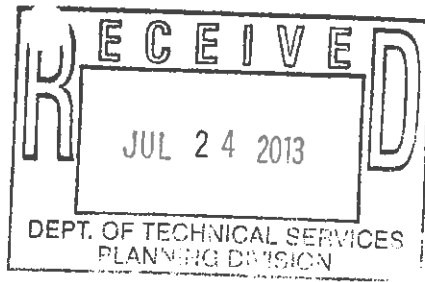


### **Right to Know / FOIL**

Information contained herein is compiled and made available for informational purposes only. While every effort has been made to provide correct and timely information, neither the Town nor its employees or agents assume any legal liability or responsibility for the accuracy, scope or timeliness of its content. The Town reserves the right to alter or remove any material or information posted or contained on this website without notice. The DRAFT Resolutions and documentation herein are for the convenience of the Board and should not be construed as an indication as to how the Board will vote. The Resolutions are only proposed and **do not** become final until approved by a majority of the Board.

July 23, 2013



Town Of Cortlandt Planning Board  
One Heady Street  
Cortlandt Manor, NY 10567

7  
Copies ..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 7/24/13

Ref: Stackhouse/Delulio/Ben-David Subdivision  
Case #PB 21-05  
Hillside Estates

Dear chair lady Mrs Taylor and Board Members  
As are last meeting with the Planning Board in April we have a contractor who is going to pave road in August.  
The problem was dealing with Con Edsion in there engineering department.  
I thank the Planning Board for working with us. So again we are asking the Planning Board for a 13<sup>th</sup> extension.  
Jesse Stackhouse/John Delulio/Ben-David

**WHEREAS**, the application of **Jesse Stackhouse and John DeIulio** for Planning Board approval of a Final Plat pursuant to Sections 276, 277 and 280a of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for a 5 lot major subdivision of a 6.6 acre parcel of land with a lot line adjustment with the adjacent property owned by Shimon and Joyce Bendavid as shown on a final plat entitled "Subdivision Map known as Hillside Estates" latest revision dated October 20, 2008 and a drawing entitled "Improvement & Integrated Plot Plan for Hillside Estates", latest revision dated October 22, 2008 both prepared by Badey & Watson, P.C. was approved by Planning Board Resolution 8-09 adopted on March 3, 2009, and

**WHEREAS**, the subject property is located on the north side of Locust Avenue, 500 feet east of Gabriel Drive and is designated on the Town of Cortlandt Tax Maps as Section 23.12, Block 1, Lot 8, and

**WHEREAS**, by Resolutions 40-10, 59-10, 7-11, 12-11, 23-11, 32-11, 7-12, 16-12, 27-12, 34-12, 9-13 and 20-13 the Planning Board previously granted twelve (12) 90-day time extensions of the final plat approval the latest of which will expire on August 16, 2013, and

**WHEREAS**, by letter dated July 23, 2013 Jesse Stackhouse requested the 13<sup>th</sup> 90-day time extension to satisfy the conditions of that approval.

**NOW THEREFORE BE IT RESOLVED**, that the request of Jesse Stackhouse for the 13<sup>th</sup> 90-day time extension of the above mentioned Final Plat is hereby granted said time extension to expire on November 14, 2013.

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

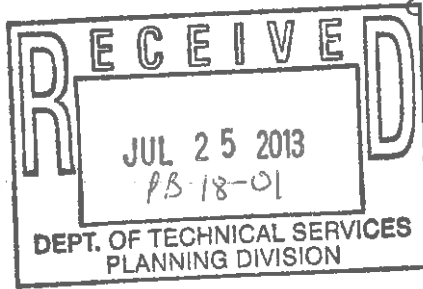
# GREGORY J. McWILLIAMS, A.I.A., ARCHITECT ARCHITECTURE/PLANNING

3 SHADY LANE FARM ROAD  
OSSINING, NEW YORK 10562

PHONE/FAX: 914.432.5791  
CELL PHONE: 914.772.0697

July 24, 2013

Town of Cortlandt  
Planning Board  
Town Hall, 1 Heady Street  
Cortlandt Manor, N.Y. 10567



Copies ..... 1 ..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 7/25/13

Att: Loretta Taylor, Chairperson

Re: Dunkin' Donuts improvements, 2102 East Main Street, Cortlandt Manor, N.Y.

Dear Planning Board Members:

The owner and operator of existing Dunkin' Donuts, at above referenced location, are proposing to make interior and exterior improvements, generally consisting of the following:

### Interior

- New wall finishes.
- New ceiling treatment, including lighting.
- New casework built-ins.
- Equipment/fixtures modifications.
- Plumbing, electrical & HVAC modifications.

### Exterior

- Creation of new front corner ("monolith") wall articulation.
- New wall paint color scheme.
- New window awnings.
- Creation of new canopy/brim over side entry.
- New wall signage.

At the request of Dunkin' Donuts and specifically Cortlandt Manor Donuts, LLC (operator), I am hereby submitting the following for your review and consideration:

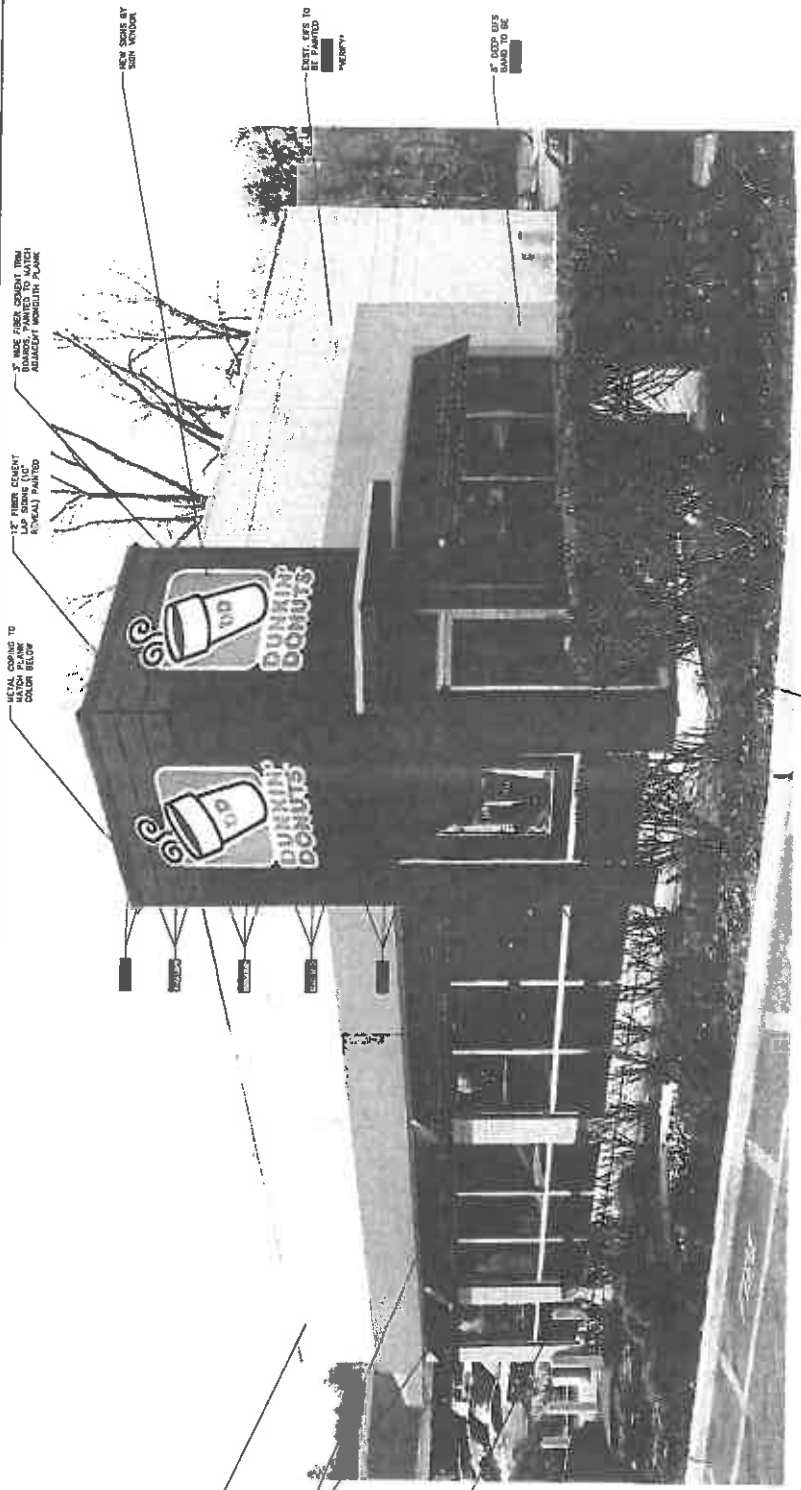
- (This) letter of introduction/project description.
- Letter of authorization.
- Drawings prepared by Dunkin' Donuts, depicting proposed improvements.
- Existing building exterior and signage photos.

We would like to be included on your August meeting agenda, at which time we will present/further discuss project.

Yours Truly,

Gregory J. McWilliams, R.A., A.I.A.

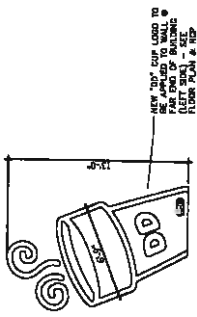
EMAIL: GJMARCHITECT@GMAIL.COM



**EXTERIOR FINISH MATERIAL SCHEDULE**

CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION	REMARKS
AW-01	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-001	WHITE	EXTERIOR WALLS
AW-02	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-002	BLACK	EXTERIOR WALLS
AW-03	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-003	GRAY	EXTERIOR WALLS
AW-04	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-004	BLUE	EXTERIOR WALLS
AW-05	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-005	RED	EXTERIOR WALLS
AW-06	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-006	GREEN	EXTERIOR WALLS
AW-07	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-007	PURPLE	EXTERIOR WALLS
AW-08	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-008	BROWN	EXTERIOR WALLS
AW-09	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-009	PINK	EXTERIOR WALLS
AW-10	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-010	YELLOW	EXTERIOR WALLS
AW-11	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-011	ORANGE	EXTERIOR WALLS
AW-12	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-012	TEAL	EXTERIOR WALLS
AW-13	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-013	LAVENDER	EXTERIOR WALLS
AW-14	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-014	PINK	EXTERIOR WALLS
AW-15	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-015	PEACH	EXTERIOR WALLS
AW-16	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-016	PLUM	EXTERIOR WALLS
AW-17	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-017	MAUVE	EXTERIOR WALLS
AW-18	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-018	SLATE	EXTERIOR WALLS
AW-19	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-019	SLATE	EXTERIOR WALLS
AW-20	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-020	SLATE	EXTERIOR WALLS
AW-21	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-021	SLATE	EXTERIOR WALLS
AW-22	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-022	SLATE	EXTERIOR WALLS
AW-23	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-023	SLATE	EXTERIOR WALLS
AW-24	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-024	SLATE	EXTERIOR WALLS
AW-25	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-025	SLATE	EXTERIOR WALLS
AW-26	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-026	SLATE	EXTERIOR WALLS
AW-27	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-027	SLATE	EXTERIOR WALLS
AW-28	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-028	SLATE	EXTERIOR WALLS
AW-29	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-029	SLATE	EXTERIOR WALLS
AW-30	PAINT	DUPOIN SYSTEMS, INC.	DUPOIN-01-030	SLATE	EXTERIOR WALLS

NOTE: SEE SCHEDULE FOR MATERIALS TO BE ORDERED w/ CALL MATERIAL ACCOUNTS



NOTE: SEE SCHEDULE FOR MATERIALS TO BE ORDERED w/ CALL MATERIAL ACCOUNTS

NOTE: SEE SCHEDULE FOR MATERIALS TO BE ORDERED w/ CALL MATERIAL ACCOUNTS

WHEREAS, an application for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by the Springvale Apartments Company for the construction of a parking area with 16 spots and associated drainage improvements located east of building 8 and across Springvale Road from building 11 at the Springvale Apartment Complex as shown on a 3 page set of drawings entitled "Site Development Plan for Springvale Apartments" prepared by Cronin Engineering, P.E., P.C. latest revision dated March 14, 2013, and

WHEREAS, the subject property of 31.7 acres is located on the northwest side of Spring Place, approximately 300 feet northwest of Springvale Road, is zoned R-20, single-family residential and is designated on the Town of Cortlandt Tax Maps as Section 55.17, Block 3, Lot 2, and

WHEREAS, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated July 25, 2012, and

WHEREAS, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on June 4, 2013 at 7:00 p.m. adjourned to July 2, 2013, and

WHEREAS, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

WHEREAS, the subject Public Hearing Notice was mailed to adjacent and across the street property owners as well as additional residents in the apartment complex and the subject property was posted with a sign giving notice of the public hearing, and

WHEREAS, the applicant is seeking Site Development Plan Approval for a 16 space parking lot located in an existing grass area east of building 8 and across Springvale Road from building 11 at the Springvale Apartment Complex as well as a new drainage system to connect into the existing system of drainage on the subject site, and

WHEREAS, due to concerns from nearby residents the Town Engineer, the project engineer and representatives from the Springvale Apartment Complex walked the subject site and inspected

the existing road drainage system to determine if the additional drainage from the proposed parking lot could cause an adverse impact to adjacent properties, and

**WHEREAS**, based on the subject site visit and from information provided by residents at the public hearing it is apparent there are drainage issues in the vicinity that will be addressed by the Town but the proposed addition to the drainage system from the proposed parking lot will contribute such a minimal flow to the existing system so as to have no discernible adverse impact, and

**WHEREAS**, the Town Engineer and project engineer confirmed that sufficient sight distance exists for cars approaching the proposed parking area on Springvale Road and for cars exiting the proposed parking lot, and

**WHEREAS**, the Planning Board conducted a site inspection of the subject property, and

**WHEREAS**, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC) and the Town Engineering Division, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQR Regulations, as stated in this Resolution and throughout the course of this application as contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the

(continued on page 3)

habitat of such a species, or other significant adverse effects to natural resources.

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.

4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.

5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.

6. The proposed action will not significantly impact the use of either the quantity or type of energy.

7. The proposed action will not create a hazard to human health.

8. The proposed action will 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.

9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.

10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.

11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.

12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by Keith Staudohar dated July 25, 2012 and Part II of the Short EAF prepared by the

(continued on page 4)



Planning Division dated August 6, 2013 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of the **Springvale Apartment Company** for Site Development Plan Approval pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code for a proposed parking area with 16 spots and associated drainage improvements located east of building 8 and across Springvale Road from building 11 at the Springvale Apartment Complex as shown on a 3 page set of drawings entitled "Site Development Plan for Springvale Apartments" prepared by Cronin Engineering, P.E., P.C. latest revision dated March 14, 2013 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

**FURTHER BE IT RESOLVED** that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension,** and

**FURTHER BE IT RESOLVED** that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.**

**CONDITIONS AND MODIFICATIONS:**

1. **Obtain the required signature from the Director of Technical Services and the Director**

of Environmental Services on a mylar of the subject drawing and submit four prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.

2. Add the most recent signature block to the subject drawing.
3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
4. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required permits obtained prior to beginning any related work on the subject property.
5. Payment of a 5% inspection construction monitoring fee to the town based on the on-site construction costs pursuant to Resolution 114-00 of the Cortlandt Town Board.
6. Posting of a Two Thousand, Five Hundred (\$2,500) combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code. Said security shall be in the form of a Irrevocable Standby Letter of Credit as required by Town Board Resolution No. 257-90 or a cash deposit pursuant to the terms of the Cash Deposit Form as approved by Town Board Resolution No. 190-04. Said security to be in effect for a period of not less than two years from the date thereof. Said security shall be extended as required by the Town if all improvements are not completed within 2 years from the date thereof. Prior to the release of the signed Site Development Plan by the Planning Division said Letter of Credit or cash deposit shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division.
7. The applicant shall provide additional traffic signage to the satisfaction of the Director of Environmental Services and the Director of Technical Services.
8. The design of the proposed parking lot safety barrier will be to the satisfaction of the Director of Technical Services.

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

**WHEREAS**, an application for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning) and for a Wetland Permit pursuant to Chapter 179 (Wetlands) of the Town of Cortlandt Code was submitted by Dr. Robert Gold, for the property of Bruce and Irene Bumstead for a change of use from a veterinarian office to a dental office, for 10 additional parking spaces and for changes to the building elevations as shown on 2 page set of drawings entitled "Site Plan for Robert Gold Dental Office" prepared by Ralph G. Mastromonaco, P.E. dated April 18, 2013 and as shown on a 1 page elevation drawing entitled "Renovations for Dental Office: Dr. Gold" prepared by Crowley Dental Office Design dated April 22, 2013, and

**WHEREAS**, the subject property of approximately 43,833 sq. ft. is located at 2018 Albany Post Road (Route 9A), is zoned HC, Highway Commercial and is designated on the Town of Cortlandt Tax Maps as Section 67.06, Block 2, Lot 4, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated April 15, 2013, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on July 2, 2013 at 7:00 p.m., and

**WHEREAS**, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

**WHEREAS**, the subject Public Hearing Notice was mailed to adjacent and across the street property owners and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, the applicant is seeking Site Development Plan Approval for a change of use from a veterinarian office to a dental office, for 10 additional parking spaces and for changes to the building elevations, and

**WHEREAS**, the subject property has been occupied as a veterinarian office for approximately the past 19 years, and

**WHEREAS**, the Town Zoning Code (Chapter 307-29 Table of Required Off-Street Parking Spaces) requires eight (8) parking spaces for the subject medical office, and

**WHEREAS**, the applicant is desirous of growing his practice and adding additional practitioners and is therefore requiring fifteen (15) parking spaces at the subject site, and

**WHEREAS**, the runoff from the proposed asphalt parking lot is to be directed through a stone lined rip-rap drainage swale and be discharged into the Furnace Brook, and

**WHEREAS**, the construction of this swale is located within the 100' regulated wetland buffer and requires the issuance of a Wetland Permit as per Section 179-6 of the Town Code (Wetlands), and

**WHEREAS**, the applicant submitted the required wetland evaluation as per Section 179-6, "Criteria for approval, disapproval or approving with modifications" of the Town of Cortlandt Code and the Planning Board makes the following findings based on Section 179-6 of the Wetland Ordinance:

*(1) The environmental impact of the proposed action.*

**FINDING:**

The proposed construction of additional pavement (200 SF) and a stone swale (250 SF) in a small area of a wetland buffer will have no adverse environmental impact on the wetland and buffer area. The existing driveway and building were constructed within the wetland buffer as approved by the Planning Board (Res. No. 6-94). The proposed parking area is not located in the wetland buffer.

*(2) The alternatives to the proposed action.*

**FINDING:**

The driveway extension has no alternate location as it is an extension of the existing driveway and it is leading out of the wetland buffer. The proposed swale is to lead drainage to the stream where it will naturally flow.

*(3) Irreversible and irremediable commitments of resources that would be involved in the proposed activity.*

**FINDING:**

Once the swale and driveway extension are constructed, the proposed parking will not encroach on the 100 foot buffer area.

*(4) The character and degree of injury to or interference with safety, health or the reasonable use of property that is caused or threatened.*

**FINDING:**

The construction of the proposed drainage improvements and driveway extension will not injure, interfere with safety or degrade the functionality of the adjoining wetland.

*(5) The suitability or unsuitability of such activity to the area for which it is proposed.*

(continued on page 3)

FINDING:

The area is suitable for the proposed project as there is minimal disturbance of the proposed buffer area. As stated previously, the entire existing driveway and building were constructed within the wetland buffer as approved by the Planning Board (Res. No. 6-94). The proposed parking area is not located in the wetland buffer.

*(6) The effect of the proposed activity with reference to the protection or enhancement of several functions of wetlands, water bodies and watercourses.*

FINDING:

The functions of wetlands, water bodies and watercourses in the area will not be adversely affected by the proposed drainage improvement or driveway extension. The discharge from the proposed parking area will be channeled through a stone rip-rap channel with a velocity dissipater to slow the runoff prior to discharge to the Brook.

*(7) The availability of preferable alternative locations of the subject parcel or proposed action.*

FINDING:

Alternative locations for the proposed are not feasible on this small property.

*(8) The availability of mitigation measures that could feasibly be added to the plan or action.*

FINDING:

There are no mitigation measures that could feasibly be added to the plan without increasing disturbance to the buffer area. Erosion control is already shown on the plan.

*(9) The extent to which the exercise of property rights and the public benefit derived from such use may outweigh or justify the possible degradation of the wetland, water body or watercourse, the interference with the exercise of other property rights and the impairment or endangerment of the public health, safety or welfare.*

FINDING:

There will be no proposed degradation of a wetland, water body or watercourse and no impairment or endangerment of the public health, safety or welfare by the proposed Site Plan design, and

**WHEREAS**, the subject elevation drawings were reviewed by the Town's Architectural Advisory Council and they recommend approval of the proposed changes to the exterior of the building, and

**WHEREAS**, the Planning Board conducted a site inspection of the subject property, and

**WHEREAS**, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Town's Architectural Advisory Council, the Town Engineering Division and the Westchester County Planning Board, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQRR Regulations, as stated in this Resolution and throughout the course of this application as

(continued on page 4)

contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.
3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.
4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.
5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
6. The proposed action will not significantly impact the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will 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.
9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.
10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.

11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.

12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by Ralph G. Mastromonaco, P.E. dated April 15, 2013 and Part II of the Short EAF prepared by the Planning Division dated August 6, 2013 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Full EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of Dr. Robert Gold, for the property of Bruce and Irene Bumstead for a change of use from a veterinarian office to a dental office, for 10 additional parking spaces and for changes to the building elevations as shown on 2 page set of drawings entitled "Site Plan for Robert Gold Dental Office" prepared by Ralph G. Mastromonaco, P.E. dated April 18, 2013 and as shown on a 1 page elevation drawing entitled "Renovations for Dental Office: Dr. Gold" prepared by Crowley Dental Office Design dated April 22, 2013, is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

**FURTHER BE IT RESOLVED** that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site

Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension, and**

**FURTHER BE IT RESOLVED** that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing.

If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.**

**CONDITIONS AND MODIFICATIONS:**

1. **Obtain the required signature from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit four prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.**
2. **Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.**
3. **The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required permits obtained prior to beginning any related work on the subject property.**
4. **Revise the subject drawing to show the electrical service for the proposed lighting for the parking lot and provide a detail of the proposed light poles.**
5. **The design of the proposed sign shall be referred to the Architectural Advisory Council for their review and comment prior to installation.**
6. **Payment of a 5% inspection construction monitoring fee to the town based on the on-site construction costs pursuant to Resolution 114-00 of the Cortlandt Town Board.**
7. **Posting of a Two Thousand, Five Hundred (\$2,500) combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code. Said security shall be in the form of a Irrevocable Standby Letter of Credit as required by Town Board Resolution No. 257-90 or a cash deposit pursuant to the terms of the Cash Deposit Form as approved by Town Board Resolution No. 190-04. Said security to be in effect for a period**

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of not less than two years from the date thereof. Said security shall be extended as required by the Town if all improvements are not completed within 2 years from the date thereof. Prior to the release of the signed Site Development Plan by the Planning Division said Letter of Credit or cash deposit shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division.

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

**WHEREAS**, an application for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by Calvary Chapel of Westchester, for the property of the Mohegan Colony Association, for a change of use from a school to a place of worship and for a proposed 25 car gravel parking area as shown on a drawing entitled "Site Plan" prepared by Thomas Curro, R.A. latest revision dated June 17, 2013, and

**WHEREAS**, the subject property of approximately 9.17 acres located at 99 Baron de Hirsch Road is zoned R-40, single-family residential and is designated on the Town of Cortlandt Tax Maps as Section 24.19, Block 1, Lot 49, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated May 20, 2013, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on July 2, 2013 at 7:00 p.m., and

**WHEREAS**, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

**WHEREAS**, the subject Public Hearing Notice was mailed to adjacent and across the street property owners and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, the applicant is seeking Site Development Plan Approval and a change of use to permit a place of worship to occupy the existing Mohegan Colony Association building and for the construction of a 25 space gravel parking lot located in an existing grass area, and

**WHEREAS**, a place of worship is a permitted use in a residential zone, and

**WHEREAS**, the Planning Board conducted a site inspection of the subject property, and

**WHEREAS**, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Town Engineering Division and the Town Fire Inspector, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the

Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQR Regulations, as stated in this Resolution and throughout the course of this application as contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.
3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.
4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.
5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
6. The proposed action will not significantly impact the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will 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.
9. The proposed action will not encourage or attract a substantially larger number of people to the

subject property compared to the number of people who would come to such place absent the action.

10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.

11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.

12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by Thomas J. Curro, R.A dated May 20, 2013 and Part II of the Short EAF prepared by the Planning Division dated August 6, 2013 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of Calvary Chapel of Westchester, for the property of the Mohegan Colony Association, for Site Development Plan Approval for a change of use from a school to a place of worship and for a proposed 25 car gravel parking area as shown on a drawing entitled "Site Plan" prepared by Thomas Curro, R.A. latest revision dated June 17, 2013 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

**FURTHER BE IT RESOLVED** that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of

approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension, and

**FURTHER BE IT RESOLVED** that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing.

If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.

**CONDITIONS AND MODIFICATIONS:**

- 1. Obtain the required signature from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit two prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.**
- 2. Add the most recent signature block to the subject drawing.**
- 3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.**
- 4. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required permits obtained prior to beginning any related work on the subject property.**
- 5. Payment of a 5% inspection construction monitoring fee to the town based on the on-site construction costs pursuant to Resolution 114-00 of the Cortlandt Town Board.**
- 6. Posting of a Two Thousand, Five Hundred (\$2,500) combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code. Said security shall be in the form of a Irrevocable Standby Letter of Credit as required by Town Board Resolution No. 257-90 or a cash deposit pursuant to the terms of the Cash Deposit Form as approved by Town Board Resolution No. 190-04. Said security to be in effect for a period of not less than two years from the date thereof. Said security shall be extended as**

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**required by the Town if all improvements are not completed within 2 years from the date thereof. Prior to the release of the signed Site Development Plan by the Planning Division said Letter of Credit or cash deposit shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division.**

**7. Revise the subject drawing to show the line of existing vegetation located in the vicinity of the proposed parking lot. Add a note to the plan that no trees are to be removed for the construction of the parking lot. Show the conceptual location of the on-site septic system for the subject property.**

**8. Revise the subject drawing to relocate the two handicapped parking spaces closer to the main building to the satisfaction of the Director of Technical Services.**

**9. Add a note to the plan listing all of the current additional uses of the subject building in addition to the proposed house of worship.**

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

**WHEREAS**, an application for Planning Board approval of a Special Permit for an amusement center pursuant to Chapter 307-57 of the Town of Cortlandt Code was submitted by After Dark Attractions, LLC for a temporary seasonal Halloween Haunted House event to be located at 2305 Crompond Road (Route 202) as described in a Special Permit Cover Letter received by the Planning Office on May 22, 2013 and in an additional follow-up letter dated June 21, 2013, and

**WHEREAS**, the subject property of approximately 80,003 sq. ft. is located at 2305 Crompond Road (Route 202), is zoned HC, Highway Commercial and is designated on the Town of Cortlandt Tax Maps as Section 34.07, Block 2, Lot 8, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated June 15, 2013, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on July 2, 2013 at 7:00 p.m., and

**WHEREAS**, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

**WHEREAS**, the subject Public Hearing Notice was mailed to adjacent and across the street property owners, as well as additional residential properties located in the vicinity of the site on Buttonwood Road and Granite Road, and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, a site plan for the subject property was approved by the Planning Board by PB Resolution 59-08 adopted on December 2, 2010, and

**WHEREAS**, the applicant is proposing no changes to the subject site plan or the existing building, and

**WHEREAS**, the subject site plan shows 57 marked parking spaces existing on the subject site, and

**WHEREAS**, according to the applicant additional overflow parking for staff will be provided in

the rear of the subject parcel behind an existing fence, and

**WHEREAS**, additional overflow parking is to be provided at an adjacent parcel (Westchester Auto Exchange) if needed, and

**WHEREAS**, the Planning Board considered the issuance of this Amusement Center Special Permit pursuant to the requirements, conditions and standards contained in Sections 307-40, 307-41, 307-42 of the Town of Cortlandt Zoning Ordinance, and

**WHEREAS**, the Planning Board reviewed the proposed Special Permit request as per the standards and conditions of Section 307-57 (Amusement Center) of the Town Zoning Code and finds the proposal consistent with the requirements of the section in that the proposed seasonal temporary Halloween Haunted House is not located within 500 feet of a school, church or other place of worship, and

**WHEREAS**, as required by Section 307-57 the subject Special Permit application was referred to the Town Code Enforcement Division and the County Police, and

**WHEREAS**, in addition the subject application was referred to the Town Engineering Division and the Town Fire Inspector, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQR Regulations, as stated in this Resolution and throughout the course of this application as contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any

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substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.

4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.

5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.

6. The proposed action will not significantly impact the use of either the quantity or type of energy.

7. The proposed action will not create a hazard to human health.

8. The proposed action will 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.

9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.

10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.

11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.

12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part 1 of the Short Environmental Assessment Form (EAF)

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prepared by Pat Costello dated June 15, 2013 and Part II of the Short EAF prepared by the Planning Division dated August 6, 2013 and based on the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of After Dark Attractions, LLC for Planning Board approval of a Special Permit for an amusement center (temporary seasonal Halloween Haunted House event) pursuant to Chapter 307-57 of the Town of Cortlandt Code is **APPROVED** subject to the conditions listed below, and

**FURTHER BE IT RESOLVED** that the granting of this special permit is in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood and will not change the character thereof, or otherwise be detrimental to the public welfare.

**CONDITIONS AND MODIFICATIONS:**

1. The hours of operation shall be from 7:00 p.m. to Midnight on Friday, Saturday and Sunday evenings from October 4<sup>th</sup> to November 2<sup>nd</sup>. The site will also be open from 7:00 p.m. to Midnight on Thursday, October 31<sup>st</sup>. The subject special permit shall expire on November 3, 2013.
2. The applicant shall submit a copy of the required inspection report from the New York State Department of Labor and the Westchester County Emergency Services Department prior to the opening of the facility.
3. The applicant shall submit a copy of the agreement with the owner of the Westchester Auto Exchange regarding overflow parking with a sketch plan showing the location and amount of overflow parking to the satisfaction of the Director of Technical Services.
4. The applicant shall obtain any New York State, Westchester County and Town permits prior to the opening of the facility to the public.
5. The applicant shall provide 24 hour contact information to the Westchester County Police and the Town Department of Technical Services.

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

**WHEREAS**, an application for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by Carrols, LLC, as lessee of the property of Poughkeepsie Shopping Center, Inc., for the remodel of the existing Burger King Restaurant, new signage and regrading and restriping of the parking lot as shown on a drawing entitled "Site Plan Amendment" latest revision dated July 2, 2013 prepared by Ingalls & Associates, LLP and on a 3 page set of elevation drawings entitled "Carrols BK New Elevations" prepared by A.H. Riiel Architect, latest revision dated December 27, 2012, and

**WHEREAS**, the subject property of 1.47 acres is located at 2040 East Main Street (Cortlandt Boulevard), is zoned CD, Designed Commercial and is designated on the Town of Cortlandt Tax Maps as Section 23.20, Block 1, Lots 5,6 & 7, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated March 15, 2013, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on August 6, 2013 at 7:00 p.m., and

**WHEREAS**, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

**WHEREAS**, the subject Public Hearing Notice was mailed to adjacent and across the street property owners and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, the applicant is seeking Site Development Plan Approval for a renovation of the existing Burger King Restaurant, new signage, parking lot regrading and re-striping and for changes to the internal traffic pattern, and

**WHEREAS**, whereas the new internal traffic circulation pattern will permit vehicles that access the site at the traffic light at Conklin Avenue to "cut through" the front of the site and get to the drive-through window without needing to complete a u-turn within the parking lot, and

**WHEREAS**, the Town's traffic consultant reviewed the applicant's proposal and recommended certain changes to proposed curbing and additional traffic controls and signage, and

**WHEREAS**, the applicant has revised the plans in accordance with the recommendations, and

**WHEREAS**, the proposed building elevations were sent to the Town's Architectural Advisory Council for review and comment and they recommended approval of the proposed changes, and

**WHEREAS**, the Planning Board conducted a site inspection of the subject property, and

**WHEREAS**, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Town Engineering Division, the Fire Advisory Board, the Architectural Advisory Council, the Westchester County Planning Board and the City of Peekskill, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQR Regulations, as stated in this Resolution and throughout the course of this application as contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.
3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.
4. The proposed action will not result in the creation of a material conflict with the adopted 2004

Town Comprehensive Master Plan and Town Zoning Ordinance.

5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
6. The proposed action will not significantly impact the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will 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.
9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.
10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.
11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.
12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by Paul Lenowicz, dated March 15, 2013 and Part II of the Short EAF prepared by the Planning Division dated August 6, 2013 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II

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of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of Carrols, LLC, as lessee of the property of Poughkeepsie Shopping Center, Inc., for the remodel of the existing Burger King Restaurant, new signage and regrading and restriping of the parking lot as shown on a drawing entitled "Site Plan Amendment" latest revision dated July 2, 2013 prepared by Ingalls & Associates, LLP and on a 3 page set of elevation drawings entitled "Carrols BK New Elevations" prepared by A.H. Riieel Architect, latest revision dated December 27, 2012 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

**FURTHER BE IT RESOLVED** that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension,** and

**FURTHER BE IT RESOLVED** that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing.

If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.**

**CONDITIONS AND MODIFICATIONS:**

**1. Obtain the required signature from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit two prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.**

**2. Add the most recent signature block to the subject drawing.**

3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
4. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required permits obtained prior to beginning any related work on the subject property.
5. Payment of a 5% inspection construction monitoring fee to the town based on the on-site construction costs pursuant to Resolution 114-00 of the Cortlandt Town Board.
6. Posting of a Two Thousand, Five Hundred (\$2,500) combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code. Said security shall be in the form of a Irrevocable Standby Letter of Credit as required by Town Board Resolution No. 257-90 or a cash deposit pursuant to the terms of the Cash Deposit Form as approved by Town Board Resolution No. 190-04. Said security to be in effect for a period of not less than two years from the date thereof. Said security shall be extended as required by the Town if all improvements are not completed within 2 years from the date thereof. Prior to the release of the signed Site Development Plan by the Planning Division said Letter of Credit or cash deposit shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division.
7. Submit a landscape plan for the entire site to the satisfaction of the Director of Technical Services.
8. A highway permit will be required from the New York State Department of Transportation for work proposed in the New York State DOT right-of-way prior to the issuance of a Certificate of Occupancy.
9. The subject drawing should be revised to either eliminate the 5 parking spaces located nearest to the easterly entrance to the site from Route 6 or to reconfigure all of the existing 10 spaces located east of the site to the satisfaction of the Director of Technical Services.

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

**WHEREAS**, an application for Planning Board approval of an Amended Site Development Plan Approval and a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by Children of America Educational Childcare & Academy, for the property of Acadia Cortlandt, LLC, to occupy approximately 20,000 sq. ft. of space in Building "D" at the Cortlandt Town Center shopping center and to construct an approximately 10,000 sq. ft. outdoor playground in the existing parking lot as shown on a 4 page set of drawings entitled "Proposed Children of America at Cortlandt Town Center" prepared by Amara Associates, LLC latest revision dated June 18, 2013, and

**WHEREAS**, the entire parcel is approximately 60.52 acres, is zoned CD, Designed Commercial and is designated on the Town of Cortlandt Tax Maps as Section 24.10 Block 1, Lot 1, and

**WHEREAS**, the proposed use is to be located in Building "D" at the Cortlandt Town Center adjacent to DSW Shoes in the former Levitz Tenant space, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated June 18, 2013, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on August 6, 2013 at 7:00 p.m., and

**WHEREAS**, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

**WHEREAS**, the subject Public Hearing Notice was mailed to adjacent and across the street property owners and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, the applicant is seeking Amended Site Development Plan Approval to occupy approximately 20,000 sq. ft. of tenant space in the existing Building "D" at the Cortlandt Town Center and to construct an approximately 10,000 sq. ft. outdoor play area in the existing parking lot, and



**WHEREAS**, the proposed outdoor play area is to be protected by a 6" high vehicular curb, with a 7 ft. landscape buffer, traffic bollards located 6 ft. on center and a 6 ft. solid fence around the entire exterior of the play area, and

**WHEREAS**, the applicant provided representative arrival and departure counts for pick-ups and drop-offs from other centers similarly sited in existing shopping centers, and

**WHEREAS**, there are currently 3,709 parking spaces at the site, 37 spaces will be eliminated by the proposed outdoor play area leaving 3,672 and based on the square footage of the existing tenants and assigning retail parking rates to vacant tenant spaces 3,668 spaces are required by Town Code, and

**WHEREAS**, the subject building elevation and proposed signage was referred to the Architectural Advisory Council for their review and comment and they recommend approval of the revised signage without the white background, and

**WHEREAS**, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Architectural Advisory Council, the Fire Advisory Board and the Town Engineering Division, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQRA Regulations, as stated in this Resolution and throughout the course of this application as contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any

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substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.
4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.
5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
6. The proposed action will not significantly impact the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will 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.
9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.
10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.
11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.
12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part 1 of the Short Environmental Assessment Form (EAF)

(continued on page 4)

prepared by Peter Amara dated June 18, 2013 and Part II of the Short EAF prepared by the Planning Division dated August 6, 2013 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of Children of America Educational Childcare & Academy, for the property of Acadia Cortlandt, LLC for Amended Site Development Plan Approval pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code to occupy approximately 20,000 sq. ft. of space in Building "D" at the Cortlandt Town Center shopping center and to construct an approximately 10,000 sq. ft. outdoor playground in the existing parking lot as shown on a 4 page set of drawings entitled "Proposed Children of America at Cortlandt Town Center" prepared by Amara Associates, LLC latest revision dated June 18, 2013 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

**FURTHER BE IT RESOLVED** that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension**, and

**FURTHER BE IT RESOLVED** that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension**.

**CONDITIONS AND MODIFICATIONS:**

1. Obtain the required signature from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit four prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.
2. Add the most recent signature block to the subject drawing.
3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
4. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required permits obtained prior to beginning any related work on the subject property.
5. Payment of a 5% inspection construction monitoring fee to the town based on the on-site construction costs pursuant to Resolution 114-00 of the Cortlandt Town Board.
6. Posting of a Two Thousand, Five Hundred (\$2,500) combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code. Said security shall be in the form of a Irrevocable Standby Letter of Credit as required by Town Board Resolution No. 257-90 or a cash deposit pursuant to the terms of the Cash Deposit Form as approved by Town Board Resolution No. 190-04. Said security to be in effect for a period of not less than two years from the date thereof. Said security shall be extended as required by the Town if all improvements are not completed within 2 years from the date thereof. Prior to the release of the signed Site Development Plan by the Planning Division said Letter of Credit or cash deposit shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division.
7. Revise the rendering (page 4) of the drawing set dated June 18, 2103 and eliminate the white background behind the proposed sign as per the recommendation of the Architectural Advisory Council.
8. Site drainage shall be modified to the satisfaction of the Director of Technical Services.

(continued on page 6)

**9. Provide a certification from a New York State Professional Engineer that the proposed outdoor improvements will not compromise the structural integrity of the existing retaining wall system to the satisfaction of the Director of Technical Services.**

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

**TOWN OF CORTLANDT  
PLANNING BOARD  
PB 12-13**

**DRAFT**

**RESOLUTION NO. 38-13**

**WHEREAS**, an application for Planning Board approval of an Amended Site Development Plan Approval and a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by Thomas T. Allen, for the property of Pike Plaza, LLC for an indoor golf simulation recreation facility located in a tenant space at the Pike Plaza center at 2050 East Main St. (Cortlandt Boulevard) as shown on a 3 page set of drawings entitled "Project Information – Indoor Golf Simulation" prepared by David Tetro, R.A. dated June 10, 2013, and

**WHEREAS**, the subject property of approximately 4.5 acres is located at 2050 E. Main Street (Cortlandt Boulevard), is zoned CD, Designed Commercial and is designated on the Town of Cortlandt Tax Maps as Section 23.20, Block 1, Lot 4, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated June 10, 2013, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on August 6, 2013 at 7:00 p.m., and

**WHEREAS**, the Public Hearing Notice for this application was published in the "Journal News" and in the "Gazette", and

**WHEREAS**, the subject Public Hearing Notice was mailed to adjacent and across the street property owners and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, the applicant is seeking Amended Site Development Plan Approval and a change of use from an education use to an assembly use for an indoor golf simulation recreation facility with a small eating and drinking area for patrons to occupy approximately 4,800 sq. ft. of existing tenant space on the upper level of the Pike Plaza Shopping Center, and

**WHEREAS**, the applicant is not proposing any changes to the front elevation of the building but is providing a secondary means of egress through a new door located on the western elevation, and

**(continued on page 2)**

**WHEREAS**, by the approval of the Pike Plaza Site Plan by Resolution 69-95 adopted on September 12, 1995 and carried over to the Children of America Site Plan approval by Resolution 22-08 adopted on April 1, 2008 the Planning Board approved 28 parking spaces to be held in reserve and not constructed unless needed, and

**WHEREAS**, the current center has 179 parking spaces and parking calculations provided by the applicant, based on existing tenants and assigning the required parking to the vacant tenant spaces, the center requires 187 parking spaces, and

**WHEREAS**, as with the previous Children of America site plan approval the parking shortfall can be made up, if necessary, by the construction of the 10 additional parking spaces to be located on the northern edge of the upper parking lot, and

**WHEREAS**, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Fire Advisory Board and the Town Engineering Division, and

**WHEREAS**, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application at the public hearing, and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 617.7 of the SEQR Regulations, as stated in this Resolution and throughout the course of this application as contained in the minutes of the public hearing and other regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.

(continued on page 3)

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.
4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.
5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
6. The proposed action will not significantly impact the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will 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.
9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.
10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.
11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.
12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by David Tetro dated June 10, 2013 and Part II of the Short EAF prepared by the Planning Division dated August 6, 2013 and based on the subject site development plan and the

(continued on page 4)



record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

**FURTHER BE IT RESOLVED** that the application of Thomas T. Allen, for the property of Pike Plaza, LLC for an indoor golf simulation recreation facility located in a tenant space at the Pike Plaza center at 2050 East Main St. (Cortlandt Boulevard) as shown on a 3 page set of drawings entitled "Project Information – Indoor Golf Simulation" prepared by David Tetro, R.A., dated June 10, 2013 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

**FURTHER BE IT RESOLVED** that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension,** and

**FURTHER BE IT RESOLVED** that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.**

**CONDITIONS AND MODIFICATIONS:**

- 1. Obtain the required signature from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit four prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.**

2. Add the most recent signature block to the subject drawing.
3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
4. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required permits obtained prior to beginning any related work on the subject property.
5. Revise the subject drawing to show the location of the twenty-eight (28) previously approved future parking spaces located in the upper parking lot.

**TO BE CONSIDERED FOR ADOPTION: AUGUST 6, 2013**

- ♣ Site Planning
- ♣ Land Use Planning
- ♣ Mineral Resource Consulting
- ♣ Wetland Delineation and Permitting
- ♣ Mitigation Planning



- ♣ Life and Botanical Studies
- ♣ Natural Resource Planning
- ♣ Forestry Consulting
- ♣ Environmental Impact Statements
- ♣ Soil Studies
- ♣ Environmental Assessments

P.O. Box 145 ♣ Montgomery, NY 12549 ♣ Telephone: (845) 457-8141 ♣ Fax: (845) 457-4769  
 email: basecamp@frontiernet.net

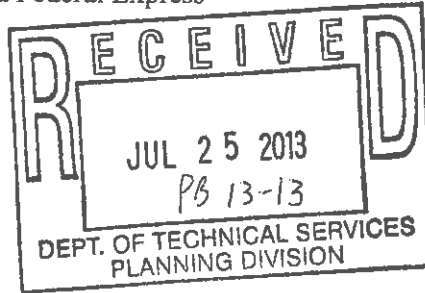
- ..... Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 7/25/13

July 25, 2013

Via Federal Express

Town of Cortlandt Planning Board  
 1 Heady Street  
 Cortlandt Manor, NY 10567

Re: *Brookfield Resource Management*  
*2114 APR, LLC; SBL 54.08-2-29, 30*  
*Special Permit Renewal*  
*AEC Project # 0901*



Dear Chairperson Taylor and Members of the Planning Board:

Enclosed please find a completed Application for Special Permit renewal for the above referenced facility, together with a copy of the approved Site Development Plan and \$500 fee. By this letter, Brookfield respectfully requests the renewal of the Special Permit granted by the Board pursuant to Resolution No. 56-10, adopted December 7, 2010. This is a Type II action under SEQRA.

By Resolution No. 56-10, the Board granted Brookfield a Special Permit, Tree Removal Permit, Steep Slopes Permit, and Site Development Plan Approval, (the "Approval"). At that time, the Board established that the Special Permit would expire three (3) years from the date of the adoption of the Approval Resolution, by which time the Applicant was required to make an application to renew its Special Permit.

As is clear from a drive by the site, Brookfield has upgraded the frontage along 9A significantly, and has created a model example of fitting such a facility into the community. Also, quarterly traffic data has been submitted under separate cover by William FitzPatrick, PE, in accordance with the Conditions of the Approval.

We look forward to appearing before your Board at the August meeting. In the interim, please do not hesitate to contact us with any questions or comments. Thank you for your consideration.

AEC Incorporated  
 Very Truly Yours,

Jim Ullrich  
 President

Cc: Tom Malone  
 David Steinmetz, Esq.  
 Brad Schwartz, Esq.




# TOWN OF CORTLANDT

TOWN HALL  
1 HEADY STREET  
CORTLANDT MANOR, N.Y. 10567-1254  
(914) 734-1020 – FAX: (914) 734-1102  
townofcortlandt.com

JO-ANN DYCKMAN  
TOWN CLERK

## MEMORANDUM

TO: Chairperson Loretta Taylor  
Members of the Planning Board

FROM: Jo-Ann Dyckman   
Town Clerk

RE: Application for proposed Zoning Map Amendment and re-classification of 7 acres to the CD, Designed Commercial Zoning District, the establishment of various special districts and for the proposed Cortlandt Crossing Site Development Plan.

DATE: July 26, 2013

Please find enclosed herewith a Petition to Rezone, ancillary petitions, etc. drawings, the Full EAF and a Scope for an Environmental Impact Statement for the above referenced application. This information is referred to the Planning Board for coordinated review and Lead Agency determination as required by 6 NYCRR Part 617.6. The Town of Cortlandt Town Board declared their intent to be Lead Agent at their meeting on July 16, 2013. Pursuant to SEQR please submit any written comments to the Cortlandt Town Board within the next thirty (30) days.

If you have any questions concerning this application please contact my office.

JD/CRK/crk  
enclosures

cc: w/out encs. Linda D. Puglisi, Town Supervisor  
Members of the Town Board  
Thomas Wood, Esq., Town Attorney  
Ed Vergano, P.E., Director of DOTS  
John Klarl, Esq., Deputy Town Attorney  
Chris Kehoe, AICP, Deputy Planning Director