

TOWN OF SOUTHEAST  
SUBDIVISION APPROVAL PROCESS OR “278”  
APPLICATION INSTRUCTIONS

This booklet contains the following forms:

1. Town of Southeast Subdivision Application Form
2. Town of Southeast – 278 Lot Count Formula
3. Town of Southeast Disclosure Statement
4. Environmental Assessment Form
5. Revised Fee Schedule for the Town of Southeast
6. The three basic checklists that the Planning Board uses in its review of any subdivision
7. Town of Southeast Inspection Requirements and Guidelines for Road, Drainage and other Public Improvements

All applicants are urged to read and study the enclosed information and submit only a completed application. An application will not be deemed complete and placed on an agenda until the required information is submitted. The deadline for submittals is fifteen (15) working days prior to a meeting. If something does not apply to your particular application, just state N/A next to the item. Do not leave any blanks.

A complete application will consist of the following:

1. Ten (10) copies of the Application Form
2. Ten (10) copies of the Disclosure Statement
3. Ten (10) copies of a Program for Construction, Completion and Occupancy
4. Ten (10) copies of the Long Form Environmental Assessment Form
5. Ten (10) copies of the list of all property owners within 500 ft. of the Zoning Lot
6. Ten (10) copies of any necessary plats stamped by a licensed Architect or Engineer
7. Fees for the application submission, including escrow.

Three (3) copies of each of the above is submitted to the Planning Board Office. The remaining seven (7) copies are to be mailed to the home of each of the seven Planning Boardmembers. (Address list attached) In addition, one copy of each of the above must be submitted to the following:

Nathan L. Jacobson Assocs. (Town Engineer)  
86 Main Street, P.O. Box 337  
Chester, CT 06412

James Lawler  
Highway Superintendent  
1 Main Street  
Brewster, NY 10509

It is the responsibility of the applicant to become familiar with the criteria and procedures for Subdivision Approval. For this reason it is imperative that every applicant obtain a copy of the Zoning Ordinance, Subdivision Regulations and the Master Plan for the Town of Southeast. These are available through the Town Clerk's Office. Thank you for your cooperation.

**PLANNING BOARD MEMBERS**

**GEORGE ROHRMAN, CHAIRMAN**  
19 Rockledge Drive  
Brewster, NY 10509

**DAVID RUSH**  
81 Allview Avenue  
Brewster, NY 10509

**CHUCK TESSMER**  
37 Scenic Ridge Drive  
Brewster, NY 10509

**MICHAEL MANTEO**  
60 Peach Lake Road  
Brewster, NY 10509

**PHILIP WISSEL**  
8 Sherry's Lane  
Brewster, NY 10509

**DANIEL ARMSTRONG**  
1001 Sommerset Knoll  
Brewster, NY 10509

**THOMAS LaPERCH**  
18 Baltic Place  
Brewster, NY 10509

**JOHN DUNFORD, TOWN SUPERVISOR (Only if Special Permit is required on  
1 Main Street Application)  
Brewster, NY 10509**

**ARCHITECTURAL REVIEW BOARD\***

**ARMAND GIGLIO, CHAIRMAN**  
176 Turk Hill Road  
Brewster, NY 10509

**RONALD HARPER**  
395 Milltown Road  
Brewster, NY 10509

**CHALLEN ARMSTRONG**  
1001 Sommerset Knoll  
Brewster, NY 10509

**THOMAS FRASCA**  
74 Settlers Hill Road  
Brewster, NY 10509

**VIRGINIA STEPHENS**  
50 Federal Hill Road  
Brewster, NY 10509

**\*All applications must be submitted to the ARB at the time of a full Preliminary Submission, for their review. The Preliminary Application must be mailed to all the ARB members, at the same time as the Planning Boardmembers.**

Updated 2/04  
L.F.

September 26, 2000

TO: All Applicants to the Planning Board

FROM: G. Rohrman, Chairman

RE: Drainage Districts for Detention/Retention Basins

At the present time there are no specific regulations in place that speak to the maintenance, placement, or various concerns that the Town Board and the Highway Superintendent have. In the interim, while the regulations are being formalized, the following criteria should be followed:

- The detention/retention basin should be on its own parcel of land and not part of a lot in a subdivision. The parcel would not have to conform to the Zoning regulations for the particular Zone, but would be of sufficient size necessary for the basin, and access for maintenance and care.
- Depending on the location of the basin, it may be required to have a fence surrounding it and landscaping where necessary.
- The applicant would form a Drainage District, which would be offered to the Town for dedication the same as the roads. Then the Town would be able to form a special district that would be under the control of the Special Districts manager.
- This Drainage District would be a condition of final approval, and in the case of a subdivision, the plat would not be signed until the District has been formed and approved by the Town Engineer and the Town Board.

The Town Attorney will be working on some language to put into the regulations to handle this situation in the future. For the time being, this should help take care of the situation.

## MEMO

TO: All Engineers and Developers

FROM: George J. Rohrman, Chairman  
Southeast Planning Board

RE: Submissions for an Agenda

Applications that are submitted to the Planning Board and are labeled SKETCH will be placed on a Work Session for that agenda and will not be placed on the Regular Session. If you want your project to be placed on a Regular agenda to start the SEQRA process, the application must be submitted as a PRELIMINARY PLAN and comply with all the required elements that are cited in Article IX, Chapter 138-41.E.(1) through (c) 6. and (2) through (5) of the Sketch and Preliminary Plan requirements.

If in the course of his review, the Town Engineer finds that the application does not meet with all the requirements of Article IX, Chapter 138-41, Sketch through Preliminary, then the application will be withdrawn from the agenda until such time that it does comply. This includes the EAF that cannot have answers to questions such as, Depth to Bedrock? “Greater than 1” or Depth to Water Table? “Greater than 1”; a more definitive response is required.

The Work Session of the Planning Board allows the applicant or their designated representative to discuss the proposed site development plan in order to determine the requirements that should be incorporated in the development and submission of the site development plan. If the applicant is beyond this stage and the proper and complete application has been submitted, then the Work Session can be bypassed and you can go directly onto the Regular Session.

I hope this helps to clarify the situation and encourage you to submit more complete applications so that time is not lost during the review process.

MEMO

TO: All Engineers and Applicants

FROM: George J. Rohrman, Chairman  
Southeast Planning Board

RE: Document Submissions to Planning Board Members

In an effort to reduce the amount of drawings each Planning Board Member receives after an initial submission has been made for either a Subdivision or Project Development Plan, it will no longer be necessary to send copies of the revised drawings to the homes of Planning Board Members, unless the changes are substantive or the drawing level changes (e.g., from Sketch to Preliminary or from Preliminary to Final). For minor changes, a simple letter detailing the changes should be sent to all Boardmembers.

The policy in effect to mail drawings to the Planning Board Office (in triplicate) as well as to our Town Engineer and Highway Superintendent for all revisions, however ***has not*** changed.

We hope this will reduce the amount of paperwork applicants and engineers must otherwise generate and, hopefully, save a few trees.

Thank you.

GJR:lf

TOWN OF SOUTHEAST PLANNING BOARD  
REQUEST FOR SUBDIVISION PLAT APPROVAL

1. Pursuant to the Land Subdivision Regulations of the Town of Southeast, NY, the undersigned hereby submits for review of a proposed subdivision of land located on: \_\_\_\_\_

Consisting of \_\_\_\_\_ acres, proposing \_\_\_\_\_ lots or parcels to be known

As: \_\_\_\_\_

2. The land is recorded by Deed or Deeds in the County Clerk's Office as follows:

Date \_\_\_\_\_ Liber \_\_\_\_\_ Page \_\_\_\_\_.

3. The land is shown on Tax Map No(s) \_\_\_\_\_, Block No(s) \_\_\_\_\_

Parcel No(s) \_\_\_\_\_ and is located in the \_\_\_\_\_ Zoning District(s) and

The \_\_\_\_\_ School District(s).

4. The Subdivision Plan is entitled \_\_\_\_\_

And is dated \_\_\_\_\_.

5. Name and Address of person or firm submitting this request: \_\_\_\_\_

\_\_\_\_\_ Telephone: \_\_\_\_\_

If a proprietorship or partnership, give names of owners: \_\_\_\_\_

If a corporation, give name of officers: \_\_\_\_\_

6. Name and address of Record Owner: \_\_\_\_\_

\_\_\_\_\_ Telephone: \_\_\_\_\_

If Corporation, give name of officers: \_\_\_\_\_

TOWN OF SOUTHEAST

DISCLOSURE STATEMENT ACCOMPANYING PETITION OR REQUEST

A. Identification of Application, Petition or Request:

1. To: \_\_\_\_\_ Southeast Town Board  
\_\_\_\_\_ Southeast Planning Board  
\_\_\_\_\_ Southeast Zoning Board of Appeals  
\_\_\_\_\_ Southeast Building Inspector  
\_\_\_\_\_ Southeast Conservation Commission  
\_\_\_\_\_ Architectural Review Board

2. Name of Applicant, Petitioner, or Person (Firm), making request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

Nature of Application, Petition or Request: \_\_\_\_\_

B. Nature and Extent of Interest of any State Official or Municipal Officer or Employee in this Application, Petition or Request (set forth in detail)

C. Statement that no State Officer or Municipal Officer or Employee has an interest in this Application, Petition or Request: \_\_\_\_\_

The undersigned Applicant, Petitioner or Person (Firm) making this request certifies by signature on this Disclosure Statement that, in accordance with the Provisions of §809 of the General Municipal Law, except as stated in B above, no State Officer, or any officer or employee of the Town of Southeast or any municipality of which the Town is a part has any interest in the person or firm (partnership or association) making the above application, petition or request.

Signed: \_\_\_\_\_  
(Applicant, Petitioner or Authorized Representative)

By: \_\_\_\_\_  
(Name and Title)

Date: \_\_\_\_\_

TOWN OF SOUTHEAST, NEW YORK  
PLANNING BOARD FEE SCHEDULE  
FOR THE YEAR 2004

All fees shall be paid by CERTIFIED CHECK, BANK CHECK OR MONEY ORDER, made payable to the Town of Southeast, and the face of the check shall contain information as to the type of application fee and proper identification. The check shall accompany the application. No application will be accepted for processing unless the applicable fees are paid.

Recreation fees shall be paid by separate Certified Check, Bank Check or Money Order, made payable to the *Town of Southeast Recreation Reserve*.

SUBDIVISION APPROVAL:

1. Sketch Review - \$100.00 plus \$10. per proposed lot.
2. Preliminary Review - Minor Subdivision (2 to 4 Lots)  
Prior to Preliminary \$250.00 per lot  
  
Major Subdivision (5 or more lots)  
Prior to Preliminary \$500.00 per lot
3. Final Approval Application Fee - \$25.00 per approved lot on Final Plat
4. Recreation Fees (to be paid by separate check to the "Town of Southeast Recreation Reserve") in lieu of land - \$6,000. per lot. (Revised 1/04)
5. Engineering/Inspection Fee Schedule - 5% of the estimated cost of all subdivision plat improvements.

SITE PLAN APPROVAL AND/OR SPECIAL PERMIT OR CONDITIONAL USE PERMIT

1. For applications requiring Site Plan approval only:
  - a. Sketch Review - \$125.00.
  - b. Preliminary Review - \$150.00 per 1,000 square feet of total building space plus \$50 per acre
2. For applications requiring Site Plan and Special Permit approval:
  - a. Sketch Review - \$150.00
  - b. Preliminary Review - \$150.00 per 1,000 square feet of total building space plus \$50. per acre
3. For applications requiring Conditional Use Permit approval: (Accessory Apartment/Caretakers Cottage)
  - a. Application Fee - \$125.00
  - b. Conditional Use Permit Review Fee - \$200.00
  - c. Renewal Use Fee - \$75.00
4. For applications for Parking Lot Only (No Building Construction) - \$50. per acre plus \$.10 per square foot to a maximum of \$5,000.
8. Engineering/Inspection Fee Schedule - 4% of the estimated cost of the site improvements (excluding proposed buildings not intended for water supply, sewage or recreational facilities), with a minimum fee of \$500.00



TOWN OF SOUTHEAST  
PLANNING BOARD FEE SCHEDULE CONTINUED

AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN - \$500.00

APPEARANCE FEE: Conceptual review by Planning Board at a worksession - \$200.00 (No Engineering Review will be done)

LOT LINE CHANGE: - \$300.00

CONCEPT REVIEW: Cluster - Section 278 of Town Law - \$500 in addition to the normal subdivision fees

PUBLIC HEARING: \$250. per public hearing, paid in advance of hearing - \$100.00 for each continued hearing day.

GRADING OR EARTH REMOVAL: (Ordinance 9, Chapter 69-15)

- a. \$500 plus \$250 for each acre or fraction thereof
- b. The applicant can also be asked to absorb the cost of any additional studies the Planning Board deems necessary.

ZONING CHANGE PETITION:

- a. \$500 for the first five (5) acres or less, and \$50 for each additional acre
- b. The applicant can also be asked to absorb the cost of any additional studies the Planning Board deems necessary.

APPLICATION FOR A 280A (Private Road) -

- a. \$500 flat fee in addition to all normal subdivision fees
- b. The applicant can also be asked to absorb the cost of any additional studies any of the Town Boards deem necessary.

ENGINEERING REVIEWS PRIOR TO FINAL APPROVAL- All charges resulting from the Engineering reviews of the Town Engineer during the review process will be paid by the applicant. These charges will be billed to the applicant and no further reviews will be conducted unless the applicant is current with their Engineering charges.

SITE INSPECTIONS: The first Site Inspection conducted by the Planning Board shall be done at no additional cost. For every subsequent site inspection deemed necessary by the Planning Board, the applicant shall pay \$500.

TOWN OF SOUTHEAST  
PLANNING BOARD FEE SCHEDULE CONTINUED

ESCROW FEES: The escrow fee must be paid at the time an application is submitted and placed on an agenda and must be separate check from any other fees.

MINOR SUBDIVISION	\$3,000.00 plus \$250.00 per lot
MAJOR SUBDIVISION	\$5,000.00 plus \$250.00 per lot
SITE PLAN UNDER 4,000 S.F.	\$2,000.00
SITE PLAN OVER 4,000 S.F. BUT LESS THAN 50,000 S.F.	\$5,000.00
SITE PLAN OVER 50,000 S.F.	\$10,000.00

Additional monies will be required if the escrow account drops below half of the required amount due to ongoing consultant and engineering reviews required by the Planning Board.

COMMUNICATION TOWER FEES:

Original Tower Application	\$1,000.00 Minimum plus \$250.00 for each 10 feet in excess of 100 feet in height
Personal Wireless Service Facility (Antenna & Equipment Shed)	\$500.00 for original application
Each additional application for co-location on an existing tower	\$500.00
Escrow account:	\$3,000.00

The above fees for Communication Towers are in addition to the normal Site Plan Review Fees.

Private consultations with the Town Planner or the Town Engineer are to be paid by the applicant at a rate determined by the individual consultants.

**TOWN OF SOUTHEAST  
CHECKLIST FOR SKETCH PLAN SUBDIVISION SUBMISSION**

1. Was the application for Subdivision Plat Approval used? \_\_\_\_\_
2. Were the prescribed fees included with the application? \_\_\_\_\_
3. Were copies submitted to the office of the Town Engineer and the Highway Superintendent? \_\_\_\_\_
4. Does the Sketch Plan show more than four lots? \_\_\_\_\_
5. If the answer to Question #4 is "NO", do all of the lots have frontage on an existing street? \_\_\_\_\_
6. Have all the requirements of Article 5, Section 5.1 been met? \_\_\_\_\_  
If "NO", explain why: \_\_\_\_\_
7. Is the Long Environmental Assessment Form attached? \_\_\_\_\_
8. Has the applicant requested classification of this subdivision as a Minor Subdivision? \_\_\_\_\_
9. Does the proposed subdivision require any new streets or extensions of municipal facilities (i.e., water, sewers, etc.?) \_\_\_\_\_
10. Has the applicant requested any variances or waivers of the Subdivision Plat Requirements of the Southeast Zoning Code, and if so, put them in writing? \_\_\_\_\_
11. Has the applicant submitted the appropriate number of copies of the application? \_\_\_\_\_
12. Is the applicant familiar with all the requirements of Article 3, Section 3.1 of this Local Law? \_\_\_\_\_

**TOWN OF SOUTHEAST  
CHECKLIST FOR PRELIMINARY SUBDIVISION PLAT SUBMISSION**

1. Were all requirements for Sketch Review completed? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
2. Are all comments from Sketch Review incorporated in this submission? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
3. Have all requirements of Article 5, Section 5.2 been met? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
4. Does this Plat require Southeast Conservation Commission review? \_\_\_\_\_
5. If the answer to Question #4 is "YES", has the Plat been filed with the Southeast Conservation Commission? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
6. Have written comments been submitted from the Southeast Conservation Commission? \_\_\_\_\_
7. Does this Plat submission meet all the Southeast Zoning Ordinance Requirements? \_\_\_\_\_  
If "NO", have variances been requested? \_\_\_\_\_
8. Was this application accompanied by the prescribed fee? \_\_\_\_\_  
Has the escrow account been established? \_\_\_\_\_
9. Have any waivers been requested in writing for this proposed submission? \_\_\_\_\_
10. Has all staking been completed as per Article 3, Section 3.5.5? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
11. Has the Long Environmental Assessment Form been completed and submitted with the application? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
12. Has the applicant submitted this application with the appropriate number of copies? \_\_\_\_\_
13. Has the Preliminary Plat been signed by the owner? \_\_\_\_\_  
(Owner's signature must appear in signature block before Preliminary or Final Approval is to be granted.)

**TOWN OF SOUTHEAST  
CHECKLIST FOR FINAL SUBDIVISION PLAT SUBMISSION**

1. Was approval given on the Preliminary Plat within the past six months? \_\_\_\_\_
2. If a Minor Subdivision, was this classification given in the past six months? \_\_\_\_\_
3. Have all the requirements of Article 5, Section 5.3 been met? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
4. Have all modifications/changes to the Preliminary Plat as required by the Planning Board been made? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
5. Have all the requirements of Article 5, Section 5.3.2, Construction Drawings; Section 5.3.3., Construction Specifications and Section 5.3.4, Opinion of Probable Costs, been met? \_\_\_\_\_  
If "NO", please explain why: \_\_\_\_\_
6. Was the prescribed Application Fee submitted with this application? \_\_\_\_\_
7. Have all Recreation and Inspection Fees been paid? \_\_\_\_\_
8. Have any waivers been requested in writing? \_\_\_\_\_
9. Have all approvals and permits from Boards and outside Approving Agencies who have jurisdiction over this project been submitted? \_\_\_\_\_
10. Has the NYCDEP approved the Stormwater Management Plan? \_\_\_\_\_
11. Have all requirements of Article 3, Section 3.6.8.2, Offer of Dedication, Deeds, Easements, Certificates of Title and Title Insurance been met? \_\_\_\_\_
12. Are all required maintenance contracts in place for all private roads? \_\_\_\_\_
13. Has the Final Plat been signed by the owner? \_\_\_\_\_ (Owner's signature must appear in signature block before Final Approval is granted.)
14. Are all appropriate notes made on the Final Plat? \_\_\_\_\_
15. Has the Putnam County Board of Health signed off on the Final Plat? \_\_\_\_\_
16. Has the Town of Southeast E911 Coordinator signed off and approved the name(s) of the roads in the subdivision and the house numbers? \_\_\_\_\_
17. After the map (mylar) has been filed with the Putnam County Clerk's Office, please submit six (6) copies of the filed map to the Planning Board for distribution.

**VERIFICATION OF HOUSE NUMBERING  
AND  
VERIFICATION OF ROAD NAMING**

I, \_\_\_\_\_, E911 Coordinator for the Town of Southeast, do hereby certify that the following road name(s) are acceptable as road names within the Town of Southeast vicinity:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

I also hereby certify that the house numbers listed below, and recorded on the Final Plat, are approved by this office in accordance with the Town of Southeast Zoning Law #2, Article IX, Paragraph 138-50.

**LOT NUMBER                      HOUSE NUMBER                      STREET NAME**

<b>LOT NUMBER</b>	<b>HOUSE NUMBER</b>	<b>STREET NAME</b>

TOWN OF SOUTHEAST E911 COORDINATOR: \_\_\_\_\_

DATE: \_\_\_\_\_

Section 138-44 of the Town Code is hereby REPEALED and a new Section 138-44 is added entitled "Public Notice" to read as follows:

Section 138-44 PUBLIC NOTICE.

A. (1) Each applicant for approval of a site plan or a special permit, for authorization of a planned subdivision plat or for granting of certain variances from this chapter and each petitioner requesting amendment of the Zoning Map shall post a sign on the property referenced in such application on or before the seventh (7<sup>th</sup>) day following the applicant's submission of such application or petition. Such sign shall be at least 30" x 20" in size, consist of sturdy, weather resistant and serviceable material, containing a white background with black letters and be placed in a location plainly visible and easily readable from the most commonly travelled street or highway upon which the property fronts. Such sign shall be at least six (6) feet above the ground and in legible lettering at least two inches high and shall read as follows:

ON THIS SITE A [describe action set forth in Application or petition, e.g., an application for a Variance to permit an automobile service station] IS PENDING. INFORMATION CONCERNING THIS APPLICATION MAY BE OBTAINED FROM THE TOWN OF SOUTHEAST [in the case of a Site Plan, special permit or planned subdivision Plat application] PLANNING BOARD ADMINISTRATOR, 67 MAIN STREET, BREWSTER, NY [in the case of Zoning Variance applications insert:] ZONING BOARD ADMINISTRATOR, TOWN HALL, ONE MAIN STREET, BREWSTER, NY.) [in the case of Petitions requesting amendment to the zoning map insert:] TOWN CLERK, TOWN HALL, ONE MAIN STREET, BREWSTER, NY 10509

[Identify Applicant or Applicant's Agent by name, address & telephone no.]

(2) In the event the applicant shall appear before more than one board, the wording of the sign may be such so as to give notice of such other application(s). Prior to review of the application or petition, the applicant shall file with the appropriate board an affidavit certifying to the fact and date of said posting. Such sign shall be removed from the subject premises within ten (10) days after a final resolution approving or denying the particular application has been adopted by the Planning Board.

(3) When the owner of a single-family residence lot located in a residential zone has made an application to the Zoning Board of Appeals for a variance from the provisions of this Chapter, the

provisions of this section regarding the posting of a sign shall apply only when such application is for a use variance or requires site development plan approval pursuant to §138-17(B)(3).

B. Each applicant for approval of a site plan or a special permit, for authorization of a planned subdivision plat or for granting of a variance from this chapter and each petitioner requesting amendment of the Zoning Map shall mail notice to property owners as follows:

(1) Such notice shall be mailed, as applicable, not less than ten (10) days prior to the date of the public hearing scheduled by the Town Board concerning any special permit under Article X or any petition requesting amendment of the zoning Map, prior to the date of any public hearing scheduled by the Zoning Board of Appeals, prior to the meeting of the Planning Board at which time the Board makes a determination concerning a site plan and prior to the meeting of the Town Board at which a planned subdivision is authorized under Article VIII.

(2) Such notice shall be in a form approved by the Town Board, including no less than:

- (a) The name of the applicant;
- (b) The location of the lot or land to which the petition or application pertains; the provision of this chapter under which the application is made;
- (c) A brief description or identification of the proposal; and
- (d) When applicable, the date, time and place of any public hearing to be held and the name of the agency holding the hearing.

(3) The notice shall be sent by United States Postal Service certified or registered mail, return receipt requested, to the owners of all lots within the State of New York, including the Village of Brewster, within five hundred (500) feet of the lot or land to which the application or petition pertains, except that the owner of a single family residential lot applying for area variances shall mail said notice to property owners within the following proximity:

- (a) If the subject property is located partially or wholly within a commercial zoning district or partially within an R-80 zoning district: 500 feet.
- (b) If the subject property is located partially or wholly within an R-40 or R-60 zoning district: 300 feet.
- (c) If the subject property is located partially or wholly within an R-20 zoning district: 100 feet.



The owners of the lands or properties to receive notice hereunder and their addresses shall be as indicated in the current records of the Tax Assessor of the Town, or the Tax Assessor of any adjacent taxing jurisdiction and the applicant shall be permitted to rely on such information as accurate.

(4) At the time of the public hearing by the Town Board, Zoning Board of Appeals or the Planning Board concerning a site plan or of the Town Board concerning a planned subdivision plat, the applicant shall provide to such agency a copy of the required notice, a list of the owners of all lots to whom such notice was mailed and either an affidavit that the mailing was completed, as requested herein, or copies of all mailing receipts.

SECTION 138-90(D) OF THE CODE IS AMENDED AS FOLLOWS:

C. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal, variance or other matters referred to it. In addition to the posting of public notice required by §138-44(A) of this chapter, notice of the public hearing shall be published at least five (5) days prior to the hearing in the official newspaper and shall be mailed by the applicant or appellant at least ten (10) days prior to the hearing to all owners of lots located within the proximity to the subject premises as set forth in §138-44(B)(3) of this chapter. The expense of publishing and mailing any notice required by this article shall be paid by the applicant or appellant, as the case may be, and the applicant or appellant must file with the Secretary of the Zoning Board of Appeals an affidavit of mailing with a list of the names of the owners of record of the property within the requisite proximity of the subject premises, together with the section and lot number of each, with such written notice prior to the public hearing.

TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK

RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW  
REGARDING SIGNS AND NOTIFICATION IN CONNECTION WITH  
LAND USE APPLICATIONS

RESOLUTION NO. 40/98

DATE: JULY 16, 1998

INTRODUCED BY: Councilwoman Brosius

SECONDED BY: Supervisor Zutell

**WHEREAS**, a resolution was adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board on June 18, 1998 to hear all interested parties on a proposed local law to amend Chapter 123 and Chapter 138 of the Code of the Town of Southeast regarding notification of land use applications before the Town Board, Planning Board and Zoning Board of Appeals; and

**WHEREAS**, notice of said public hearing was duly advertised in The Putnam Press, the official newspaper of the Town of Southeast in the manner prescribed by law; and

**WHEREAS**, said public hearing was duly held on June 18, 1998 at the Civic Center, 67 Main Street, Brewster, NY, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, the Town Board of the Town of Southeast, after due deliberation, finds it in the best interest of the Town to adopt such local law;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Southeast hereby adopts Local Law No. 4 of 1998 amending Chapter 123 and Chapter 138 of the Code of the Town of Southeast regarding notification of land use applications before the Town Board, Planning Board and Zoning Board of Appeals, a copy of which is annexed hereto and made a part of this resolution, and be it further

**RESOLVED**, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

Upon Roll Call Vote:

Supervisor Zutell   AYE  

Councilwoman Brosius   AYE  

Councilman Johnson   AYE  

Councilman Honeck   AYE  

Councilman Dunford   AYE  

VOTE: Carried by a vote of 5 in favor, 0 against, 0 abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK     )  
  :ss.:  
COUNTY OF PUTNAM     )

I, RUTH A. MAZZEI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 16<sup>th</sup> day of July, 1998.

(Signed)\_\_\_\_\_

RUTH A. MAZZEI  
Town Clerk

## **TOWN OF SOUTHEAST**

### **INSPECTION REQUIREMENTS AND GUIDELINES FOR ROAD, DRAINAGE AND OTHER PUBLIC IMPROVEMENTS**

#### **GENERAL**

All road, drainage and other public improvements required as part of the subdivision or site plan approval process requires periodic inspections to be conducted by the Town of Southeast to monitor compliance with the approved construction plans, Town Regulations and Standards, and good construction practice. However, it is the owner's sole responsibility to ensure that all construction conforms with applicable requirements and approved plans.

#### **FAILURE TO PROPERLY EXECUTE REQUIRED IMPROVEMENTS**

Failure to follow these Inspection Requirements & Guidelines may result in a rejection of that portion of the work completed without required inspections, resulting in delays and added costs to the owner in demonstrating compliance, to the Town's satisfaction, with applicable regulations and standards. Failure to construct road, drainage and other public improvements in accordance with approved construction plans, Town Regulations and Standards, and good construction practice may result in the Town's refusal to accept any such improvements.

#### **PRE-CONSTRUCTION MEETING**

Prior to the start of any construction, it is the owner's responsibility to schedule a pre-construction meeting with the Town. Scheduling of this meeting shall be made through the Southeast Highway Department (telephone number 279-2141), and shall include as minimum representation from the Town, the Highway Superintendent and the Town Engineer. The owner shall be responsible for ensuring that the contractor is in attendance. The general purpose of the pre-construction meeting is to introduce all parties, exchange telephone numbers, review the construction schedule, and discuss any additional requirements or concerns specific to the proposed project.

#### **BONDING & BOND REDUCTIONS**

Prior to the start of any construction, all required fees shall be paid through the Planning Board office and required bonds posted with the Town Clerk. The bond and fee amounts are as summarized in the Town Engineer's Bond Recommendation letter to the Planning Board. Any questions regarding bond requirements and reduction procedures should be directed to the Planning Board Office.

## TOWN OF SOUTHEAST

### INSPECTION REQUIREMENTS FOR ROAD, DRAINAGE AND OTHER PUBLIC IMPROVEMENTS

Following is a general outline of key construction stages requiring inspections by the Town. The contractor shall contact the Town Highway Superintendent at each of the construction stages noted below and shall not proceed until receiving approval from the Highway Superintendent to do so. At the discretion of the Town, the contractor may be notified of additional inspections that may be required. Unannounced spot inspections may also be made at any time. It is the contractor's sole responsibility to schedule and coordinate all required inspections with the Highway Superintendent. At a minimum, twenty-four hours advance notification shall be required for all inspections.

1. After cutting of trees and brush, and the installation of sediment and erosion control measures, but prior to any stumping and/or grading.
2. After stumping and stripping of topsoil and organic material from earth cut and fill areas, but prior to the placement of any fill material.
3. After earth cuts and fills and the formation of the road sub-grade. Proof rolling of the sub-grade must be observed by the Town after installation of storm drainage improvements and prior to the placement of any gravel sub-base materials. In roadway fills, the Town may require the owner to perform compaction tests.
4. After the installation of underdrains, but prior to back-filling.
5. After the installation of storm drainage pipe and catch basins, but prior to back-filling.
6. After the placement of gravel sub-base. Prior to the placement of gravel sub-base, the owner shall be responsible for obtaining, and submitting to the Town for approval, a gradation analysis of a representative sample of material to be used, so as to confirm that the process aggregate base material meets required specifications.
7. After the placement of processed aggregate base. Prior to the placement of processed aggregate base, the owner shall be responsible for obtaining, and submitting to the Town for approval, a gradation analysis of a representative sample of material to be used, so as to confirm that the process aggregate base material meets required specifications.
8. Prior to the placement of bituminous concrete paving, the owner shall be responsible for the excavation of shallow test holes for the purpose of confirming that the actual compacted depth of road base and sub-base materials conform to Town Standards. Test holes will be required at a minimum interval of 100 feet at locations designated by the Highway Superintendent. In addition, proof rolling of the road base must be observed by the Town.
9. During the placement of bituminous concrete paving. All weight slips for bituminous concrete material delivered to the site must be provided to the Town of Southeast.
10. After placement of bituminous concrete lip curbs, but prior to any back-filling of curbs.
11. After back-filling of curbs and final grading of shoulder areas.
12. After restoration of all disturbed areas, placement of road monuments, traffic control/street name signs and street trees.

**TOWN OF SOUTHEAST  
278-LOT COUNT FORMULA**

The maximum number of dwelling units permitted on a lot or tract shall be computed in the following manner for 278 applications:

1. Subtract the following from the gross acreage
  - a. any land in the tract having a grade in excess of 25%
  - b. land within 100' of ponds, lakes and freshwater wetlands
  - c. 20% of the area of the remainder of the tract
  
2. R-20 Zone – divide by 1.85  
  
R-40 Zone – divide by 0.83  
  
R-60 Zone – divide by 0.67  
  
R-80 Zone – divide by 0.50

Fees: Cluster – Section 278 of New York State Town Law - \$500.00 in addition to the normal subdivision fees.