

May 13, 2020

To Ms. Victoria Desidero, Secretary
Town of Southeast Planning Board
1 Main Street
Brewster, NY 10509

Re Applicant: Home Depot USA, Inc
Amended Major Site Plan
Tax Map 56-1-23, Parcel A
80 Independent Way SE,
Brewster, Putnam County, NY

Dear Ms. Desidero:

On behalf of the applicant, Home Depot USA, Inc, we are hereby resubmitting revised plans for Amended Major Site Plan for Proposed Outdoor Sales Display Areas Store #1271 in the Town of Southeast, NY.

Our office is in receipt of the following review letters:

- A Memorandum from AKRF dated May 4, 2020.
- A letter from Jacobson dated May 5, 2020.

The following is a summary of our responses, in **bold** describing the changes addressing the review comments from AKRF Memorandum dated May 4, 2020.

1. *Outside storage of up to 5% of the lot area is permitted for Large Retail Establishments pursuant to a Town Board Special Permit. The existing approved site plan includes 5% (24,087 sf) of outside storage, primarily for retail display and sales in the front of the building.*
The comment is noted. No action required.
2. *For a Nursery use, up to 75% of the lot area (65% dedicated to live plant material and 10% dedicated to dry storage of mulch, fence material, etc.) may be used for outside storage subject to a Conditional Use Permit from the Planning Board. The outside storage areas are cumulative and should not exceed 75% of the lot area, or more specifically 10% of the lot area for dry storage (mulch, fence material, sheds, etc.). The proposed site plan includes a total of 11% outside storage (56,803 sf). The site plan should be revised to specify which areas would be considered "live plant material."*
The plan has been revised to show the dry storage area and live plant material areas along with percentages. Please note that the live plant material shall be 3.27% of the total lot area and the dry storage areas shall be 8.14% of the total lot area.

3. *Per 138-46.L(2), any permitted "outside storage areas shall not extend into the required yards for setbacks from a property line." Several of the proposed outside storage areas would be located at the property line, as such area variances for side and rear yard setbacks are required. In these areas, 0 feet is provided where 35 feet is required.*

Pursuant to the Amended Site Plan Outdoor Display and Storage Areas Sheet ASP-1 dated 10/04/05, last revised 10/13/06, the lot line surrounding the Home Depot area is a lease line. The setbacks will be subject to the overall property line and not the lease line. Therefore, it is our understanding that no such variances will be required.

4. *The Applicant should consider expanding the existing garden center area to accommodate the needed outdoor sales area and to more permanently meet the storage needs of the business. Expanding the existing garden center area could improve customer access and safety.*

Testimony has been provided that existing parking lot is currently under-utilized and shall be used for outdoor storage purposes. In addition, a crosswalk with yield striping has been proposed in the drive aisle in front of the garden center to calm the traffic near the proposed outdoor storage areas.

5. *The legend should be updated to include the square footages for the proposed "outdoor sales" area. In addition, the "proposed" column includes shading for "lumber staging area" but this shading does not appear on the site plan. It is unclear if modifications to the lumber staging area are proposed or not.*

The legend has been revised to include the square footages of the outdoor sales areas. The shading for the proposed 'lumber staging area' has been removed from the legend.

6. *Additional information on the proposed operation of the outside storage areas should be provided. It is unclear why the weekend and weekday layouts are different, or when or how these areas would be reorganized.*

The weekday layout has been removed and the overall layout plan has been revised to show only one layout.

7. *As proposed, only some of the outside storage areas would be fenced or protected by jersey barriers. Most of the outside storage areas would be delineated with new striping in the parking area. Additional fencing or jersey barriers may be needed for customer safety.*

The fencing and jersey barriers have been provided at the front of the garden center outdoor storage area. The remaining outdoor storage areas are proposed at the side and rear of the building where customer activity would be null to minimum. These areas would mostly be utilized by the employees.

8. *The proposed outside storage areas would be located within the existing parking lot and loading areas. The existing parking lot has 565 parking spaces serving a 136,753 square foot building. The Town of Southeast Zoning Code requires 1 space per 250 square feet of gross floor area, or 548 parking spaces. However, pursuant to §138-71, the Planning Board is permitted to waive up to 15% of the required parking spaces. With the waiver, 466 spaces would be required. The proposed site plan indicates that 461 spaces are provided, however this count excludes the 4 proposed "load and go" spaces. If these spaces are intended as temporary spaces for customers to load materials then they may be counted towards the required parking, in which case 465 spaces would be provided and the site would be short by only one space.*

The site plan has been revised to provide 466 parking spaces. Therefore, no parking variance will be required.

9. *Since the proposed project would increase the outside storage area by 32,716 square feet, this project meets the definition of a "Major Project" under the Town of Southeast Zoning Code.*

The site plan has been revised to 'Major' site plan.

Please note that no comments have been provided from Jacobson letter dated May 5, 2020.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,



Kiran Muppala, P.E.
Project Manager