
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

May 13, 2019

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

REGULAR SESSION:

- 1. NORTHWOOD TREE CARE, 25 Fields Lane, Tax Map ID 78.-2-73** – Continued Review of an Application for Site Plan Amendment and Wetland Permit
- 2. NYSEG PARKING AREA, 35 Milan Road, Tax Map ID 45.-1-23** – Review of an Application for Final Approval of Site Plan Amendment and Recommendation of Bond to Town Board
- 3. NERY SPECIAL PERMIT, 24 Deans Corner Road, Tax Map ID 78.-1-105** – Review of an Application for Special Permit for Excavation & Grading under Chapter 69
- 4. FARM TO MARKET ROAD SUBDIVISION, 83-85 Farm to Market Road, TM IDs 45.-2-21 & 22** – Review of Request for Two 90-Day Extensions of Subdivision Approval
- 5. DURKIN WATER COMPANY & DREW REALTY, 120 Fields Lane & 160 Fields Lane, Tax Map IDs 78.-2-6 & 78.-2-5** – Continued Review of Application for Site Plan Amendment and Wetland Permit
- 6. Approve Meeting Minutes from April 8, 2019**
- 7. Approve Meeting Minutes from April 22, 2019**

May 1, 2019/VAD

Agenda Subject to Change

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

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

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

INTRODUCED BY: LaPerch

DATE: May 13, 2019

SECONDED BY: Gress

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

WHEREAS, the proposed project is located at 25 Fields Lane in the OP-1 Zoning District in the Town of Southeast and identified as Tax Map ID 78.-2-73; and

WHEREAS, the applicant proposes to expand a wood processing business and a soil processing business on an 18.5-acre site and the wood processing business is considered a "wood mill" under the Town of Southeast Zoning Code and is a Special Permit Use in the OP-1 District. The soil processing business is considered "light manufacturing" under the Town of Southeast Zoning Code and is a Conditional Use Permit use in the OP-1 District. The project site contains a watercourse; 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>absent</u>
D. Armstrong, Boardmember	<u>yes</u>	E. Cyprus, Boardmember	<u>absent</u>
M. Hecht, Boardmember	<u>yes</u>	J. Gress, Boardmember	<u>yes</u>
J. King, 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

Planning Board
1 Main Street
Brewster, NY 10509

May 14, 2019

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

Re: NORTHWOOD TREE CARE
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Site Plan Amendment, Special Permit, Conditional Use Permit and Wetland Permit by NORTHWOOD TREE CARE for a proposal to expand a wood processing business and a soil processing business on an 18.5-acre site located in the OP-1 Zoning District. The wood processing business is considered a "wood mill" under the Town of Southeast Zoning Code and is a Special Permit Use in the OP-1 District. The soil processing business is considered "light manufacturing" under the Town of Southeast Zoning Code and is a Conditional Use Permit use in the OP-1 District. The project site contains a watercourse. The proposed project is located at 25 Fields Lane, Putnam County, New York (Tax Map ID 78.-2-73).

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 Engineering



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

May 14, 2019

Town of North Salem
266 Titicus Road
North Salem, NY 10560

Re: Northwood Tree Care
25 Fields Lane

To Whom It May Concern:

The Planning Board of the Town of Southeast is considering an application for Site Plan Amendment, Special Permit, Conditional Use Permit and Wetland Permit by Northwood Tree Care for a proposal to expand a wood processing business and a soil processing business on an 18.5-acre site located in the OP-1 Zoning District. The wood processing business is considered a "wood mill" under the Town of Southeast Zoning Code and is a Special Permit Use in the OP-1 District. The soil processing business is considered "light manufacturing" under the Town of Southeast Zoning Code and is a Conditional Use Permit use in the OP-1 District. The project site contains a watercourse. The parcel located at 25 Fields Lane, Putnam County, New York (Tax Map ID 78.-2-73).

The Town of Southeast Planning Board is herewith referring the proposed project to the Town of North Salem due to its proximity to the Town boundary. 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.

Sincerely,


Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
PW Scott Engineering

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

INTRODUCED BY: La Perch DATE: May 13, 2019
 SECONDED BY: Armstrong

WHEREAS, NYSEG as the Applicant/Owner of certain properties located 35 Milan Road, Brewster, NY 10509 in the OP-1 Zoning District in Town of Southeast and known and designated as Tax Map Number 45.-1-23 has submitted an application for Site Plan approval for the reconstruction of four contiguous parking lots and the removal and restoration of an existing parking area, located at the NYSEG Brewster Service Center (the “Proposed Project”); and,

WHEREAS, the Proposed Project includes replacing existing curbs, concrete sidewalks, and asphalt paving; upgrading handicapped parking and ADA ramps; and minor landscaping improvements at the main entrance; and,

WHEREAS, the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short EAF, and pursuant to §617.5(c)(9), found that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required; and

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
Application for Site Plan Approval	3/6/2019
Short Environmental Assessment Form	3/5/2019
TS Index of Drawings, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-001 Existing Conditions, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-002 Site Demolition and E&SC Plan, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-003 Erosion & Sediment Control Details, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-004 Site Layout Plan, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-005 Site Details, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-006 Site Grading Plan, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-007 Planting Plan and Details, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
L-008 Specifications, prepared by Delta Engineers, Architects and Land Surveyors	4/2/2019; 4/8/2019
Addendum #2 NYSEG Brewster Service Center Repaving Construction, prepared by Michael Haas, RLA, and Jeffrey Darrow	4/10/2019

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 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 pursuant to the authority vested in the Planning Board by Chapter 138, “Zoning,” of the Town Code, the Planning Board hereby grants Final Site Plan Approval for the Proposed Project, as defined above, subject to the following Conditions identified below. (For purposes of compliance, these conditions, and any other conditions identified in the environmental review of the Proposed 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. 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.
4. The Proposed Action shall be constructed in coordination with the approved site improvements for the NYSEG Parking Area including all stormwater and wastewater treatment systems and conveyance systems.
5. 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. 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.
6. 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 2019 construction costs. If the construction is not begun during the calendar year 2019, 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. If applicable, 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. 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.

2. 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

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

May 14, 2019

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

RE: NYSEG PARKING AREA, 35 Milan Road, TAX MAP ID 45.-1-23

Dear Boardmembers:

At the 5/13/19 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>
NYSEG PARKING AREA	\$ 76,600.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$474,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$18,960.00, 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
Delta Engineers
Planning Board File



Jacobson

May 8, 2019

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

Re: NYSEG Parking Area
35 Milan Road
Tax Map No.: 45.-1-23
Bond Estimate
NLJA #0001-1037

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 \$474,000.

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 \$18,960.

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 \$76,600.

Should you have any questions, please do not hesitate 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 M. Haas

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

OPINION OF PROBABLE CONSTRUCTION COSTS
 Performance Bond

Project: NYSEG Brewster Service Center Parking Area
35 Milan Road
Brewster, New York

Done by: JMD
Date: 5/8/2019

Project No.: 0001-1037

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	ROUGH GRADE SUBGRADE - PARKING LOTS	\$1.20	S.Y.	6155	\$7,386.00
2	FINE GRADE & ROLL BASE - PARKING LOTS	\$2.23	S.Y.	6155	\$13,725.65
3	COLD IN-PLACE ASPHALT RECYCLING	\$7.57	S.Y.	6155	\$46,593.35
4	BITUMINOUS CONCRETE	\$130.00	TON	1550	\$201,500.00
5	TACK COAT	\$10.00	GAL	3080	\$30,800.00
6	REINFORCED CONCRETE CURB	\$30.00	L.F.	2837	\$85,110.00
7	REMOVE CONCRETE SIDEWALK	\$16.20	S.Y.	325	\$5,265.00
8	CONCRETE SIDEWALK	\$16.00	S.F.	2786	\$44,576.00
9	FURNISH AND SPREAD TOPSOIL TO 6"	\$6.68	S.Y.	650	\$4,342.00
10	F. GRADE, FERT, LIME, SEED & MULCH	\$4.06	S.Y.	650	\$2,639.00
11	REMOVE AND REPLACE SIGNS	\$265.00	EACH	12	\$3,180.00
12	SILT FENCE	\$5.00	L.F.	250	\$1,250.00
13	SILT SACK	\$140.00	EACH	7	\$980.00
14	CONSTRUCTION ENTRANCE	\$1,253.00	EACH	1	\$1,253.00
15	PAVEMENT MARKINGS	\$8,800.00	L.S.	1	\$8,800.00
16	LANDSCAPING	\$16,500.00	L.S.	1	\$16,500.00

Subtotal: \$473,900.00

SAY \$474,000.00

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

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

Project: NYSEG Brewster Service Center Parking Area
35 Milan Road
Brewster, New York

Done by: JMD
Date: 5/8/2019

Project No.: 0001-1037

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	CONSTRUCTION ENTRANCE	\$1,253.00	EACH	1	\$1,253.00
2	SILT FENCE	\$5.00	L.F.	250	\$1,250.00
3	SILT SACK	\$140.00	EACH	7	\$980.00
4	FURNISH & SPREAD TOPSOIL TO 6" (Site Restoration)	\$6.68	S.Y.	6805	\$45,457.40
5	HYDROSEED (Site Restoration)	\$4.06	S.Y.	6805	\$27,628.30
				Subtotal:	\$76,568.70
				SAY	\$76,600.00

**TOWN OF SOUTHEAST
RESOLUTION GRANTING EXTENSION OF TIME IN WHICH TO SATISFY THE
CONDITIONS OF CONDITIONAL FINAL PLAT APPROVAL**

INTRODUCED BY: LaPerch

DATE: May 13, 2019

SECONDED BY: Armstrong

WHEREAS, the Planning Board of the Town of Southeast previously granted conditional approval of the Final Plat by resolution dated 5/9/16, and two 90-day extensions of the conditional approval by resolution dated 10/24/16, two 90-day extensions of the conditional approval by resolution dated 4/10/17, two 90-day extensions of the conditional approval by resolution dated 9/25/17, two 90-day extensions of the conditional approval by resolution dated 4/9/18, and two 90-day extensions of the conditional approval by resolution dated 10/29/18 for a certain Project Development Plan known as **FARM TO MARKET ROAD SUBDIVISION**, located at 83 & 85 Farm to Market Road in the R-160 Zone, also known and designated as Tax Map Numbers 45.-2-21 and 45.-2-22, and;

WHEREAS, pursuant to Section 123-13.G(2) of the Code of the Town of Southeast, conditional approval of the final plat shall expire within 180 days of the resolution granting such approval, provided that the Planning Board may extend the approval by twelve periods of 90 days each if in the Planning Board's opinion such extension is warranted; and

WHEREAS, the Planning Board is in receipt of a letter from the owner or their representative requesting an extension of time in which to satisfy the conditions of the conditional final plat approval; and

WHEREAS, the applicant has demonstrated that it has been diligently pursuing the conditions of final approval; and

NOW THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast hereby grants the applicant a **FINAL** two 90-day extensions of time, commencing on 5/9/19, in which to satisfy the conditions of the conditional final plat approval. The applicant shall be eligible for no additional extensions per Section 123-13.G(2).

It is the responsibility of the applicant to track the time frame within which this extension will expire. There will be no written or verbal notification to the applicant from the Planning Board office prior to the expiration of this extension.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
yes
yes
yes

D. Rush, Vice Chairman

absent

D. Armstrong, Boardmember

E. Cyprus, Boardmember

absent

M. Hecht, Boardmember

J. Gress, Boardmember

yes

J. King, Boardmember

The resolution was passed by a vote of 5 to 0, with 2 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: May 13, 2019

SECONDED BY: Armstrong

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a Special Permit for Grading & Excavation, and other supporting documents for a project entitled **NERY SPECIAL PERMIT**; and

WHEREAS, the proposed project is located at 24 Deans Corner Road in the R-160 Zoning District in the Town of Southeast and identified as Tax Map ID 78-1-105; and

WHEREAS, the applicant is seeking a Special Permit for excavation and grading activities on a 5.1-acre parcel for a proposed project that involves the clearing and leveling of 17,585 square feet of residential yard; 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
D. Armstrong, Boardmember yes
M. Hecht, Boardmember yes
J. King, Boardmember yes

D. Rush, Vice Chairman absent
E. Cyprus, Boardmember absent
J. Gress, Boardmember yes

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

Planning Board
1 Main Street
Brewster, NY 10509

May 14, 2019

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

Re: Nery Special Permit
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Special Permit by NERY for excavation and grading activities on a 5.1-acre parcel for a proposed project that involves the clearing and leveling of 17,585 square feet of residential yard. The proposed project is located in the R-160 Zoning District at 24 Deans Corner Road, Putnam County, New York (Tax Map ID 78.-1-105).

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

Enclosed is the application for your review. Please call Victoria Desidero, Secretary to Planning Board, Architectural Review Board and Zoning Board of Appeals, at (845) 279-7736, if you should have any questions. We thank you for your consideration and review of this application.

Sincerely,

Thomas LaPerch / vad
Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Site Design Consultants

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

INTRODUCED BY: *La Perch*

DATE: May 13, 2019

SECONDED BY: *Armstrong*

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a Site Plan Amendment and Wetland Permit, and other supporting documents for a project entitled **DURKIN WATER / DREW REALTY**; and

WHEREAS, the proposed project is located at 120 & 160 Fields Lane in the OP-1 Zoning District in the Town of Southeast and identified as Tax Map IDs 78.-2-6 & 78.-2-5; and

WHEREAS, Durkin Water Co., located at 120 Fields Lane is seeking amended site plan approval to lease the upper level of the recently constructed barn addition to an electrical company (general business use), and corresponding minor site plan amendments including modification to the previously approved wetland mitigation plantings, installation of additional outside storage, and re-striping of a portion of the existing parking area. In addition, the adjacent Drew Realty property, located at 160 Fields Lane, is seeking site plan approval to add a 4,000 sq. ft. barn and legitimize the recently constructed outside storage area. The Drew Realty property has frontage on Field Lane, however access to this property is currently gained through the Durkin Water property. Existing general business use tenants share an existing but unapproved outside storage area that straddles the property line; and

WHEREAS the Planning Board scheduled a public hearing on the proposed site plan/wetland permit for June 10, 2019; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 3/25/19; and

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

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast will serve as Lead Agency for purposes of SEQRA for this Unlisted and Coordinated Action.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Armstrong, Boardmember

yes

M. Hecht, Boardmember

yes

J. King, Boardmember

yes

D. Rush, Vice Chairman

absent

E. Cyprus, Boardmember

absent

J. Gress, Boardmember

yes

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

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



TOWN OF SOUTHEAST

Planning Board
1 Main Street
Brewster, NY 10509

May 14, 2019

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

Re: DURKIN WATER / DREW REALTY
GML §239-m

Dear Barbara,

The Planning Board of the Town of Southeast is considering an application for Site Plan Amendment & Wetland Permit for Durkin Water Co., to lease the upper level of the recently constructed barn addition to an electrical company (general business use), and corresponding minor site plan amendments including modification to the previously approved wetland mitigation plantings, installation of additional outside storage, and re-striping of a portion of the existing parking area. In addition, the adjacent Drew Realty property is seeking site plan approval to add a 4,000 sq. ft. barn and legitimize the recently constructed outside storage area. The Drew Realty property has frontage on Field Lane, however access to this property is currently gained through the Durkin Water property. Existing general business use tenants share an existing but unapproved outside storage area that straddles the property line. The proposed project is located in the OP-1 Zoning District on two parcels located at 120 & 160 Fields Lane, Putnam County, New York (Tax Map IDs 78.-2-6 & 78.-2-5).

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

Thomas LaPerch, Chairman
Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Insite Engineering