Plan Approval; and,

**WHEREAS**, the Planning Board of the Town of Southeast is disposed by the Zoning Ordinance of the Town of Southeast to grant or deny such extension of Final Approval;

**NOW, THEREFORE, be it RESOLVED**, that a third and **FINAL EXTENSION** of the Final Approval for the Project Development Plan known as **SOUTHEAST PARKING aka WB NEW YORK, LLC** is hereby granted for a period of one (1) year, commencing on 7/13/18 and subject to the conditions of said Final Approval.

**UPON ROLL CALL VOTE:**

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

*T. LaPerch*  
\_\_\_\_\_  
T. LaPerch, Chairman  
Southeast Planning Board

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

INTRODUCED BY: LaPerch DATE: June 25, 2018  
 SECONDED BY: Armstrong

**WHEREAS, LOWER TERRACE REALTY, LLC / LAWTON ADAMS**, as the Applicant/Owner of certain properties located 250 NYS Route 22 in the GC and R-160 Zoning Districts in Town of Southeast and known and designated as Tax Map Number 78.-1-34 (the "Project Site") has submitted an application for Site Plan and Conditional Use Permit approval for a proposed two-story 3,120 square foot commercial building with three oversized garage bays on the first floor and office space on the second floor; 5,350 square feet (9.7% of the commercially zoned lot area) of outside storage; and seven associated parking spaces for use by a landscape contractor business which is a "general business" use (the "Proposed Project"); and,

**WHEREAS**, the Proposed Project would only occupy the commercially zoned portion of the Project Site; and,

**WHEREAS**, "general business" is a Conditional Use Permit use in the GC Zoning District, and as a "general business" use the Applicant is permitted to occupy a maximum of 25% of the commercially zoned portion of the lot for outside storage, subject to a Conditional Use Permit by the Planning Board; 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 April 9, 2018, 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:

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
G-01 Drawing Index, Legend, Symbols & General Notes, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-02 Existing Conditions & Boundary Survey, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-03 Overall Site Layout, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-04 General Site Layout, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-05 Site Plan & Grading, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-06 Driveway Plan & Profile, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-07 Site Drainage Plan & Stormwater Conveyance Piping Profiles, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-08 Temporary Erosion& Sediment Control (E&SC) Plan and Details, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-09 Site Lighting Plan, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-10 Site Landscaping Plan – I, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-11 Site Landscaping Plan – II, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-12 SSTS & Potable Water Supply Well, Site Layout, prepared by J.	2/2018; 5/2018

<b>Drawing No. &amp; Title; submitted by</b>	<b>Original Date; Last Revised</b>
Robert Folchetti & Associates, P.E., L.S.	
G-13 Design Data, Soil Test Results & SSTS Profile, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-14 SSTS & Well Design Details, prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-15 Typical Site Details – I , prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-16 Typical Site Details – II , prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-17 Typical Site Details – III , prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-18 Typical Site Details – IV , prepared by J. Robert Folchetti & Associates, P.E., L.S.	2/2018; 5/2018
G-19 Stormwater Infiltration System Details	2/2018; 5/2018
Stormwater Pollution Prevention Plan for Lower Terrace Realty, LLC, 250 NYS Route 22, Brewster, NY, S.B.L. 78.-1-34, prepared by J. Robert Folchetti & Associates	2/2018
Commercial Site Plan, 250 NYS Route 22, Town of Southeast, Putnam County, New York, Section, Block & Lot No. (S.B.L.) 78.-1-34, Statement of Use, prepared by J. Robert Folchetti & Associates	11/2017
Wetland Assessment, prepared by Ecological Solutions	10/17/2017

; 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 memorandum from Stephen Coleman, Town of Southeast Wetland Inspector, dated December 7, 2017, which indicates that the project site was evaluated for wetlands that would meet Town Code requirements, and as per submitted report prepared by Ecological Solutions, LLC., dated October 17, 2017, no wetland or regulated wetland areas were observed to be present on the subject parcel, therefore no wetland permits are required; and

**WHEREAS**, the Planning Board is in receipt of a referral dated April 25, 2018, from the Architectural Review Board recommending approval of the architecture Proposed Project; and

**WHEREAS**, the Planning Board is in receipt of a resolution dated May 10, 2018, from the Town Board approving the architecture of the Proposed Project; and

**WHEREAS**, the Planning Board is in receipt of a Putnam County Department of Health Construction Permit for Sewage Treatment System, dated April 20, 2018 with an expiration date of April 20, 2020; and

**WHEREAS**, the Planning Board is in receipt of a Putnam County Department of Health Permit to Construct a Water Well, dated April 20, 2018 with an expiration date of April 20, 2020; 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 Conditional Use Permit Approval for a general business use and associated outside storage, 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 Action, shall be enforceable by the Town of Southeast in accordance with the Town Code of the Town of Southeast).

1. The Code Enforcement Officer shall have right of entry for inspection, with reasonable notice, to determine compliance with the conditions of this permit.

2. All outside storage materials and equipment shall be stored within the stockade fenced area delineated on the site plan.

**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 and Conditional Use Permit 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.
5. The Proposed Project shall be constructed in coordination with the approved site improvements for the Lower Terrace Realty, LLC, project 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 Project shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed by the Architectural Review Board and approved by the Town Board.
7. Pursuant to §138-41.E(4), the applicant shall provide to the Town of Southeast Planning Board one full set of final full-sized plans and five copies of the filed plans on eleven-inch by seventeen-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for distribution to the Town Engineer, the Planning Board, the Town Clerk, the Building Inspector, and the Town Planner. This final plan set shall include the final architectural plans recommended by the Architectural Review Board and approved by the Town Board. Each of these sets shall be bound, and shall contain a signature box on the Index or Title Page for the Planning Board Chairman's Signature. No Building Permits shall be issued until these plan sets have been submitted to the Planning Board Secretary and signed by the Planning Board Chairman.
8. The Applicants shall submit two (2) sets of as-built plans to the Town of Southeast Building Department and one (1) full size set to the Planning Board after final construction is completed. The as-built plans must show all buildings and site improvements, the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.

#### **Financial & Legal Considerations**

1. The Applicant shall post a Performance Bond in an amount determined by the Town Engineer and recommended by the Planning Board for Town Board approval to ensure all site grading, stormwater management, and road improvements will be made in accordance with the approved drawings, Town of

Southeast Code and to the satisfaction of the Town Engineer and/or Highway Superintendent. The Performance Bond may also be used to finance necessary work to stabilize the project site should the Applicant abandon the project and the Town is forced to complete necessary improvements. The establishment of the Performance Bond shall be done in a form acceptable to the Town Counsel. The bond amount will be based upon 2018 construction costs. If the construction is not begun during the calendar year 2018, the Applicant must re-apply to the Planning Board for an adjustment of the bond amount to account for escalation of material and labor costs. Upon such request to the Planning Board, the Planning Board shall make a recommendation to the Town Board and the Town Board shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond must be paid prior to the start of any work on the site and/or the filing for a Building Permit. The Southeast Planning Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Planning Board or its duly authorized representative has made an inspection of the subject improvements and determined that the Applicant has complied with all the conditions of this approval.

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

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

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

#### **Construction Activity**

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

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

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

3. The Town of Southeast Building Inspector or its designee may make periodic inspections to ensure that all site work and site improvements are being made in conformance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall designate a responsible and



competent person to be the on-site construction manager who shall be responsible for ensuring the continued compliance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall ensure that all remedial measures are taken within 72 hours of any notification of deficiencies relating to construction. If appropriate measures are not implemented to the satisfaction of the Town Engineer, a stop work order may be issued by the Town and/or a fine imposed according to Town Code.

4. Should project changes be required that would represent a significant change to the approved plans, the Applicant may be required to seek an amended approval from the Planning Board.

5. The Applicant shall retain the services of a professional engineer and/or a landscape architect (in accordance with the drawings prepared) throughout the construction process who shall periodically observe the construction of all approved improvements, except improvements to Town of Southeast roads and drainage (which shall be inspected by the Town Engineer and/or Highway Superintendent). The Applicant's professional engineer and/or landscape architect shall provide a statement, in writing, that all approved improvements have been constructed substantially as required and approved by the Planning Board or as such requirements have been modified.

6. Prior to commencing any site clearing, grading, or construction activity, the Applicant shall have the boundary of the property staked out by a licensed surveyor.

7. A copy of the completed NOI to comply with the New York State Department of Environmental Conservation (NYSDEC) General Permit for Construction Activity shall be maintained at the on-site construction office.

8. All sediment and erosion control measures or Best Management Practices indicated on the approved plans and/or required for compliance with the NYSDEC General Permit for Construction Activity shall be installed at the commencement of grading activities and shall be inspected on a weekly basis (or following any storm event in excess of one-half inch) to ensure proper function. All construction activities shall adhere to the provisions for sediment and erosion control contained in the NYSDEC's *New York Standards and Specifications for Erosion and Sediment Control*.

9. The design and construction of all proposed water quantity and water quality best management practices shall adhere to the *New York State Stormwater Management Design Manual*.

10. Any drainage improvements that would affect a Town drainage structure or element or any improvements to Town of Southeast roads shall be made in accordance with the Town Road and Drainage Specifications (Chapter A143 of the Town Code) and shall be made under the direction and supervision of the Highway Superintendent.

11. The Town Highway Superintendent must be notified a minimum of 72 hours in advance of any construction activity affecting the Town drainage system or any Town Road except where emergency repairs are required, in which case the Highway Superintendent must be notified as soon as possible after the affected area has been stabilized.

12. Existing trees, understory vegetation, and ground cover along all property lines shall remain undisturbed to the maximum extent practicable throughout the duration of construction. Should any disturbance be required to construct approved improvements, the area shall be replanted with comparable vegetation as soon as is practicable following completion of construction activity in that area.

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

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

determine if a Take Permit is required and shall copy the Town of Southeast Building Inspector and Planning Board Secretary on all correspondence.

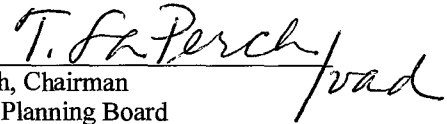
**Landscaping**

1. Prior to planting according to the approved landscape plan, the Applicant shall stake the location of all proposed landscaping and allow for a site inspection by the Planning Board or its designees to ensure that the proposed landscaping will provide the maximum screening benefit and/or that the proposed landscaping is suitable for the visual setting and overall appearance of the project site.
2. All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility. In the event that said landscaping is not maintained to the satisfaction of the Building Inspector or Code Enforcement Officer (CEO), the Building Inspector or CEO shall notify the applicant in writing of the violation. If the required landscaping maintenance is not performed within 30 days to the satisfaction of the Building Inspector or CEO, the Town shall correct the violation and be reimbursed for Town costs by the applicant.
3. The Applicant shall provide an on-site and qualified arborist or landscape architect to supervise construction activity within 100 feet of any tree designated to be preserved on the approved plans. The arborist or landscape architect shall ensure that the tree protection measures indicated on the approved plans are in place and properly maintained throughout construction activity.
4. After final construction is complete, and prior to the issuance of a Certificate of Occupancy, the Applicant shall submit an as-built landscaping plan to the Town of Southeast Building Department. The as-built plan shall identify any discrepancies between the approved plan and the installed landscaping. The plans must be certified by a professional landscape architect, architect, or engineer.

**UPON ROLL CALL VOTE:**

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

The resolution was passed by a vote of 5 to 0, with 2 absent.

  
 T. LaPerch, Chairman  
 Southeast Planning Board

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

June 26, 2018

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

**RE: LOWER TERRACE REALTY, 250 Route 22, TAX MAP ID 78.-1-34**

Dear Boardmembers:

At the 6/25/18 regular meeting of the Town of Southeast Planning Board, a motion was made to refer the above referenced project to the Town Board for the establishment of a Performance Bond for Erosion & Sediment Control and site stabilization.

<u>PROJECT</u>	<u>BOND AMOUNT</u>
LOWER TERRACE REALTY	\$ 8,500.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$388,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$15,520.00, must be remitted to the Planning Board Secretary prior to filing for a Building Permit. If you have any questions, please do not hesitate to contact the Planning Board.

Sincerely,

  
Thomas LaPerch, Chairman  
Southeast Planning Board

Attachment

cc: Town Attorney  
Town Clerk  
Town Engineer  
Building Inspector  
JR Folchetti & Associates  
Planning Board File



June 22, 2018

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

Re: Lower Terrace Realty  
250 Route 22  
Tax Map No.: 78.-1-34  
Bond Estimate  
NLJA #0001-1009

Dear Mr. LaPerch:

As requested, we have prepared a performance bond estimate for all site improvements associated with the above referenced project. Our attached Opinion of Probable Construction Costs for site improvements totals \$388,000.

Based on the current "Town of Southeast, Planning Board Fee Schedule" and the above referenced Opinion of Probable Construction Costs, the required inspection fee to be collected for the project is 4% of Site Development Costs or \$15,520.

We have also prepared a performance bond estimate for erosion & sediment controls and site restoration. The required Erosion & Sediment Control / Restoration Bond based on the attached estimate is \$8,500.

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

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

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

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

**2018 OPINION OF PROBABLE CONSTRUCTION COSTS**  
**Performance Bond**

**Project: Lower Terrace Realty**  
**250 Route 22**  
**Southeast, New York**

**Done by: MAL**  
**Date: 6/22/2018**

**Project No.: 0001-1009**

<b>Item No.</b>	<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Total</b>
1	STRIP & STOCKPILE TOPSOIL	\$0.48	S.Y.	4,260	\$2,044.80
2	SUBBASE	\$46.26	C.Y.	53	\$2,451.78
3	ASPHALTIC TOP COURSE 1 1/2"	\$93.36	TONS	20	\$1,867.20
4	ASPHALTIC BINDER COURSE 2 1/2"	\$98.77	TONS	35	\$3,456.95
5	GRAVEL PARKING AREA	\$46.26	C.Y.	125	\$5,782.50
6	CONCRETE CURB	\$17.50	L.F.	816	\$14,280.00
7	WOOD GUIDE RAIL	\$20.00	L.F.	130	\$2,600.00
8	CONCRETE SIDEWALK	\$9.06	S.F.	146	\$1,322.76
9	SPREAD STOCKPILED TOPSOIL TO 4"	\$0.73	S.Y.	1,774	\$1,295.02
10	HYDROSEED (FERT. & MULCH)	\$0.57	S.Y.	1,774	\$1,011.18
11	EROSION CONTROL BLANKET	\$2.46	S.Y.	932	\$2,292.72
12	HAY BALES ( Staked )	\$6.16	L.F.	140	\$862.40
13	SILT FENCE	\$5.00	L.F.	345	\$1,725.00
14	STABILIZED CONSTRUCTION ENTRANCE	\$1,253.00	EACH	1	\$1,253.00
15	INLET PROTECTION	\$140.00	EACH	6	\$840.00
16	6" HDPE UNDERDRAIN	\$23.00	L.F.	200	\$4,600.00
17	18" HDPE DRAINAGE PIPE	\$52.00	L.F.	268	\$13,936.00
18	18" HDPE END SECTION	\$489.00	EACH	3	\$1,467.00
19	SINGLE CATCH BASIN	\$3,055.00	EACH	6	\$18,330.00
20	RIPRAP OUTLET PROTECTION	\$66.40	C.Y.	57	\$3,784.80
21	RIPRAP DRAINAGE CHANNEL	\$16.80	L.F.	130	\$2,184.00
22	PARKING STALL LINE PAINTING	\$10.67	EACH	7	\$74.69
23	PAVEMENT MARKING - HANDICAP SYMBOL	\$63.67	EACH	1	\$63.67
24	SIGN	\$257.00	EACH	1	\$257.00
25	CULTEC SYSTEM	\$90.00	L.F.	42	\$3,780.00
26	MODULAR RETAINING WALL	\$100.00	S.F.	1,474	\$147,400.00
27	STONE WALL	\$80.00	L.F.	208	\$16,640.00
28	DUMPSTER ENCLOSURE	\$2,525.00	L.S.	1	\$2,525.00
29	PERVIOUS CONCRETE PAVERS	\$12.00	S.F.	8,512	\$102,144.00
30	LANDSCAPING	\$7,845.00	L.S.	1	\$7,845.00
31	FENCING	\$26.40	L.F.	348	\$9,187.20
32	CONCRETE FILLED PIPE BOLLARDS	\$921.00	EACH	9	\$8,289.00
33	SITE LIGHT	\$2,690.00	L.S.	1	\$2,690.00
Subtotal:					\$388,282.67

**SAY** **\$388,000.00**

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

**2018 OPINION OF PROBABLE CONSTRUCTION COSTS**  
**Erosion & Sediment Control and Site Restoration Bond**

**Project: Lower Terrace Realty**  
**250 Route 22**  
**Southeast, New York**

**Done by: MAL**  
**Date: 6/22/2018**

**Project No.: 0001-1009**

<b>Item No.</b>	<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Total</b>
1	SILT FENCE	\$5.00	L.F.	345	\$1,725.00
2	HAY BALES ( Staked )	\$6.16	L.F.	140	\$862.40
3	STABILIZED CONSTRUCTION ENTRANCE	\$1,253.00	EACH	1	\$1,253.00
4	INLET PROTECTION	\$140.00	EACH	6	\$840.00
5	REGRADE SITE, TOPSOIL, SEED & MULCHING	\$1.30	S.Y.	4,260	\$5,538.00
Subtotal:					\$8,493.40

**SAY** **\$8,500.00**

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

**INTRODUCED BY:**  
**SECONDED BY:**

*LaPerch*  
*Rush*

**DATE:** June 25, 2018

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

**WHEREAS**, the proposed project is located at 2334 Route 6 in the GC Zoning District in the Town of Southeast and identified as Tax Map ID 56.-1-10; and

**WHEREAS**, the applicant proposes to construct a 4,160 sq. ft., two-story garage; install a wood privacy fence; install evergreen screening; install two 3-foot tall retaining walls; install a dumpster and privacy fence; and to make improvements to an existing driveway and gravel parking area on a 66,952 sq. ft. site, where portions of the existing gravel area would be removed and restored to grass. In addition, the applicant proposes 12,926 sq. ft. (19%) of outside storage for use by the existing plumbing business on the property, which is a "General Business Use." The Proposed Project requires a Conditional Use Permit for the General Business Use and to expand the Outside Storage area to 19% of the lot area; and

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

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

**UPON ROLL CALL VOTE:**

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

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

*T. LaPerch*  
\_\_\_\_\_  
T. LaPerch, Chairman  
Southeast Planning Board