
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

August 8, 2016

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

1. **BRAVCOR, LLC, 65 Fields Lane** – Public Hearing to Review Application for Site Plan Amendment

REGULAR SESSION:

1. **STARR LEA DEVELOPMENT, 44 Starr Lea Road** – Review Application for a Wetland Permit
2. **Town Board Referral Re Multi Family Workforce Housing District** – Discussion

August 4, 2016

VAD

Agenda Subject to Change

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Bravcor **S/B/L:** 78.-2-15 **Zone:** OP-1

Description: The application is to construct a two-story, 117,192 square foot building, comprising 97,192 square feet of warehouse and 12,000 square feet of retail/office use. The project would be located on a 9.4 acre parcel on Fields Lane, in the OP-1 Zoning District. Access is proposed from the existing drive for the Brewster Ice Arena. This project was approved by the Planning Board in March 2016 and is currently under construction. The Applicant is seeking amended site plan approval to add a loading dock with three bays to the rear of the building where parking and garage doors had previously been proposed. [NOTE: prior to Bravcor, the Planning Board previously granted site plan approval for an 80,000 square foot building with a comparable amount of impervious surface at this site for a project known as Dykes Lumber and later McNamara].

SEQR ACTIONS COMPLETED:	TYPE OF ACTION: Unlisted
<input type="checkbox"/> Intent to Declare Lead Agency	Date:
<input type="checkbox"/> Declare Lead Agency	Date:
<input type="checkbox"/> EAF Submitted	Date:
<input type="checkbox"/> Determination of Significance by Board	Date(s):

MAJOR/MINOR PROJECT: Major Project
 Date Classified: Waiver of Public Hearing (Minor Project Only)? Y N

AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT? Y N
 If yes, list alternative names: Dykes Lumber, McNamara

LOCAL AND AGENCY REVIEW STATUS REQUIRED?

- | | | |
|--|-------------------------------------|---|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| <input checked="" type="checkbox"/> Town Board | <input type="checkbox"/> | (Amended application requires new approval) |
| <input checked="" type="checkbox"/> Town of Southeast ARB | <input type="checkbox"/> | (Amended application requires new approval) |
| <input checked="" type="checkbox"/> Wetland Permit | <input type="checkbox"/> | (Approved under previous application – new approval NOT required) |
| <input type="checkbox"/> Historic Sites Commission | <input checked="" type="checkbox"/> | |
| <input checked="" type="checkbox"/> Town Highway Department | <input type="checkbox"/> | (Amended application should be referred for comment) |
| <input checked="" type="checkbox"/> MS4 Permit | <input type="checkbox"/> | (Amended application requires new approval) |
| <input checked="" type="checkbox"/> E-911 | <input type="checkbox"/> | |
| <input type="checkbox"/> County Planning Department (GML) | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> County Highway Department | <input checked="" type="checkbox"/> | |
| <input checked="" type="checkbox"/> County Health Department | <input type="checkbox"/> | (Amended application should be referred for comment) |
| <input checked="" type="checkbox"/> NYSDEC | <input type="checkbox"/> | (Amended application should be referred for comment) |
| <input checked="" type="checkbox"/> NYCDEP | <input type="checkbox"/> | (Amended application should be referred for comment) |
| <input type="checkbox"/> NYSDOT | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Army Corps of Engineers | <input checked="" type="checkbox"/> | |

VARIANCES OR BOARD WAIVER (IF APPLICABLE) Y N

Variance or Waiver Request: Requires side yard variance
 Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
6/22/15	(1) Affirmed Lead Agency for an Unlisted/Coordinated Action under SEQRA (circulate new plans & Short EAF to Involved Agencies & Putnam County Land Trust); (2) Classified the proposed project as a Town of Southeast "Major Project"; and (3) Set the Public Hearing
7/27/15	Opened and Closed Public Hearing
10/26/15	Adopted Negative Declaration; Referred site plan to ARB for Major Project Review
3/7/16	Final Site Plan Approval and recommended establishment of performance bond
7/11/16	(1) Affirm Lead Agency and circulate new EAF to involved and interested agencies; (2) Set public hearing
8/8/16	

RECOMMENDED ACTION FOR MEETING:

(1) Open & Close Public Hearing; (2) Consider Negative Declaration; and (3) Refer to ARB & ZBA

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

Date: August 8, 2016

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: BRAVCOR, LLC

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The Applicant is seeking amended site plan approval to add a loading dock with three bays to the rear of the building where parking and garage doors had previously been proposed. *[NOTE: prior to BRAVCOR, the Planning Board previously granted site plan approval for an 80,000 square foot building with a comparable amount of impervious surface at this site for a project known as Dykes Lumber and later McNamara].*

Location:

65 Fields Lane & TAX ID 78.-2-15

Reasons Supporting This Determination:

The following materials have been reviewed:

- Memorandum to Chairman LaPerch from Bibbo Associates, dated 6/17/16
- E-1, Existing Conditions Plan, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- P-1, Layout Plan, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- GU-1, Grading & Utilities Plan, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- EC-1, Sediment & Erosion Control Plan, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- EC-2, Erosion Control Maintenance Plan, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- EC-3, Erosion Control Details, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- EP-1, Entrance Plan & Land Trust Visitor Parking, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- D-1, Drainage System Profiles, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- D-2, Drainage System Details, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- RP-1, Driveway Profile & Misc Details, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16

- LP-1, Landscape Plan, prepared by Bibbo Associates, dated 4/18/08; last revised 6/15/16
- LT-1, Lighting Plan, prepared by Bibbo Associates, dated 9/30/15, last revised 6/15/16

WHEREAS, on 7/11/16, the Planning Board classified the proposed action as an Unlisted action and affirmed its intent to serve as Lead Agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, the Planning Board held a publically noticed meeting on 8/8/16, at which time members of the public were given the opportunity to comment on the proposed project; and

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

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

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

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

For Further Information:

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

A Copy of this Notice has been filed with:

Putnam County Department of Health 1 Geneva Road Brewster, New York 10509	Town Board 1360 Route 22 Brewster, NY 10509
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 ATTN: Commissioner	Highway Superintendent 10 Palmer Road Brewster, NY 10509
New York State Department of Environmental Conservation Region 3 21 South Putt Corners New Paltz, NY 12561 ATTN: Regional Director	Architectural Review Board 1 Main Street Brewster, NY 10509
New York City Department of Environmental Protection Bureau of Water Supply 465 Columbus Avenue Valhalla, New York 10595-1336	Building Inspector 1 Main Street Brewster, NY 10509

UPON ROLL CALL VOTE:

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

The resolution was passed by a vote of 4 to 0, with 2 absent. & 1 recused.

P. Wissel / con
 P. Wissel, Acting Chairman
 Southeast Planning Board

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

August 9, 2016

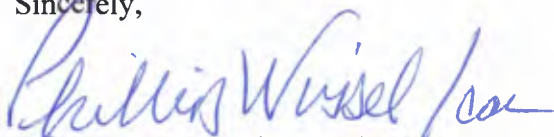
Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: BRAVCOR, LLC, 65 Fields Lane, TAX ID 78.-2-15

Dear Boardmembers:

At the 8/8/16 regular meeting of the Town of Southeast Planning Board a motion was made to refer the above referenced application to your Board. The applicant is seeking a variance to construct a loading dock and access driveway within the parking setback, 5 feet is provided where 25 feet is required.

Sincerely,

A handwritten signature in blue ink that reads "Phillip Wissel" followed by a stylized flourish.

Phillip Wissel, Acting Chairman
Town of Southeast Planning Board

cc: Town Attorney
Town Clerk
Bibbo Associates
Planning Board File

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

August 9, 2016

TO: Architectural Review Board

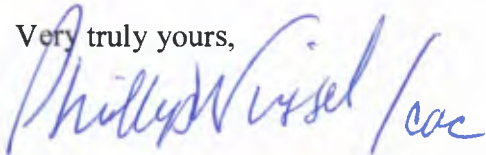
FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: BRAVCOR, LLC
65 Fields Lane
Tax Map ID #

At the regular meeting of the Southeast Planning Board on 8/8/16, a motion was made to refer the above referenced application to your Board for review and recommendation to the Town Board. The Planning Board issued a Negative Declaration under the New York State Environmental Review Act (SEQRA) process on 8/8/16. 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,

A handwritten signature in blue ink that reads "Phillip Wissel" followed by a stylized initial or mark that looks like "coc".

Phillip Wissel, Acting Chairman
Southeast Planning Board

cc: Town Counsel
Town Clerk
Bibbo Associates

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: 44 Starr Lea Road

S/B/L: 79.13-1-7.1 **Zone:** R-60

Description: Wetland permit for demolition of existing single family home and accessory structures, and construction of new single family home and patio in approximately the same area. The proposed project would disturb approximately 8,937 sf of the TOSE regulated wetland buffer.

Engineer: Putnam Engineering

SEQR ACTIONS COMPLETED:

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

TYPE OF ACTION: Type II

- Date:
- Date:
- Date:
- Date(s):

MAJOR/MINOR PROJECT: NA

Date Classified: Waiver of Public Hearing (Minor Project Only)? Y N

AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT? Y N

If yes, list alternative names:

LOCAL AND AGENCY REVIEW REQUIRED?

STATUS

Yes No

- Town Board
- Town of Southeast ARB
- Wetland Permit
- Historic Sites Commission (*Certificate of Appropriateness for driveway - Scenic and Historic Route*)
- Town Highway Department
- MS4 Permit
- E-911 Coordinator
- County Planning Department (GML)
- County Highway Department
- County Health Department
- NYSDEC
- NYCDEP
- NYSDOT
- Army Corps of Engineers

VARIANCES OR BOARD WAIVER (IF APPLICABLE) Y N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
8/8/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Classify as Type II Action under SEQR per 617.5(c)(9)
- 2) Set public hearing for Wetland Permit

NOTE: Building Inspector should refer the application to the Historic Sites Commission for driveway changes within the buffer of a Scenic and Historic Route.

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

INTRODUCED BY: T. LaPerch DATE: August 8, 2016
SECONDED BY: D. Armstrong

WHEREAS, an application is being made for a wetland permit for demolition of an existing single family home and accessory structures, and construction of new single family home and patio in approximately the same area, disturbing approximately 8,937 sq. ft. of the Town of Southeast regulated wetland buffer on a property located at 44 Starr Lea Road, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 79.13-1-7.1, and is located in the R-60 Zoning District; and

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

1. Short Environmental Assessment Form (EAF) dated 7/26/16
2. Wetland Validation Map, prepared by Putnam Engineering, PLLC, dated 2/11/16
3. C-110, Existing Conditions Plan, prepared by Putnam Engineering, dated 6/7/16
4. C-120, Proposed Site Plan, prepared by Putnam Engineering, dated 6/7/16
5. C-160, Proposed Erosion Control Plan, prepared by Putnam Engineering, dated 6/7/16

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)(9), 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>absent</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

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

T. LaPerch / con
T. LaPerch, Chairman
Southeast Planning Board



STEPHEN W. COLEMAN
ENVIRONMENTAL CONSULTING, LLC

Environmental Planning & Site Analysis
Wetland Mitigation & Restoration Plans
Wetland Delineation & Assessment
Natural Resource Management
Pond & Lake Management
Wildlife & Plant Surveys
Breeding Bird Surveys
Landscape Design

MEMORANDUM

To: Thomas LaPerch, Chairman
Town of Southeast Planning Board
Members of the Planning Board

From: Stephen W. Coleman

Date: August 07, 2016

Re: **Starr Lea Development, LLC, 44 Starr Lea Road**

Materials Reviewed:

- Site Plans for Starr Lea Development LLC, as prepared by Putnam Engineering, PLLC, dated 01-07-16.
- Application materials dated 07-27-16.

Comments

Based upon a site visit on 07-26-16, and review of the survey and proposed site plans, I offer the following comments:

1. The wetlands boundary accurately reflects existing field conditions that are present on the subject parcel. The wetlands boundary as depicted on the site plan is consistent with the criteria for delineating wetlands as outlined in Chapter 78 of the Code of the Town of Southeast. The wetland is a NYSDEC regulated wetland, which has been flagged by NYS personnel. No encroachment will occur within the 100 foot wetland buffer, so no further wetland permit review is required by NYSDEC.
2. Based upon review of the proposed site plan, sufficient area exists to locate the proposed house footprint entirely outside of the 133-foot Town regulated wetland buffer. If this could be accomplished, the only remaining disturbance within the wetland buffer would be for an on-grade patio. If the only encroachment is for the patio, it is my recommendation that this application could then be considered a minor permit. The intent of Chapter 78 is to avoid wetland and wetland buffer impacts to the greatest extent feasible. It appears that changes to the proposed site plan layout could be made in an effort to further reduce the overall amount of wetland buffer disturbance.
3. If the house is shifted outside of the wetland buffer, it is my recommendation that the on-grade patio would be considered a temporary disturbance and that no additional mitigation is required.

4. If the applicant demonstrates that the house footprint cannot be located outside of the wetland buffer, then the total disturbance including the patio would be subject to mitigation. As per plans, a total of 8,937 square feet of buffer mitigation would be required. This would require supplementing the existing buffer with new plantings. The applicant should prepare a wetland mitigation plan for further review.
5. Some form of permanent demarcation (boulders, plantings, split rail fencing, wall) should be shown on the proposed site plan that separates the remaining wetland buffer from residential activities.
6. Erosion control measures are shown and appear adequate and define the limits of disturbance necessary for site work.
7. A three (3) year wetland buffer mitigation and monitoring plan should be prepared that follows the Town's standards. The applicant should request a copy of the Wetland Buffer Mitigation and Monitoring Plan format to be followed.

This completes my initial review of the proposed site plan. The applicant should submit a revised site plan that incorporates the above recommendations. Please let me know if you have questions or require additional information.



Jacobson

August 4, 2016

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

Re: Starr Lea Development
44 Starr Lea Road
Wetlands Review
NLJ #0001-0989

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through August 1, 2016:

- Item 1: Letter to Mr. Thomas LaPerch, Chairman from Paul M. Lynch, P.E., dated July 27, 2016.
- Item 2: Town of Southeast Application for Wetlands Permit dated 07-22-16, accompanied by Statement of Use, Short Environmental Assessment Form and List of Properties within 500 feet.
- Item 3: Set of three (3) drawings entitled "SSTS Plan prepared for Starr Lea Development, LLC, property location, 44 Starr Lea Road, North Salem, NY 10560 (Town of Southeast) Putnam County, New York, Tax Map No. 79.13, Block 1, Lot 7.1", scale as noted, dated 06-07-16, prepared by Putnam Engineering, PLLC, Engineers – Architects.
- Item 4: Drawing entitled "Wetland Validation Map Plan prepared for Starr Lea Development, LLC, property location, 44 Starr Lea Road, North Salem, NY 10560 (Town of Southeast) Putnam County, New York, Tax Map No. 79.13, Block 1, Lot 7.1", scale as noted, dated 06-07-16, prepared by Putnam Engineering, PLLC, Engineers – Architects.

The subject application proposes to demolish the existing house and shed and construct a new house in roughly the same location. A portion of the new structure will be located within the 133' wetland buffer.

We have the following comments:

Nathan L. Jacobson & Associates, Inc.
Nathan L. Jacobson & Associates, P.C. (NY)
86 Main Street P.O. Box 337 Chester, Connecticut 06412-0337
Tel 860.526.9591 Fax 860.526.5416
Consulting Civil and Environmental Engineers Since 1972



Jacobson

Mr. Thomas LaPerch, Chairman

RE: 44 Starr Lea Road
Wetlands Review
NLJ #0001-0989

August 4, 2016

Page 2

1. The Site Plan should identify the proposed driveway surface.
2. The Site Plan should indicate how roof water will be managed on the site.

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. Levine
S. Coleman
W. Stephens, Jr.

M. Bruen
M. Stancati
A. Ley
Putnam Engineering