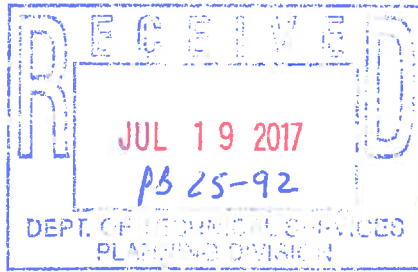


**Right to Know / FOIL**

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.

**ShopRite  
Supermarkets  
Inc.**



Copies ..... <sup>7</sup> Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
..... \_\_\_\_\_  
..... \_\_\_\_\_  
Sent 7/20/17

July 19, 2017

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

Re: Permit request for the outdoor display of merchandise

Dear Ms. Taylor,

Please consider this letter our request for a Permit for the Outdoor Display of Merchandise at our ShopRite store located at 2094 E. Main Street, Cortlandt Manor, New York. Our timing and primary display items are as follows:

- April – August: Flowers, mulch, top soil, patio furniture and watermelon bin(s) during summer months
- August – December: Flowers, wreaths and fire logs

As per Zoning Ordinance 307-65.8, the outdoor display area will not exceed 10% of the gross area available in our store (Part B), only merchandise being sold by ShopRite will be displayed outdoors (Part C), and we will not display items within the parking area (Part D). We understand that the remaining parts of the ordinance fall under the discretion of the Planning Board, Director of Technical Services, Director of Code Enforcement and the Town Fire Inspector.

Attached please find 2 photos of the areas we would like to display seasonal merchandise, plus a site plan showing the location of the proposed display areas highlighted in red.

Our Landlord has verbally agreed to provide an authorization letter regarding the above. I will provide the letter as soon as received.

If you have any questions, feel free to call me at 845-325-7391. Thank you for your consideration!

Sincerely,

  
Craig J. Grybowski  
Real Estate Manager

Cc: Chris Kehoe, Deputy Directing, Planning Division  
James Seltzer, Landlord

**Associate & Customer Satisfaction – Our Future Depends on it!**

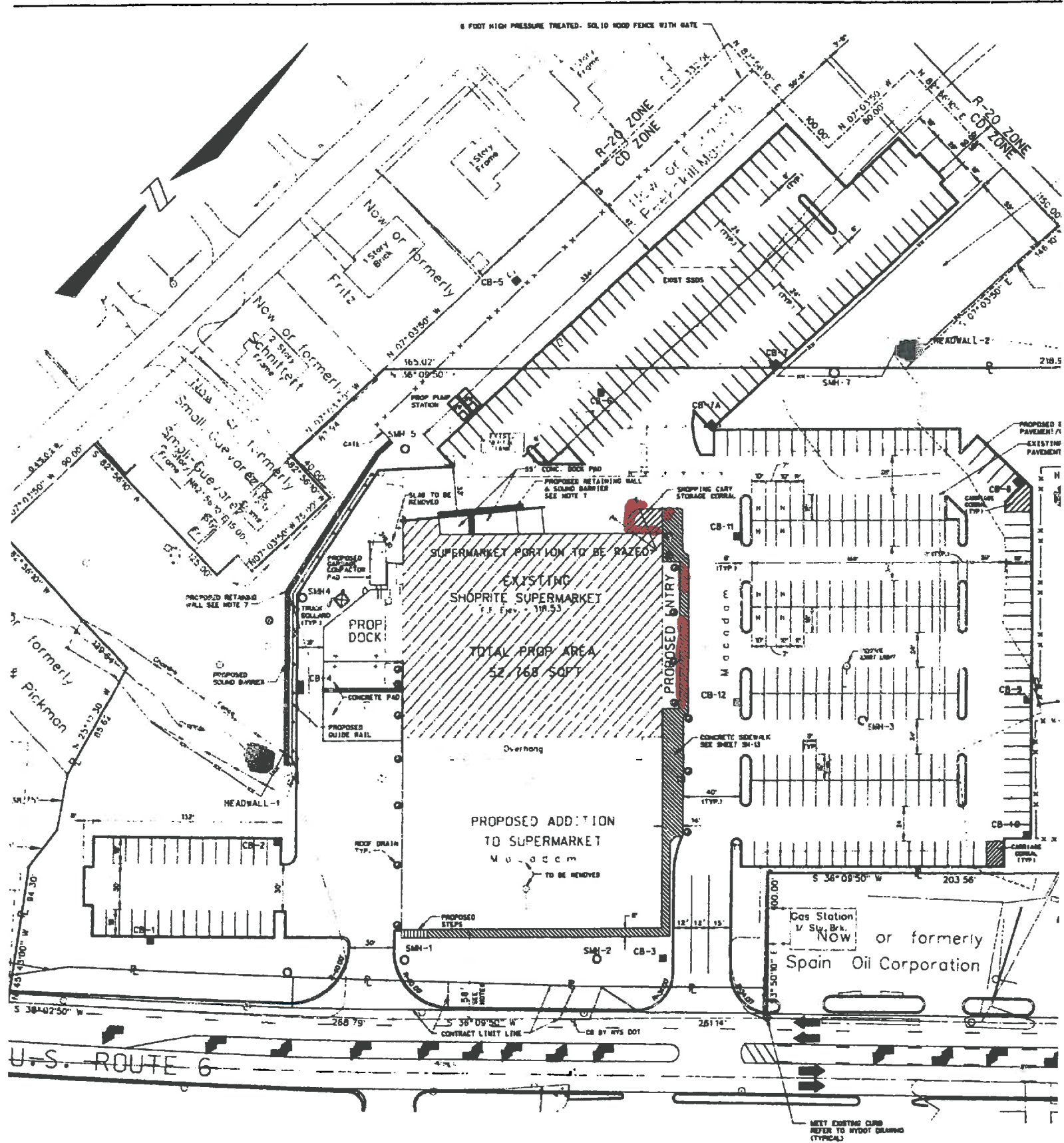
176 North Main Street • Florida, NY 10921  
Telephone (845) 651-4411

PHARMACY





6 FOOT HIGH PRESSURE TREATED, SOLID HOOD FENCE WITH GATE



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| PERFORMANCE BOARD                | DES |
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| NO SPACES & GENERAL REVISIONS    |     |
| DESIGNER & PLANNER FOR APPROVAL  | CD  |
| INSPECTOR & PLANNER FOR APPROVAL |     |

**J  
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A**

**J. ROBERT FOLCHETTI &  
ASSOCIATES**

ENVIRONMENTAL  
ENGINEERS

**TOWN OF CORTLANDT  
WESTCHESTER COUNTY, NEW YORK**

**PROPOSED SHOPRITE EXPANSION  
ROUTE 6**

**WHEREAS**, the Planning Board received a letter dated July 19, 2017 from Craig Grybowski, Real Estate Manager for Shoprite requesting Planning Board approval for the outside sales and storage of flowers, mulch, top soil, patio furniture, and watermelon bins from April – August and flowers, wreaths and fire logs from August – December, and

**WHEREAS**, the applicant provided photographs of the area proposed for the storage as well as a narrative description of compliance with Section 307-65.8 of the Town Zoning Code (Outdoor Displays of Merchandise), and

**WHEREAS**, the applicant received the required written authorization from the property owner to seek Planning Board approval of the request.

**NOW THEREFORE BE IT RESOLVED**, that the request of Craig Grybowski of Shoprite for the outside sales and storage of materials as described in a letter dated July 19, 2017 is hereby **approved** subject to the following condition:

**CONDITIONS AND MODIFICATIONS:**

- 1) Containers, shelving and other outdoor storage of materials shall not be located beyond building corners or within 10-ft of means of egress from the building. The outdoor displays may not be located in paved areas used for travel.**
- 2) The applicant is advised to keep the area clean and remove all debris and garbage daily. If property maintenance becomes an issue the applicant is advised that the outdoor storage and sales area may be required to be removed.**
- 3) Shopping carts shall not be permitted in front of the displays nor shall displays be located behind or adjacent to shopping cart corrals.**
- 4) The Town Fire Inspector shall conduct a site inspection and approve the location to ensure compliance with Section 307-65.8 (H) of the Town Code.**

**TO BE CONSIDERED FOR ADOPTION: AUGUST 1, 2017**

**WHEREAS**, the Planning Board received a letter dated May 19, 2017 from Judie Doyle of Judie's Equipment, LLC seeking Planning Board approval of a change of use from a retail appliance sales and service facility to an outdoor power equipment sales, service and parts store, and

**WHEREAS**, the subject property is located at 126 Broadway in the hamlet of Verplanck, is zoned CC, Community Commercial and is designated as Section 43.17, Block 1, Lot 6, and

**WHEREAS**, the applicant is proposing to operate a business specializing in the sale and service of outdoor power equipment, i.e. lawnmowers, blowers, weed trimmers, etc., and

**WHEREAS**, as described in the May 19, 2017 letter no outdoor sales or service of equipment is proposed, parking will be provided on the 6<sup>th</sup> Street side of the building with a handicapped space provided on Broadway and the hours of operation were proposed to be Monday through Sunday from 8:00 am to 8:00 pm, 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 6, 2017 adjourned to July 5, 2017, 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 Planning Board conducted a site visit of the subject property, and

**WHEREAS**, the subject application is considered a Type II action under the State Environmental Quality Review Act (SEQRA).

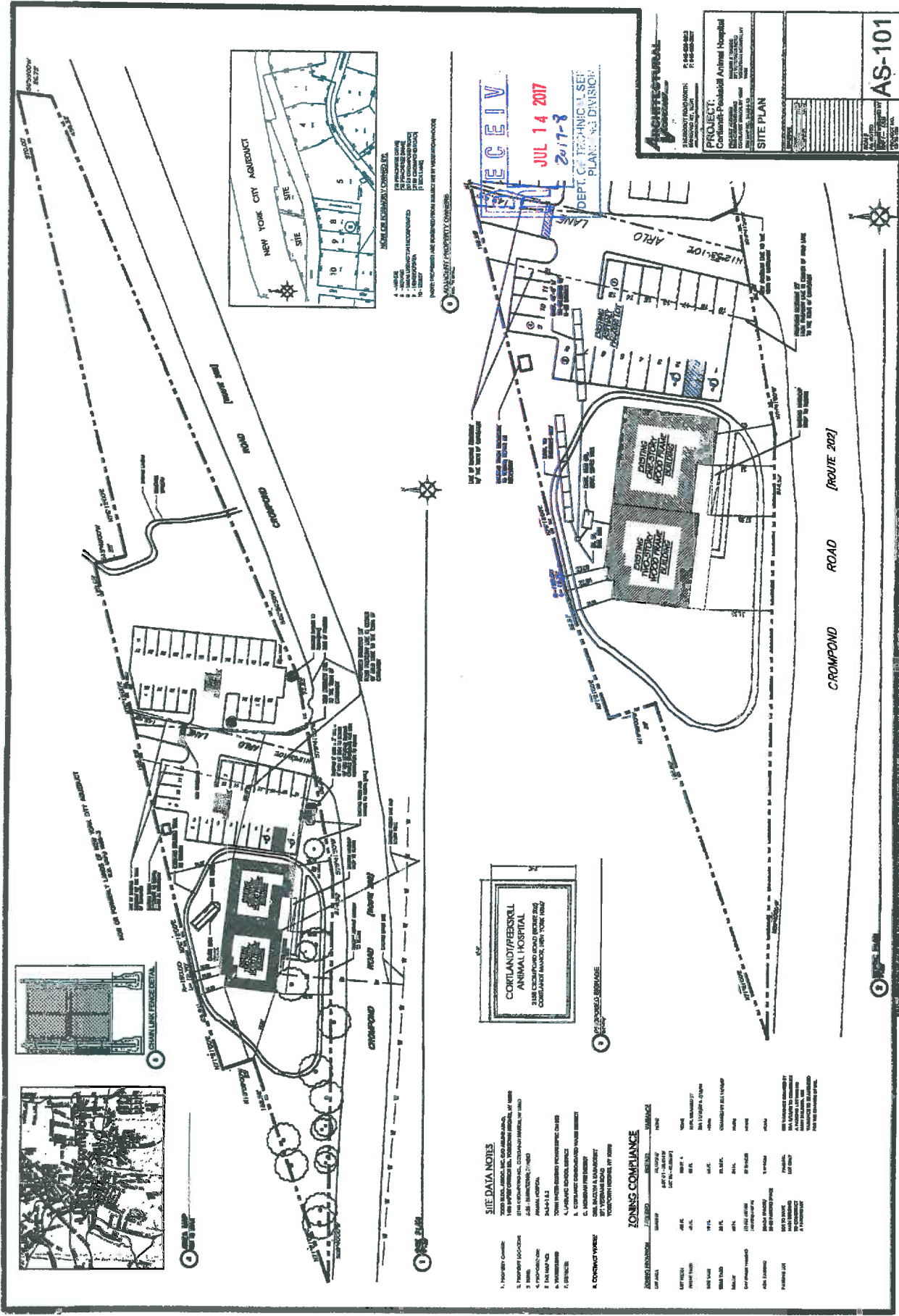
**NOW THEREFORE BE IT RESOLVED**, that the request of Judie Doyle of Judie's Equipment, LLC for approval of a change of use from a retail appliance sales and service facility to an outdoor power equipment sales, service and parts store is hereby **approved** subject to the following conditions:

(continued on page 2)

**CONDITIONS AND MODIFICATIONS:**

- 1) No outdoor display of merchandise, nor outdoor repair or testing of equipment is permitted.
- 2) In the event noise complaints persist, and is determined by the Department of Technical Services to be at a level reaching or exceeding the Town's noise ordinance, than an acoustical engineer or qualified noise expert shall be retained at the expense of the applicant to further evaluate the day to day operations. The applicant shall post an escrow account of \$3,500 to be held by the Town for a minimum of 12 months after the start of operations. Any money not drawn down from this escrow account shall be returned to the applicant upon request.
- 3) The applicant shall apply to the Town Clerk for a license agreement for use of Town property for parking purposes as outlined in Chapter 211 of the Town Code. In addition upon the issuance of the license the applicant shall be required to stripe all the required parking spaces to the satisfaction of the Director of Technical Services and the Director of Environmental Services.
- 4) After 1 year of operation the applicant and the Town's Division of Code Enforcement and Administration shall submit reports via correspondence to the Planning Board summarizing operations and complaints, if any. The Planning Board or Director of Technical Services may require the applicant to attend a Planning Board meeting to discuss issues pertaining to noise and delivery operations.
- 5) The hours of operation will be Monday through Saturday from 8:00 a.m. to 6:00 p.m. The store is closed to the public on Sundays. The owner is permitted to access and work on the premises on Sundays.
- 6) The applicant is required to obtain a building permit within 12 months of the date of this resolution or the approval shall expire.
- 7) The applicant is advised that motor vehicle repair is not permitted at the site.
- 8) The applicant is advised that they are required to obtain and file all permits from all agencies with jurisdiction (local, state or other) prior to the issuance of a certificate of occupancy.
- 9) The applicant shall install sound attenuation as required to the satisfaction of the Director of Technical Services prior to the issuance of a certificate of occupancy.





**SITE DATA NOTES**

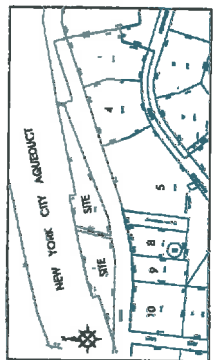
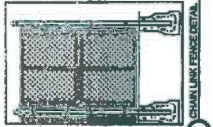
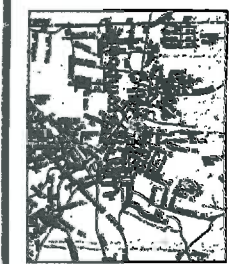
1. PROPERTY CORNER
2. PROPERTY LOCATION
3. BOUNDARY
4. EXISTING STRUCTURE
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**ZONING COMPLIANCE**

| EXISTING ZONING | PROPOSED ZONING | COMPLIANCE |
|-----------------|-----------------|------------|
| U-1             | U-1             | YES        |
| U-2             | U-2             | YES        |
| U-3             | U-3             | YES        |
| U-4             | U-4             | YES        |
| U-5             | U-5             | YES        |
| U-6             | U-6             | YES        |
| U-7             | U-7             | YES        |
| U-8             | U-8             | YES        |
| U-9             | U-9             | YES        |
| U-10            | U-10            | YES        |
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| U-13            | U-13            | YES        |
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ARCHITECTURAL  
 PROJECT: Cortlandt/Freskull Animal Hospital  
 SHEET: AS-101  
 DATE: 07/14/17

RECEIVED  
 JUL 14 2017  
 DEPT. OF TECHNICAL SERVICES  
 PLANNING DIVISION



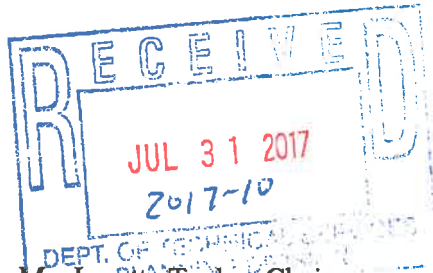
NEW YORK CITY AGREEMENT  
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 SITE 9  
 SITE 10



Vincent Sapienza, P.E.  
Acting Commissioner

Paul V. Rush, P.E.  
Deputy Commissioner  
Bureau of Water Supply  
prush@dep.nyc.gov

465 Columbus Avenue  
Valhalla, NY 10595  
T: (914) 749-5255  
F: (914) 749-5477



July 27, 2017

Ms. Loretta Taylor, Chairperson  
Town of Cortlandt Planning Board  
Town Hall  
1 Heady Street  
Cortlandt Manor, New York 10567

Re: **Village of Croton Department of Public Works (DPW)**  
**435 & 439 Yorktown Road (Route 129)**  
**Town of Cortlandt, Westchester County**  
**Tax Map#: 56.19-1-6 & 6.1**  
**DEP Log#: 2017-CNC-0307-OT.1**

Copies ... 7 ... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 7/27/17

Dear Ms. Taylor and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has received the Public Hearing Notice for the above referenced project.

The project site is located in the New Croton Reservoir drainage basin of New York City's Watershed, and the proposed action involves the conversion and renovation of an existing commercial facility to house the Village of Croton DPW personnel and repair facility.

Based upon the review of the documents received – "Overall Site Plan," prepared by Frank Baldi, P.E, dated 5/16/17 and an on-site meeting held on June 29, 2017 with the project applicant, DEP offers the following:

1. There are two watercourses in relation to this project area that must be taken into consideration regarding the layout of the project design. Both watercourses are directly tributary to the New Croton Reservoir. Please be advised that any segment of a watercourse that is directly tributary to and within 500 feet of the reservoir is considered a reservoir stem as defined in Section 18-16 (95) of the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources (Watershed Regulations)*. As such, the associated 300' limiting distance must be shown on the plans. DEP has discussed this with the project sponsor, and the plans are being revised to reflect this regulation.
2. Pursuant to Section 18-39(b) of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources (Watershed Regulations)* titled "Stormwater Pollution Prevention Plans," the following activity require DEP approval of a SWPPP:

- Up to a 25 percent expansion of an existing impervious surface at an existing commercial... facility which is within the limiting distance of 100 feet of a watercourse or wetland.

Although, it appears that the newly proposed 4,500 sq. ft. driveway expansion is outside of the limiting distance, the project sponsor is encouraged to provide the total area of expanded impervious surfaces that includes storage containers in relation to the existing impervious surfaces. It is noted that the proposed driveway and parking area expansions located within the associated limiting distance are proposed to be constructed of gravel.

Please note that the following activities are prohibited or restricted:

- New petroleum storage facilities which require registration under 6 NYCRR Part 612, or new tanks that expand the capacity of the existing facility are prohibited within 500 feet of a reservoir stem pursuant to Section 18-34 of the Watershed Regulations.
  - Section 18-16 (105) of the Watershed Regulations prohibits locating a solid waste management facility, which includes the storage of waste tires within 1000 feet of a reservoir. During the site walk of June 29, 2017, an abundance of debris and roll-off containers were observed at the later referenced parcel. This waste material must be removed as soon as possible.
  - Section 18-40 of the Watershed Regulations discusses activities that may result in the degradation of the water supply and includes vehicle-washing facilities. It is not clear from the documentation provided if the DPW fleet vehicles will be washed on-site.
  - Section 18-45 of the Watershed Regulations outlines the restrictions and requirements for the storage of winter highway maintenance materials.
4. Any alteration or modification of the subsurface sewage treatment system requires DEP review and approval. Please clarify the number of employees to be stationed at this facility.

Thank you for the opportunity to provide comments. You may reach the undersigned at [cgarcia@dep.nyc.gov](mailto:cgarcia@dep.nyc.gov) or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia  
SEQRA Coordination Section

C: C. Kehoe, AICP, Town Planner  
J. King, Village Manager Croton-on-Hudson  
F. Balbi, P.E., Superintendent of Public Works Croton-on-Hudson

- EXISTING CONDITIONS:**
- 1. ALL INFORMATION SHOWN ON THIS SHEET IS OBTAINED FROM THE INFORMATION BEING PROVIDED BY THE CLIENT AND IS UNWARRANTED.
  - 2. THE ENGINEER HAS VISUALLY VERIFIED THE INFORMATION AND CONDUCTED VISUAL INSPECTIONS OF THE INFORMATION PROVIDED.
  - 3. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE INFORMATION PROVIDED.
- NOTES:**
1. EXISTING CONDITIONS ARE SHOWN ON THE BASIS OF THE INFORMATION PROVIDED BY THE CLIENT.
  2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
  3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

- SCHEDULE OF WORK:**
1. PREPARE PROPOSED SITE PLAN.
  2. PREPARE PROPOSED SPECIFICATIONS.
  3. PREPARE PROPOSED CONTRACT DOCUMENTS.
  4. PREPARE PROPOSED BIDDING DOCUMENTS.
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| City/County                       | Lot Area (sq ft) | Lot Area (ac) | Block | Section | Map | Year | Other          | Notes |
|-----------------------------------|------------------|---------------|-------|---------|-----|------|----------------|-------|
| City of Yorktown, York County, VA | 3,800 sq ft      | 0.087 ac      | 30    | 10      | 400 | 2017 | Map 400-10-400 |       |
| City of Yorktown, York County, VA | 3,800 sq ft      | 0.087 ac      | 30    | 10      | 400 | 2017 | Map 400-10-400 |       |
| City of Yorktown, York County, VA | 3,800 sq ft      | 0.087 ac      | 30    | 10      | 400 | 2017 | Map 400-10-400 |       |

DATE: 5/15/17  
 DRAWN BY: F.B.  
 CHECKED BY: F.B.

**PROPOSED RELOCATION OF THE  
 CROTON-ON-HUDSON DPW FACILITY  
 435 & 439 YORKTOWN ROAD**

**OVERALL SITE PLAN**

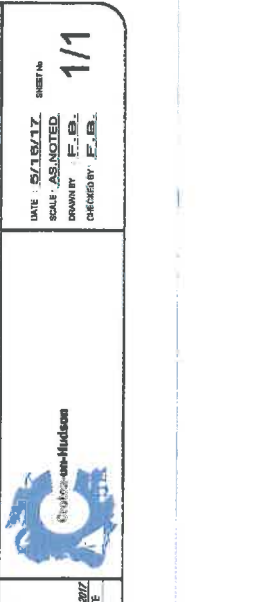
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 DRAWN BY: F.B.  
 CHECKED BY: F.B.



**DO NOT SCALE DRAWINGS**

PLANNING BOARD SUBMISSION 7-26-2017  
 No. 1 DESCRIPTION DATE

**- REVISIONS -**



**PROPOSED SITE PLAN**  
 SCALE 1"=40'



**PROPOSED SITE PLAN**

DATE: 5/15/17  
 SCALE: AS NOTED  
 DRAWN BY: F.B.  
 CHECKED BY: F.B.

Copies ..... 1 ..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.

**COHN & SPECTOR**  
ATTORNEYS AT LAW

34 SOUTH BROADWAY, Suite 714  
WHITE PLAINS, NEW YORK 10601-4400

COPY

JULIUS W. COHN\* ..... DOTS Director  
WAYNE H. SPECTOR ..... C.A.C.

Telephone: (914) 428-0505  
Facsimile: (914) 428-0519

Firm Founded in 1971 as  
Cerrato, Sweeney & Cohn  
Thereafter:  
Cerrato Sweeney Cohn Stahl & Vacarro  
Thereafter:  
Sweeney Cohn Stahl Spector & Frank

\*Also admitted in Florida ..... A.R.C.  
..... Applicant

Email: WSpector@Cohn-Spector.com

July 13, 2017

PS 1-15

.....  
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Sent 7/13/17

RECEIVED  
JUL 14 2017

DEPT. OF TECHNICAL SERVICES  
PLANNING DIVISION

Hon. Linda D. Puglisi, Town Supervisor  
Members of the Town Board  
Members of the Planning Board  
Town of Cortlandt  
1 Heady Street  
Cortlandt Manor, New York 10567-1254

Re: Proposed Montauk Bus Depot in Verplanck

Dear Supervisor Puglisi and Board Members:

As you are aware, I have been retained to represent the Verplanck Neighborhood Coalition, consisting of ten families. I am writing again in regard to the situation caused by the continued illegal operation of a school bus depot by Montauk Student Transport, LLC at 301 Sixth Street, Verplanck, New York, Tax Map ID No. 47.13-1-38.

I attended the most recent Planning Board meeting on July 5, 2017, during which a continued hearing took place regarding the pending application for approval of use and development of the property, with the proposed use representing a significant expansion over the current unapproved use. At the meeting, the AKRF Noise and Traffic Studies were presented which I would also bring to the Town's attention that both indicate a "significant impact" to the residential community.

The applicant has violated the terms of the "Stand Still Agreement" in several key respects:

1. The Applicant has violated the Agreement with the Town in that it has expanded the number of buses operating from the facility from its stated number of "45 to 50 buses on site on any given day during the school year" (see minutes of the June 2015 Planning Board Hearing) in June of 2015, the same month as the Stand Still Agreement was executed, to a current level of 61 buses; as attested to by the Applicants attorney on many occasions during the Public Hearings before the Planning Board, as recently as June and July 2017.
2. That Applicant has violated the Agreement with the Town in that it has does not have all vehicles owned or operated by the company utilize Sixth Street until its intersection with Broadway prior to turning to travel to any other area of the Town. This documented in the reports by AKRF; specifically, buses are using 11<sup>th</sup> Street and Highland Avenue.

Hon. Linda D. Puglisi, Town Supervisor  
Members of the Town Board  
Members of the Planning Board  
July 13, 2017  
Page Two

3. The Applicant is in violation of Town Noise ordinances on a daily basis as document by the reports by AKRF. Specifically, between the hours of 6:00 pm and 8:00 am the noise levels exceed 55 decibels by a significant amount for residential neighborhoods that their bus routes travel through as a part of their day to day operations.
4. The Applicant is in violation of Town Noise ordinances on a daily basis as document by the reports by AKRF During the daytime hours of 8:00 am to 6:00 pm the applicant's vehicles consistently exceed 65 decibels by significant amount for residential neighborhoods that their bus routes travel through as a part of their day to day operations.
5. That Applicant has violated the Agreement with the Town in in that the applicant has not expedited or acted in good faith in the processing of the Site Plan application by failing to submit revisions to the plan in a timely manner, failing to make timely payments for studies as required by the Planning Board, necessitating the adjournment of Public Hearings to facilitate production of reports and allow review of said reports and plans by the Planning Board and the general public in a timely fashion.

I believe it is important for the Town to understand that my clients and others in the Verplanck Community have developed a distinct impression that the Town's consideration of the application is affected by a concern that the applicant will commence litigation if the application is rejected. This widely held concern is driven by the belief that the Town assumes the applicant has acquired some sort of de facto vested rights. If this is the case, the effective result would to reward the applicant for its illegal act, i.e. commencing operation without site plan approval. My clients are also concerned that the Town may engage in private, non-open discussions with the applicant to reach an agreement as to the number of buses which could be operated out of the facility and that the business requirements of the applicant will be factored in to any discussions that do take place. It is my clients' position that determinations that are made regarding the number of buses which could be operated from the facility should be determined based solely upon the need to reduce the significant impacts to the community, as demonstrated through the recent updates to the noise and traffic studies, to acceptable levels. noise levels must be reduced significantly to both avoid the negative impacts to the community's quality of life and the violations of the Town's noise ordinances during early morning hours. In any event, full transparency is required as to all discussions or negotiations with the applicant concerning intensity of use by the applicant.

Unlike many projects where impacts are confined to a specific property and immediately adjacent properties, this project extends tentacles throughout the entire local community. Noise issues are not confined to the property itself and immediately adjacent properties. They extend to the entire residentially lined and zoned road system which have borne and will bear significant and dramatic increases of heavy vehicle traffic. That is what makes this proposal different than other types of use related proposals. The huge impacts to the community, throughout the community, must not only be acknowledged but remedied. That may not be possible, as acknowledged during the recent Planning Board meeting, since changing the route of the buses simply moves the problem from one local street to another. The real question is whether the use, as proposed, with its many negative and extended impacts to the surrounding neighborhood, is appropriate. Both the consideration by the Planning Board of the

Application and the Town's continuing actions or inactions with respect to the illegal use of the property,  
Hon. Linda D. Puglisi, Town Supervisor  
Members of the Town Board  
Members of the Planning Board  
July 13, 2017  
Page Three

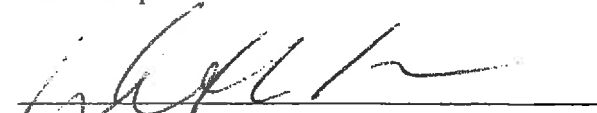
must be considered in light of the impacts, not within the property at issue, but the community as a whole.

It is also not too late for the Town Board to consider changes to its Zoning Laws to prohibit the proposed use on this property. The proposed use is contrary to the Town's Master Plan, is inappropriate for sensitively located riverfront property, fails to serve the needs of the Town or the Verplanck community, and places an unnecessary burden on that community. I again repeat that there are no vested rights that have matured and the Town is free to reconsider whether the proposed use is appropriate for this property. The Zoning Board, as you are aware, recognized the inappropriateness of this use in this Zone. More appropriate zones exist with available property within the Town for this use. You are again urged to consider taking appropriate steps in this regard as soon as possible.

At this time, on behalf of Verplanck Neighborhood Coalition, I again request that the Town immediately take steps to terminate the current operation of the school bus depot at the property and it not be allowed to recommence unless the use and development of the property are approved in accordance with Town Law, and after appropriate limitations can be placed on the use to mitigate adverse impacts to the environment and the quality of life in the adjoining residential area. Please consider this letter a continuing request pursuant to Section 307-93(b) of the Town Zoning Code for the Town to take appropriate action to prevent continued illegal use of the property.

Very truly yours,

Cohn & Spector



---

By: Wayne H. Spector

WHS/jg

cc: Thomas F. Wood, Esq., Town Attorney  
John Klarl, Esq., Deputy Town Attorney  
Mary Kim Cesarini, Planning Board Secretary

*Irwin J. Kavy*  
ATTORNEY AT LAW

573 NORTH STATE ROAD - BRIARCLIFF MANOR, NEW YORK 10510  
(914)762-6625  
FAX: (914)762-6877  
IJKAVY@CMAIL.COM

July 20, 2017

Town of Cortlandt  
Planning Board  
Town Hall, 1 Heady Street  
Cortlandt Manor, New York 10567  
Attn: Loretta Taylor, Chairperson

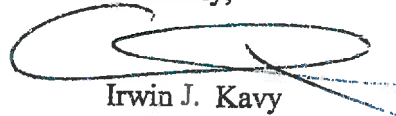
Re: Application of Montauk Student Transport, LLC  
Worth Properties, LLC Site Development Plan  
PB1-15

Dear Ms. Taylor:

It has come to the attention of our client, The Ferry Slip II, LLC, who is holder of the Mortgage, on 301 6<sup>th</sup> Avenue, Verplank, New York, that there has been discussions concerning the transfer of the beach and dock portion of the subject property to the Town, as part of the Site Plan Approval. Kindly note that our Client will not consent (provide a partial Mortgage Satisfaction) to said transfer, unless the entire Mortgage is Paid Off.

Thank you for your prompt attention and consideration in this matter.

Sincerely,

  
Irwin J. Kavy

IJK:dn  
Email: [chrisk@townofcortlandt.com](mailto:chrisk@townofcortlandt.com)  
CC: The Ferry Slip II, LLC



7  
Copies ..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
..... Brad Schwartz, Esq. <sup>via email</sup>  
..... Tim Levin, P.E.  
Sent 7/20/17



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

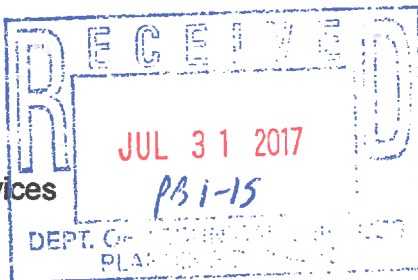
Division of Environmental Permits, Region 3  
 21 South Platt Corners Road, New Paltz, NY 12561-1620  
 P: (845) 256-3054 | F: (845) 255-4659  
 www.dec.ny.gov



**Department of Environmental Conservation**

July 25, 2017

Michael Preziosi  
 Director – Dept. of Technical Services  
 1 Heady St.  
 Cortlandt Manor, NY 10567  
 MichaelP@townofcortlandt.com



- Copies . . . . . 7 . . . . . Planning Board  
 . . . . . Town Board  
 . . . . . Zoning Board  
 . . . . . Legal Dept.  
 . . . . . DOTS Director  
 . . . . . CHID: 7142  
 . . . . . C.A.C.  
 . . . . . A.R.C.  
 . . . . . Applicant

RE: RESOURCE SCREENING  
 Montauk Bus Lot Improvements  
 Town of Cortlandt, Westchester County

Dear Mr. Preziosi:

Based upon our review of your inquiry dated July 3<sup>rd</sup> regarding the proposed improvements to 301 6<sup>th</sup> St. including, but not limited to, tree clearing, landscaping, installing stormwater structures, and paving; we offer the following comments: *Brook Schwartz, Esq.*

Based upon our review of the circulated documents, this office has identified the following environmental concerns: *Tina Conroy, III, P.E.*  
 Sent 7/3/17

**PROTECTION OF WATERS**

The following waterbody is located within or near the site you indicated:

| Name         | Class | DEC Water Index Number | Status               |
|--------------|-------|------------------------|----------------------|
| Hudson River | SB    | H                      | Protected, Navigable |

A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies and contiguous wetlands identified above as “navigable.”

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.



-OVER PLEASE-

## FRESHWATER WETLANDS

Your project is not within a New York State protected Freshwater Wetland. However, the United States Department of the Army, Corps of Engineers' New York District Office (ACOE) also has authority under federal law to regulate wetlands in New York State. An ACOE permit may be required for this proposal. You should have the project sponsor contact the ACOE (telephone: 917/790-8411) as early as possible in the planning process to determine if the project will involve additional ACOE approval. If federal wetlands are involved, the ACOE may require Water Quality Certification from DEC.

## STATE-LISTED SPECIES

According to Department records, the following state-listed species have been recorded within or near the project site: Bald Eagle (NYS Threatened), Shortnosed Sturgeon (Endangered). A permit may be required from DEC for the incidental taking of any species identified as "endangered" or "threatened", which can include the removal of habitat.

### Bald Eagle

The Department recommends that any proposed work capable of generating loud noises take place between April 1<sup>st</sup> and November 30<sup>th</sup> to reduce impacts to nesting Bald Eagles. If this recommendation cannot be adhered to, additional information will be required to avoid the need for an Article 11, Title 5 Section 535 of Environmental Conservation Law Threatened and Endangered Species Act Incidental "Take" Permit for this species.

Please contact Elaina Burns of Wildlife at (845) 256-3827 with any questions regarding the identified State-listed species.

### Shortnosed Sturgeon

Due to the scope and nature of this project, the DEC does not anticipate direct adverse impacts to the Shortnosed Sturgeon. Therefore no further review is required on the need for an Article 11, Title 5 Section 535 of Environmental Conservation Law Threatened and Endangered Species Act Incidental "Take" Permit for this species.

The absence of other species data does not necessarily mean that additional rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

### **SPDES STORMWATER (CONSTRUCTION)**

Since project activities will disturb over 1 acre of land, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-15-002) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. As the Town of Cortlandt is an MS4 community (Municipal Separate Storm Sewer System), the Town is responsible for review and acceptance of the SWPPP. [The MS-4 Acceptance Form must be submitted to the Department.] Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

### **CULTURAL RESOURCES**

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

### **100 YEAR FLOODPLAIN**

It appears that portions of the property are within the mapped 100-year floodplain according to Federal Emergency Management Agency's Map No. 36119C0014F. In order to develop within the 100-year floodplain, the project sponsor must apply for and receive a floodplain development permit from the Town of Cortlandt, and must comply with local floodplain development requirements.

### **COASTAL MANAGEMENT ZONE**

The project location is within a designated Coastal Management Area and must be reviewed for consistency with the Local Waterfront Revitalization Plan (LWRP).

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at [www.dec.ny.gov](http://www.dec.ny.gov), click on the top bar icon labeled "Regulatory" then "Permits and Licenses."

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Michael Grosso  
Division of Environmental Permits  
Region 3, Telephone No. 845/256-3165

cc: Elaina Burns, DEC R3 Wildlife  
John Mensch, 3601 Horseblock Rd, Medford, NY, 11763





# CRONIN

ENGINEERING P.E., P.C.

Professional Engineering & Consulting

39 Arlo Lane  
Cortlandt Manor, NY 10567

T: (914) 736-3664 F: (914) 736-3693

July 19, 2017

**Via Email & Hand Delivery**

Ms. Loretta Taylor, Chairwoman  
Town of Cortlandt Planning Board  
Town of Cortlandt Town Hall  
1 Heady Street  
Cortlandt Manor, NY 10567



- Copies ..... 1 Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... 1 Legal Dept.
- ..... 1 DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 7/20/17

**Re: Site Development Plan & Special Use Permit**  
**Mikiko Ino**  
**KinoSaito Museum/Art Gallery**  
**115 7<sup>th</sup> Street, Verplanck**  
**PB 2017-5**

Dear Ms. Taylor & member of the planning board:

As you know, Cronin Engineering (CE) is representing this site in an application of site plan approval and a special use permit. This project was presented and discussed in some detail before the planning board on June 6, 2017. This project was referred by the planning board to staff for review and subsequently two memorandums were produced which we address in this submission.

Please find enclosed the following items which we submit for your review and discussion:

1. One (1) Revised Short Environmental Assessment Form (SEAF).
2. Twelve (12) Sets of Site Development Plans including the following:
  - a. Existing Conditions & Demolition Plan
  - b. Site & Landscaping Plan
  - c. Construction Details
3. Two (2) Boundary surveys
4. One (1) Set of photographs

The following represent our responses to the comments provided in the memorandum prepared by Chris Kehoe, Deputy Director of Planning on June 28, 2017:

1. The Planning Division conducted a review of the subject application consisting of a 2-page set of drawings entitled "Site Development Plan for Mikiko Ino" prepared by Cronin Engineering, P.E., P.C. dated May 24, 2017.

**(Response): Acknowledged**

2. Based on a review of the above-mentioned drawing and application, the following information as required by Chapter 307-71 of the Town of Cortlandt (Zoning) and other regulations should be submitted for the subject application unless waived by the Planning Board at the applicant's request.
  - a. The applicant should submit one print of photographs showing the site and nearby buildings on adjacent properties. This data is supplemental and will not be made an integral part of the approved site development plan.

***(Response): Photographs enclosed***

- b. The subject drawing should show the proposed location, direction, power and time of any existing and proposed outdoor lighting. The shall also submit a photometric plan for the parking lot to ensure that site lighting is adequate and does not spill over to adjacent properties.

***(Response): The existing outdoor light locations are now shown on the plan. A photometric plan will be produced.***

- c. Note on the subject drawing and provide details if any improvements are proposed for the exterior of the existing buildings.

***(Response): A note has been added to the plan.***

- d. The subject drawing should show the existing and proposed location, height, size and design of all existing and proposed signs.

***(Response): Existing building signage to be removed has been identified. Proposed traffic circulation signage has been added to the plan. Signage for the museum/gallery is still under development.***

- e. Provide a floor plan for the school building and for the concrete block building.

***(Response): A floor plan is being developed and will be provided.***

- f. The subject drawing shall show the existing and proposed stormwater drainage system, including pipe sizes, manholes, drains, grades and other facilities as required.

***(Response): The location of existing roof leaders is now shown. There are no proposed changes to the on-site drainage from the existing condition. Inverts and pipe sizes have been added to the plan for the adjacent street drainage system.***

- g. The subject drawing should show a complete landscape plan with the types, sizes and locations of all proposed plantings. Quantify on the subject site plan all proposed areas of landscape coverage. According to the applicant's zoning data chart the site plan shows 38% landscape coverage with 40% required.

***(Response): A landscaping plan has been provided. The impervious cover of the site has been modified and the landscape coverage requirements are now met. This update is reflected in the zoning chart on the plans.***

- h. Provide details for the proposed 40' by 25' greenhouse, i.e. rendering, building elevation, catalogue cut, clearly showing the proposed color and materials proposed to be used.

***(Response): The proposed size of the greenhouse has been reduced from 40' x 25' to 5' x 8.***

- i. Please note on the subject drawing that 7th Street is a one-way street.

***(Response): Now noted on plans.***

- j. Provide details on the proposed new asphalt parking area including curbing, if proposed. Dimension the proposed parking spaces on the plan.

***(Response): Plans have been updated to include this information.***

- k. Provide two copies of a recent boundary survey for the subject property.

***(Response): included with this submission.***

3. The applicant is seeking site plan approval and a special permit for a museum/art gallery located on an approximately 1-acre parcel of property located at 115 7th St. The subject parcel is zoned R-G, General Residential and contains the old St. Patrick's School, a 1-story concrete block building and a single-family residence. A museum/art gallery is permitted by Special Permit in the R-G zoning district.

***(Response): Acknowledged.***

4. The applicant submitted a project narrative (attached) describing the proposed uses of the subject buildings and property. The applicant is proposing to use the school building as a museum/art gallery, art studios for 2 artists in residence, office space and an art frame workshop. The existing 1-story concrete block building is proposed to be used as an art studio and for art storage and the existing single-family residence is to remain. The museum/art gallery is proposed to be the primary use on the subject property.

***(Response): Acknowledged.***

4. The applicant is showing 27 parking spaces with 35 required. The subject drawing should be revised to show required handicapped spaces. The applicant should review Section 307-34.1 of the Zoning Code "Special Permits for Parking" (attached) and determine if the subject property is eligible to apply for a Special Permit to the Planning Board. In the alternative, the applicant should seek a variance from the Zoning Board of Appeals.

***(Response): Additional information regarding the parking needs of the proposed use will be provided.***

6. Directional arrows should be added to the subject site plan for the proposed parking area. In addition, the proposed parking area does not appear to adequately function as designed. The applicant should consider removing sections of the existing fencing and concrete pillars and widening the existing driveways. The applicant should consider a direct through connection from the site to 8th Street.

***(Response): The plans have been revised to provide vehicular and pedestrian circulation as requested.***

7. The applicant should provide a written narrative explaining how the proposed Special Permit for a museum/art gallery is consistent with Section 307-42 (General Conditions and Standards) for Special Permits.

***(Response): This will be provided.***

8. The subject application is classified as an unlisted action pursuant to the New York State Environmental Quality Review Regulations. The applicant submitted Part One of the Short Environmental Assessment Form (attached) for the Board to use together with all information submitted with this application to evaluate what, if any, significant environmental impacts may result from the proposed project. The project narrative is for a different project. The applicant shall correct and re-submit the EAF.

***(Response): The corrected SEAF is included with this submittal.***

9. Enclosed are aerial view(s) of the subject site. A site plan drawing was transmitted to the members of the Planning Board at the time the application was submitted.

***(Response): Acknowledged.***

10. Referrals of this application include, the Town Engineering Division, the Code Enforcement Division, the Fire Advisory Board, the Conservation Advisory Council and the Architectural Advisory Council.

***(Response): Acknowledged.***



The following represent our responses to the comments provided in the memorandum prepared by Michael Preziosi, Director of Technical Services on July 12, 2017:

1. A certification that the existing onsite wastewater treatment system meets the design flows of the proposed uses and is in working condition and acceptable by the WCDOH is required. Furthermore, all separation distances to wastewater sources in accordance with the WCDOH Rules and Regulations shall be met and shown on the site plan.

***(Response): Project approval will be coordinated with the WCDH.***

- a. Comment as to the acceptability of sharing a single sanitary system for the multiple uses onsite.

***(Response): Project approval will be coordinated with the WCDH.***

2. The Applicant should provide a removal plan. It should be clarified if the shed adjacent to the metal stairwell is to remain or be demolished.

***(Response): A removal plan is now provided. The shed will remain and be repaired.***

3. Means of egress to each of the existing and proposed buildings shall be shown. The plans must clearly depict that ADA Accessibility Guidelines can be met (i.e. is a ramp required?). Similarly, pedestrian movement through the site must be shown. This may impact the proposed parking layout. Elevations should be provided.

***(Response): An accessible route from the accessible parking spaces has been provided. Sidewalks have also been provided for pedestrian movement. It is not anticipated that a ramp will be necessary as the proposed sidewalk and pavement will be flush with the first-floor elevations adjacent to the buildings.***

5. Show all existing and proposed on-site utilities including but not limited to propane tanks, natural gas, above ground oil tanks, electric, domestic water, storm and sanitary. A new water service tap would be required for the green house. Indicate location of proposed curb stop. A backflow preventer will be required. Provide details of the same.

***(Response): Existing utilities are now shown on the plan. It is not anticipated that the greenhouse will require a separate water service. There are no proposed utilities.***

6. The perimeter of the site is fenced off with chain link and brick pillars. The Applicant must clarify if they are proposing to install new fencing. If so a detail of the same should be provided.

***(Response): No new fencing is proposed with this application. Only the removal and replacement of one pillar and adjacent fencing to accommodate the new driveway.***

7. The Applicant must provide additional details as to vehicle access and circulation on-site (pavement markings etc...). As shown they are proposing to re-utilize the existing entrance which is wide enough to accommodate one vehicle from 7<sup>th</sup> Street a one way road. It is recommended to setback parking from the property line to allow for landscape buffering. Therefore some spaces may need to be adjusted or removed outright.

***(Response): The plan has been revised as requested for vehicular and pedestrian circulation. Pavement markings are now shown. As requested, the parking has been set back as much as practicable.***

7. The Applicant is not providing the required number of parking spaces onsite. It is required that they provided additional documentation supporting their parking calculations and proposed reduction. In addition, a narrative or description demonstrating adequate on-street parking for a special event should be provided. If 8<sup>th</sup> Street is to be used, an accessible path will be required.

***(Response): Additional documentation will be provided.***

8. The plans must be revised to show the location of any onsite refuse and a detail of an enclosure must also be provided.

***(Response): Additional documentation will be provided.***

9. The plans must be revised to show the location of the nearest fire hydrant and required onsite firematic response (fire lanes, pedestrian egress paths, etc...). The Applicant is referred to the NYS Uniform Fire Prevention and Building Code (2015 IFC and 2016 State Supplement).

***(Response): The nearest fire hydrants are now shown on the existing conditions plan.***

- a. The Greenhouse must be shown to be adequately setback from neighboring structures in accordance to the NYS Uniform Code.

***(Response): Acknowledged.***

10. Provide standard construction details.


***(Response): Details are now provided.***

We look forward to appearing before the planning board to discuss this project and respectfully request placement of the application on the Planning Board's August 1, 2017 meeting agenda. Should you have any questions or require any additional information, please contact me at the above number. Thank you for your time and consideration in this matter.

Respectfully Submitted,

CRONIN ENGINEERING, P.E., P.C.

By: \_\_\_\_\_

  
Jim Teed  
Professional Engineer

Enclosure(s)

cc: File: Ino-7th St-Letter-PB Submission-20170719.docx  
Mikiko Ino, KinoSaito, Property Owner/Applicant (w/ enclosures via email)  
William Hines, Project Coordinator (w/ enclosures via email)  
Michael Preziosi, PE - Town of Cortlandt Director of DOTS (w/ enclosures)  
Chris Kehoe, AICP - Town of Cortlandt Deputy Director of Planning (w/ enclosures)

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

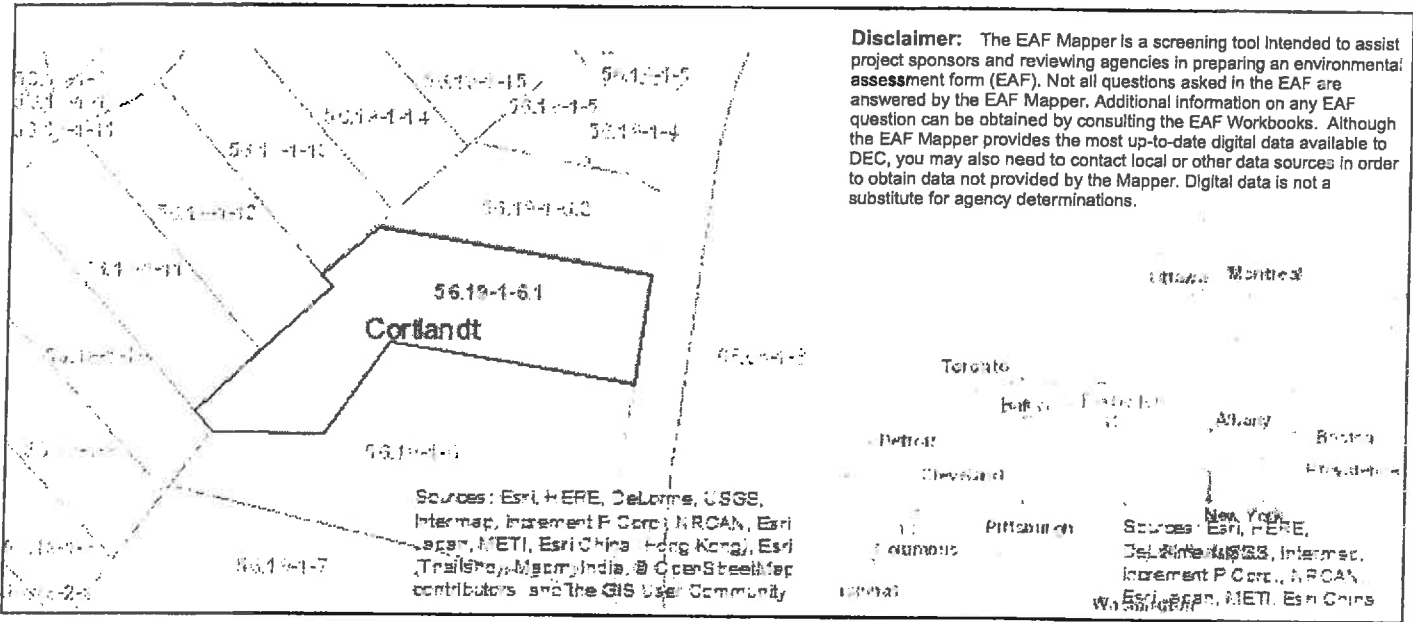
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

|   |  |   |  |
|---|--|---|--|
| <b>Part 1 - Project and Sponsor Information</b>   |  |   |  |
| Mikkiko Ino   |  |   |  |
| Name of Action or Project:<br>KINOSAITO - Art Museum/Gallery, Studio, Workshop & Artist in Residence  |  |   |  |
| Project Location (describe, and attach a location map):<br>115 7th Street, Hamlet of Verplanck, Town of Cortlandt, New York   |  |   |  |
| Brief Description of Proposed Action:<br>This site plan application proposes to utilize an existing single-family dwelling, an existing 2-story school building and an existing 1-story staff building for the former St. Patrick's School. The property and existing buildings will be utilized to promote the arts as a museum/gallery, art studio for artists in residence, art frame workshop, art storage and an office. |  |   |  |
| Name of Applicant or Sponsor:<br>Mikiko Ino   |  | Telephone: 212-925-3860                   |  |
|   |  | E-Mail: jsarcone@sarconelaw.com           |  |
| Address:<br>96 Grand Street #B  |  |   |  |
| City/PO:<br>New York  |  | State:<br>New York                        | Zip Code:<br>10013                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.  |  | NO<br><input checked="" type="checkbox"/> | YES<br><input type="checkbox"/>            |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:<br>Town of Cortlandt Planning Board - Site Plan Approval & Special Permit  |  | NO<br><input type="checkbox"/>            | YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action?  |  | 0.9263 acres                              |  |
| b. Total acreage to be physically disturbed?  |  | 0.7 acres                                 |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  |  | 0.9263 acres                              |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.   |  |   |  |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)  |  |   |  |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____   |  |   |  |
| <input type="checkbox"/> Parkland   |  |   |  |

|  |                                     |                                     |                          |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?<br>b. Consistent with the adopted comprehensive plan?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: <u>Westchester County CEA West of Route 9</u>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?<br>b. Are public transportation service(s) available at or near the site of the proposed action?<br>c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water:  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: <u>Existing Septic System</u>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?<br>b. Is the proposed action located in an archeological sensitive area?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?<br>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban   |                                     |                                     |                          |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 16. Is the project site located in the 100 year flood plain?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES<br>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES<br><u>In the current state runoff from the property is picked up by existing drainage systems in 7th Street &amp; 8th Street. The application proposes to reduce the amount of impervious area resulting in less runoff than the current condition.</u> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |

|  |  |  |
|--|--|--|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>   | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>  |  |  |
| <p>Applicant/sponsor name: <u>James Teed</u> Date: <u>July 19, 2017</u></p>  |  |  |
| <p>Signature: _____</p>  |  |  |



- Part 1 / Question 7 [Critical Environmental Area] Yes
- Part 1 / Question 7 [Critical Environmental Area - Identify] Name: Croton Point Park, Name: County & State Park Lands, Reason: Exceptional or unique character, Agency: Westchester County, Date: 1-31-90
- Part 1 / Question 12a [National Register of Historic Places] No
- Part 1 / Question 12b [Archeological Sites] No
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
- Part 1 / Question 15 [Threatened or Endangered Animal] Yes
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] No









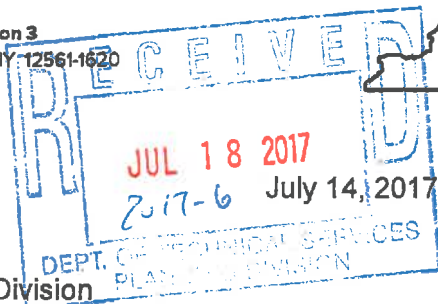






**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Environmental Permits, Region 3  
 21 South Platt Corners Road, New Paltz, NY 12561-1620  
 P: (845) 256-3054 | F: (845) 255-4659  
 www.dec.ny.gov



**NEW YORK**  
STATE OF OPPORTUNITY

**Department of Environmental Conservation**

Chris Kehoe, AICP  
 Deputy Director, Planning Division  
 Town of Cortlandt, Department of Technical Services  
 Town Hall, 1 Heady Street  
 Cortlandt Manor, NY 10567

RE: Town of Cortlandt SEQR Coordination  
 Meenan Oil Company, 26 Bay View Rd, Site Plan Review  
 Demolition of existing building and construction of new building  
 Town of Cortlandt, Westchester County  
 CH #7168

- Copies ..... <sup>7</sup> Planning Board  
 ..... Town Board  
 ..... Zoning Board  
 ..... Legal Dept.  
 ..... DOTS Director  
 ..... C.A.C.  
 ..... A.R.C.  
 ..... Applicant  
 ..... High 6. Mastromarino, P.E.  
 .....

Dear Deputy Director Kehoe:

Based upon our review of your inquiry dated **July 10, 2017**, we offer the following comments: 7/18/17

**PROTECTION OF WATERS**

The following stream(s)/pond(s)/waterbody(ies) is(are) located within or near the site you indicated:

| Name  | Class | DEC Water Index Number | Status                   |
|---|-------|------------------------|--------------------------|
| <input checked="" type="checkbox"/> Hudson River    | SB    | Hudson River (HR)      | Protected, navigable     |
| <input checked="" type="checkbox"/> Peekskill Creek | SC    | H-55 portion           | Non-protected, navigable |

- A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected." A permit is not required to disturb the bed or banks of "non-protected" streams.
- A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies and contiguous wetlands identified above as "navigable."
- There are no waterbodies that appear on our regulatory maps at the location/project site you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the watercourse into which it feeds, (\_\_\_\_), Class "\_\_\_", and a Protection of Waters permit is/is not required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent



contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

**FRESHWATER WETLANDS**

- Your project/site is near or in Freshwater Wetland \_\_\_\_\_, Class \_\_\_\_\_. Be aware that a Freshwater Wetlands permit is required for any physical disturbance within these boundaries or within the 100 foot adjacent area. To have the boundary delineated, please contact the Bureau of Habitat.
- Your project/site is near or in an eligible wetland. Please contact the NYS Department of Environmental Conservation’s Bureau of Habitat regarding the validation of this wetland.
- Your project/site is not within a New York State protected Freshwater Wetland. However, please contact your town officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8511 (Westchester/Rockland Counties), or (917) 790-8411 (other counties), for any permitting they might require.

**STATE-LISTED SPECIES**

- DEC has reviewed the State’s Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

| Name                          | Status     |
|-------------------------------|------------|
| Shortnose & Atlantic Sturgeon | Endangered |
| Least Bittern                 | Threatened |
| Bald Eagle                    | Threatened |

If your inquiry is related to a specific development project, additional evaluation of the potential impacts of this project related to the sensitive resource(s) identified by this review may be required. A permit is required for the incidental taking of any species identified as “endangered” or “threatened”, which can include the removal of habitat. Please contact me at [Jennifer.Street@dec.ny.gov](mailto:Jennifer.Street@dec.ny.gov) with any questions you may have regarding this.

- No records of sensitive resources were identified by this review.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources

## **CULTURAL RESOURCES**

- We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

**WATER QUALITY CERTIFICATION (SECTION 401 OF CLEAN WATER ACT)** – The Hudson River and Peekskill Creek are navigable waterways under the jurisdiction of the US Army Corps of Engineers (ACOE). A Water Quality Certification (WQC) from the Department would be required for any proposed excavation or fill within this stream / federal wetland. Please contact the US Army Corps of Engineers in New York City, telephone (917) 790 8411, for any permitting the ACOE may require. If a federal permit is required, then a Water Quality Certification (WQC) from the DEC will also be required for any proposed excavation or fill within such federally regulated wetlands. We will process the WQC concurrently with the submitted permit application.

Please also note that the project is located within the New York State Coastal Area. If a federal permit is required, or federal funding is involved, it is subject to review for Federal Consistency with the NYS Coastal Management Program, administered by the NYS Department of State. Please visit: <https://www.dos.ny.gov/opd/programs/consistency/index.html> or contact the Consistency Review Unit at (518) 474-6000 for more information. The project is site also located within or adjacent to the boundary of the City of Peekskill Local Waterfront Revitalization Program (LWRP). Please contact the City directly for any permits that they may require.

**FLOODPLAIN** – It appears that the property is within the mapped 100-year floodplain, according to Federal Emergency Management Agency's Map No. 36119C0012F. In order to develop within the 100-year floodplain, the project sponsor must apply for and receive a floodplain development permit from the Town of Cortlandt and must comply with local floodplain development requirements.

## **OTHER**

Please note that this letter only addresses the requirements for the following permits from the Department:

- Protection of Waters       State-listed Species       Freshwater Wetlands

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at [www.dec.ny.gov](http://www.dec.ny.gov) under "Programs" then "Division of Environmental Permits."

Please also let this letter serve as notice that the DEC has no objection to the Town of Cortlandt Planning Department assuming lead agency for this unlisted action. Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Jennifer L. Street  
Division of Environmental Permits, Region 3  
[Jennifer.Street@dec.ny.gov](mailto:Jennifer.Street@dec.ny.gov)

Cc: Katie Pijanowski, US Army Corps  
NYSDOS, Consistency Review Unit ([CR@dos.ny.gov](mailto:CR@dos.ny.gov))  
City of Peekskill, Planning Department

**NOTE: Regarding erosion/sedimentation control requirements:**

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES) Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside the NYC DEP Watershed

Your project may be covered by one of two Statewide General Permits or may require an individual permit. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

For construction permits, if this site is within an MS4 area (Municipal Separate Storm Sewer System), the stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department. If the site is not within an MS4 area and other DEC permits are required, please contact the regional Division of Environmental Permits.



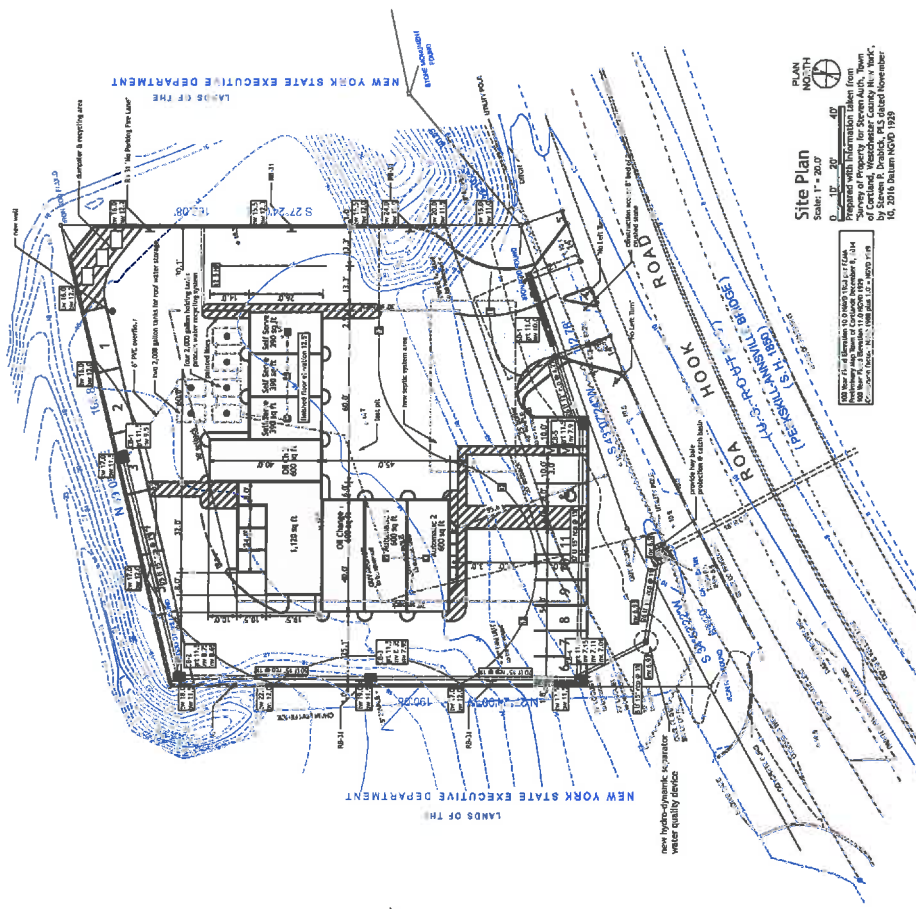
|          |            |     |
|----------|------------|-----|
| 7-26-17  | for review | JJG |
| 4-18-17  | for review | JJG |
| 2-18-17  | for review | JJG |
| 1-3-17   | for review | JJG |
| 12-23-16 | for review | JJG |
| 11-23-16 | for review | JJG |

**Site Plan**

John J Gilchrist  
Architect  
A Professional Corporation

210 Summit Avenue  
Montvale NJ 07645  
Phone 201 573 1877  
JGilchristAIAA@aol.com

1" = 20.0'  
161001  
1 of 3

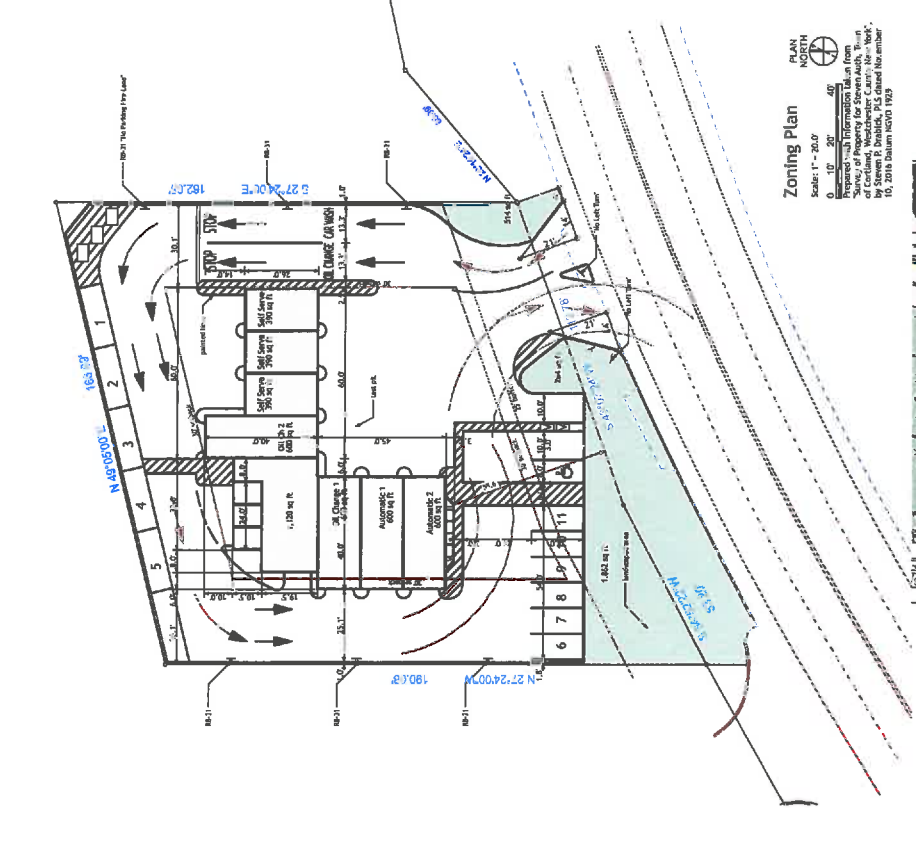


**Site Plan**

Scale: 1" = 20.0'  
PLAN NORTH

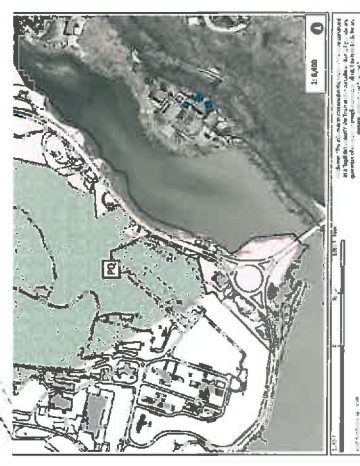
| Zoning Schedule            |              |
|----------------------------|--------------|
| MC Name: General District  | Proposed     |
| Minimum Lot Area           | 20,001       |
| Minimum Lot Width          | 173          |
| Minimum Height             | 2 1/2 at 35' |
| Required Front Yard        | 1 at 35'     |
| Required Side Yard         | 30           |
| Required Rear Yard         | 30.0         |
| Minimum Building Coverage  | 20%          |
| Minimum Landscape Coverage | 17.0%        |
| Minimum Landscape Coverage | 11.2%        |
| Buffer to RDW              | 25           |
| Buffer to RDW              | 0            |

|                                     |       |
|-------------------------------------|-------|
| Building Area                       | 4,779 |
| Landscape Area                      | 3,161 |
| Parking @ 1/ employee plus 1/ stall | 11    |
| Employees                           | 4     |
| Stalls                              | 7     |



**Zoning Plan**

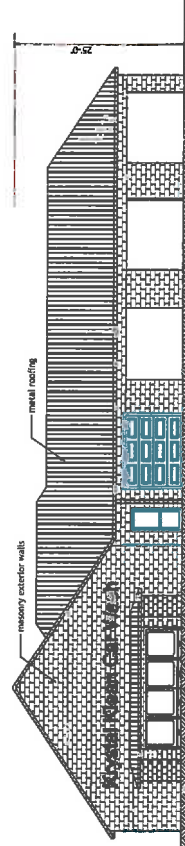
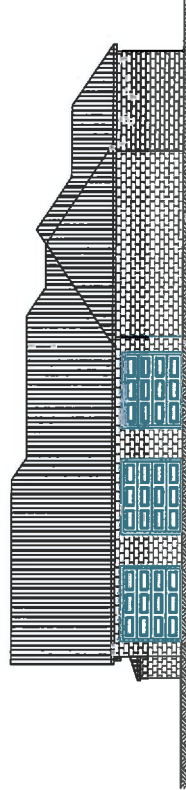
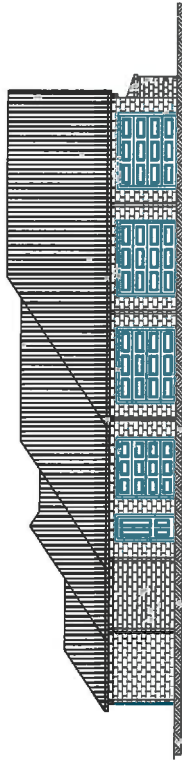
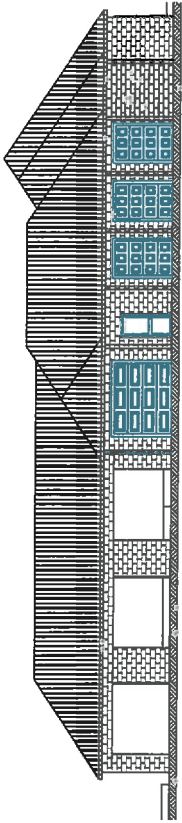
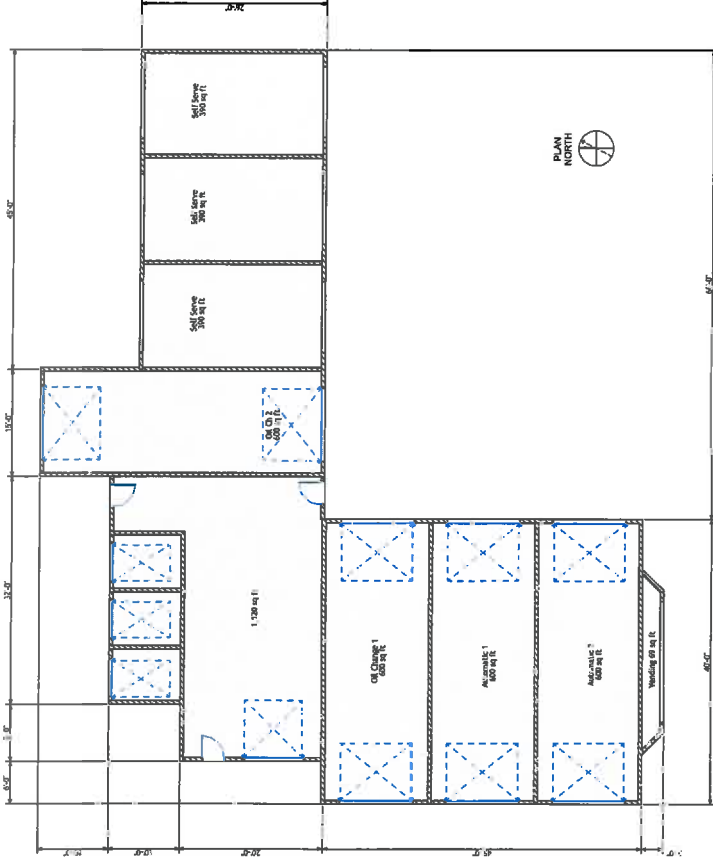
Scale: 1" = 20.0'  
PLAN NORTH



**Area Map**

|          |            |     |
|----------|------------|-----|
| 7-30-17  | for review | JJG |
| 4-19-17  | for review | JJG |
| 2-16-17  | for review | JJG |
| 1-3-17   | for review | JJG |
| 10-25-16 | for review | JJG |
| 11-22-16 | for review | JJG |

*J.J.G.*





VICINITY MAP



SCALE IN FEET  
0 10 20 30  
1" = 30'

LEGEND

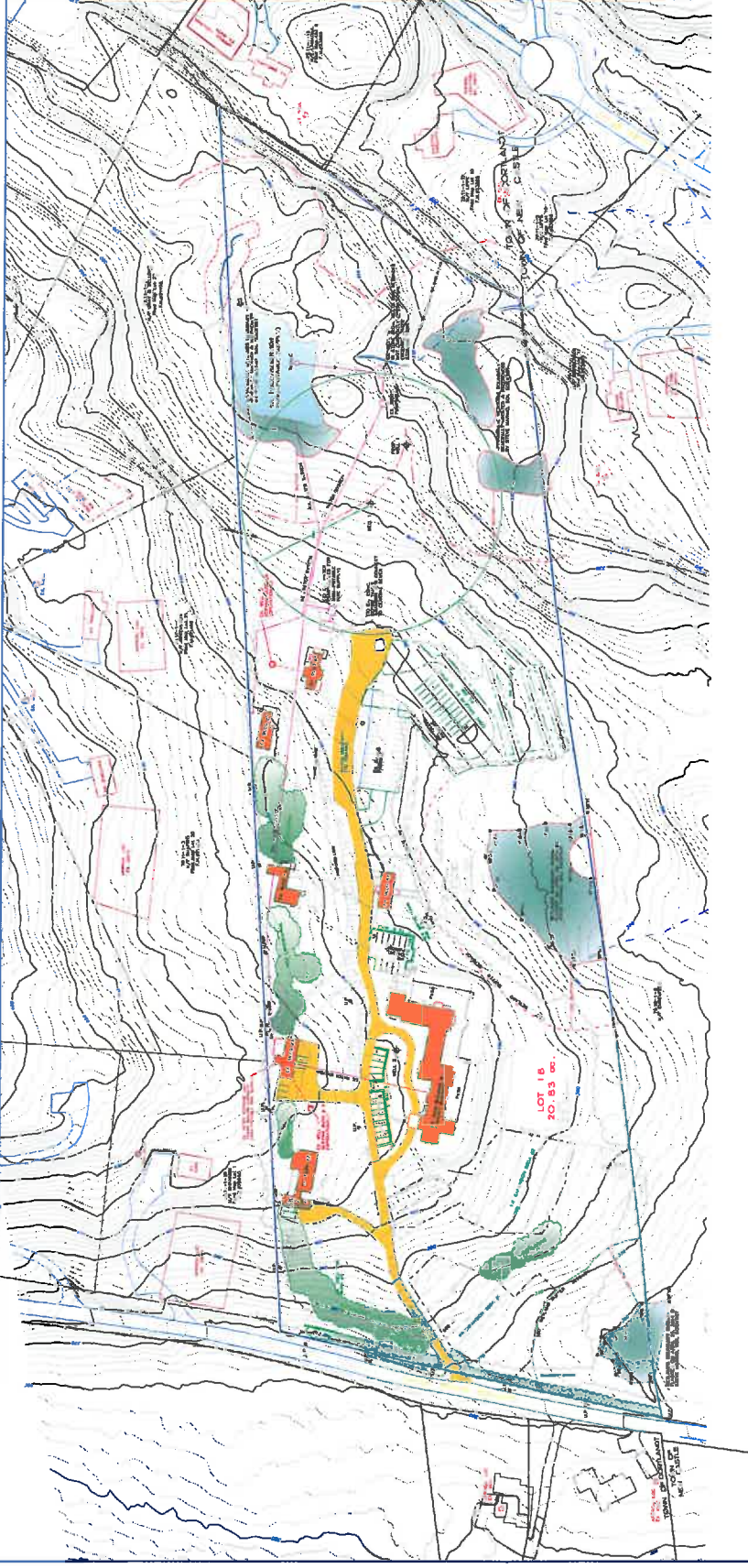
- CATCH BASIN
- PROPOSED
- CASTLE
- GROUND
- DRAIN INLET
- MANHOLE
- 15.0' LINE
- 10.0' LINE
- 5.0' LINE
- NOT ELEVATION
- DRILLED WELL

THE CITY OF WESTCHESTER, N.Y. IS THE PROPERTY OF THE PROPERTY OWNER. THE PROPERTY OWNER IS THE CITY OF WESTCHESTER, N.Y. THE CITY ENGINEER HAS REVIEWED THE CITY ENGINEERING PROJECT SUBMITTED BY THE PROPERTY OWNER.

RALPH G. MISTRONICO, P.E., P.C.  
18 Dove Court, Cortland-on-Hudson, New York 12508  
914-271-1111 FAX 914-271-0388 Fax

*Ralph G. Mistronico*

**SITE PLAN**  
**ILDSON BRIDGE**  
**WELLNESS CENTER**  
**LOCATED AT**  
**2016 OAKRIDGE BRIDGE RD**  
**WESTCHESTER, NY 12508**  
**OCT. 5, 2016**  
**SHEET 1 OF 1**



The Department hereby certifies that the works in part of this plan are in accordance with the laws of the State of New York. The Department does not warrant the accuracy of the map, but it does warrant that the works are in accordance with the laws of the State of New York.

Reviewed by the Department of Environmental Services

Director \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by the Department of Technical Services

Director \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by the Department of Planning & Economic Development

Director \_\_\_\_\_ Date \_\_\_\_\_

ZONING INFORMATION

| PROVIDED    | UNITS | PER | AREA | DEVELOPMENT | PLANNED | CONVERTED | PER | AREA | DEVELOPMENT | PLANNED | CONVERTED |
|-------------|-------|-----|------|-------------|---------|-----------|-----|------|-------------|---------|-----------|
| RESIDENTIAL | 1     | 1   | 1    | 1           | 1       | 1         | 1   | 1    | 1           | 1       | 1         |
| COMMERCIAL  | 1     | 1   | 1    | 1           | 1       | 1         | 1   | 1    | 1           | 1       | 1         |
| INDUSTRIAL  | 1     | 1   | 1    | 1           | 1       | 1         | 1   | 1    | 1           | 1       | 1         |
| PARKING     | 1     | 1   | 1    | 1           | 1       | 1         | 1   | 1    | 1           | 1       | 1         |
| UTILITIES   | 1     | 1   | 1    | 1           | 1       | 1         | 1   | 1    | 1           | 1       | 1         |

MANUFACTURED BY THE CITY OF WESTCHESTER, N.Y. THE CITY ENGINEER HAS REVIEWED THE CITY ENGINEERING PROJECT SUBMITTED BY THE PROPERTY OWNER.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3054 | F: (845) 255-4659  
www.dec.ny.gov



Department of Environmental Conservation

Chris Kehoe, Deputy Planning Director  
Town of Cortlandt  
Town Hall, 1 Heady St  
Cortlandt Manor, NY 10567



- July 20, 2017
- Copies..... Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... Robert Davis, Esq.
- ..... *Handwritten signature*
- Sent 7/11/17 PS
- 1 copy to ALP

Re: Hudson Ridge Wellness Center Inc  
Lead Agency Circulation Response  
Town of Cortlandt, Westchester County  
CH# 7177

Dear Deputy Director Kehoe:

The New York State Department of Environmental Conservation (DEC or Department) has reviewed the submitted SEQR Notice of Intent to Serve as Lead Agency from the Town of Cortlandt Planning Board for the above referenced project. Hudson Ridge Wellness Center, Inc is proposing to reuse existing buildings and construct additional parking areas and septic fields on a 20.83 acre site located at 2016 Quaker Ridge Road, Town of Cortlandt, Westchester County.

The Department has no objection to the Town of Cortlandt Planning Board assuming lead agency status for this project. Based upon our review of your inquiry dated June 15, 2017, we offer the following comments:

**PROTECTION OF WATERS**

There are no waterbodies that appear on our regulatory maps at the location you identified.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

**FRESHWATER WETLANDS**

Your site is not within a New York State protected Freshwater Wetland



Department of Environmental Conservation

DEPT. OF TECHNICAL SERVICES  
PLANNING DIVISION

### **WATER QUALITY CERTIFICATION**

The project site appears to contain federally regulated wetland area. The United States Army Corps of Engineers (ACOE) may require a permit for work completed in or impacting a federal wetland. If a permit from the ACOE is required, a Section 401 Water Quality Certification may be required from the Department. Please contact the ACOE for a determination, telephone (917) 790-8511, for any permitting they might require.

### **STATE-LISTED SPECIES**

DEC has reviewed the State's Natural Heritage records. No records of sensitive resources were identified.

The absence of data does not necessarily mean that rare or other state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

### **SPDES SANITARY PERMIT**

According to the Short Environmental Assessment Form (EAF), the proposed project will construct new septic fields to treat 12,800 gallons per day of sanitary wastewater. Subsurface discharges of more than 1,000 gallons per day requires a SPDES Sanitary permit. For information on SPDES Sanitary permits, see the DEC website at <http://www.dec.ny.gov/permits/6054.html> or contact DEC Division of Water at (914) 428-2505.

### **SPDES STORMWATER (CONSTRUCTION)**

The submitted documents indicate that less than 1 acre (of the 20.83 acre site) is to be disturbed in order to develop the parcel. Compliance with the current SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002) is required for projects that disturb one or more acres of land. If the project is modified so that more than one acre is proposed to be disturbed, the applicant must prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the current SPDES General Permit noted above.

As the Town of Cortlandt is an MS4 area (Municipal Separate Storm Sewer System), the Town has responsibility for review of the SWPPP. The MS4 Acceptance Form must be submitted to the Department. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

### **CULTURAL RESOURCES**

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. The project sponsor should submit project materials to the New York State Historic Preservation Office's online Cultural Resource Information System (CRIS) to initiate the review process. Information on submitting to the system and access to it are available at <http://www.nysparks.com/shpo/>.

### **OTHER**

Please note that this letter only addresses the requirements for the following permits from the Department: Protection of Waters, State-listed Species, and Freshwater Wetlands. Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at [www.dec.ny.gov](http://www.dec.ny.gov) under "Programs" then "Division of Environmental Permits."

By copy of this letter we are advising the project sponsor of the above referenced resources, concerns and potential DEC permits. It is possible that the DEC permit requirements may change based upon additional information received or as project modifications occur.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Victoria Lawrence  
Division of Environmental Permits  
Region 3, Telephone No. (845) 633-5454

Cc: Hudson Ridge Wellness Center Inc  
Robert F. Davis; Singleton, Davis & Singleton, PLLC

RALPH G. MASTROMONACO, P.E., P.C.  
Consulting Engineers  
13 Dove Court, Croton-on-Hudson, New York 10520  
Tel: (914) 271-4762 Fax: (914) 271-2820



www.rgmpepc.com

New York State Office of  
Parks, Recreation and Historic Preservation  
P.O. Box 189  
Waterford, New York 12188-0189

July 17, 2017

Re: Hudson Ridge Wellness Center, Inc.  
Section 79.11, Block 1 Lot 18  
2016 Quaker Ridge Road  
Town of Cortlandt, New York

Attn: Kathy Howe  
Philip Perazio

Dear Kathy and Philip:

This letter is in response to your questions on the CRIS system about our project mentioned above. The materials you received were pursuant to a distribution for Lead Agency information from the Town of Cortlandt Planning Department.

We received your three (3) requests for additional information and provide the following supplemental information:

Comment 1: Please provide plans and specs for any interior and exterior work to be done to the 7 buildings as well as info on any proposed site work.

Response 1: There are no plans yet for the rehabilitation of the buildings – the current application is for the approval of the Site Plan after which the Architects will develop plans to modernize the buildings. The original building was constructed in 1920 and the other 6 buildings were constructed after 1953. In general, the 1920 building will remain the same on the exterior except for new windows. The work on the interior of the all of the buildings would limited to cleaning, plastering, painting and refurbishing electric / HVAC systems.

Comment 2: Please submit a historic resources survey of the seven buildings that comprise this campus. Be sure to include a history of the complex from its founding to the present. Thank you.

Response 2: We attach to this letter the Historical Timeline of 2016 Quaker Ridge Road and the (Narrative) B, Existing Conditions and History of the Site both taken from the Expanded Environmental Assessment by JMC Consulting dated July 20, 2015. These documents describe the dates the buildings were built and the purpose and uses of the buildings.

Copies ..... 7 ..... Planning Board Via CRIS System  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
..... \_\_\_\_\_

Sent \_\_\_\_\_ 7/19/17

Comment 3: Please submit a design plan that shows the nature and extent of all proposed ground-disturbing activities. Upload using the enclosed link/token. If you have any questions, please contact Philip Perazio at 518-268-2175 or [philip.perazio@parks.ny.gov](mailto:philip.perazio@parks.ny.gov).

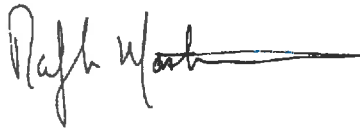
Response 2: We also attach the OWTS Design Plan prepared for Hudson Ridge Wellness Center, 2016 Quaker Ridge Road dated March 8, 2017. This plan shows the extent of ground disturbing activities on the site. The new wells have already been installed and approved and application for the septic design is under review by the Westchester County Department of Health. The total disturbance is under 1-acre and the septic areas will be restored to lawn or vegetated areas.

The site is not on the National Register of Historic Places.

In short, the site is being refurbished for reuse.

Please contact this office if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph Mastromonaco", with a long horizontal flourish extending to the right.

Ralph G. Mastromonaco, PE

Cc: Steven Laker, VP



## Historical Timeline of 2016 Quaker Ridge Rd, Croton-on-Hudson, NY

- 1920           Acreage purchased by Dr. Robert Lamb
- 1922           Main Hospital Building complex is constructed
- 1932 - 1950    Dr. Lamb uses property for alcoholics and run as a "dry out" sanatorium
- 1953           Building # 2 Constructed
- 1950 - 1953    Mary Knoll sisters rented it for nuns
- 1959           3 Out Buildings Constructed
- 1955 - 1961    IBM leased the property from Erst Dickter, Institute for Motivation Croton
- 1962 - 1985    Hudson Institute leased the property from the Berg Family
- 1967           Building # 7 Office/Conference Center Constructed
- 1977           Building # 3 Maintenance Garge/Office Constructed
- 1995 - 2010    Property owned by Marharishi Global Development Fund but never occupied
- 2010 - 2012    L&G Capital, LLC purchase property (similar ownership as Hudson Ridge)
- 2012 - Present  Hudson Ridge Wellness Center, Inc. - current owners

The property was purchased in December 2010 by the current owners. The property had been vacant for almost 15 years prior to purchase. During that time it is apparent that the property was used as a local gathering point for youth. The property was an attractive nuisance for trespassers. Additionally many of the roofs were deteriorated causing not only an eyesore for neighbors but severely unsafe conditions. Upon purchasing the property the current owners set out to secure the property and each individual building. They started by replacing all of the roofs. They also installed an electronic security gate and privacy fencing. After replacing the roofs the owners then continued to ensure that each building was secured and free from further water infiltration and weather damage. The amount of debris within each building was massive and the owners spent countless hours and resources cleaning each building. While the owners developed their plans for the property they continued to work towards restoring the property back to its original splendor and use. Great care and consideration has been taken to return this beautiful property to the magnificent campus it once was in conjunction with removing the public eyesore and dangerous conditions it has fallen into in recent years.

projected average census of 42 during year 1. However, there will be a lesser number of FTE's on any particular shift, ranging from 36 for the peak morning shift down to 9 on the overnight shift.

The HEWC FTE build-up will gradually increase as the census increases up to an average of 92 clients at full capacity. The staff to client ratio will likely be approximately one (1) staff per one (1) client at start-up to full capacity of 92 clients, and hence, at full capacity, the staff to client ratio would be approximately 92 staff to 92 clients. The estimated 92 staff would be divided between all 3 shifts during the average day, with the highest concentration of staff on site during the 1st shift. Employee work schedules will be established to minimize the impact of increased traffic congestion by scheduling the staff arrival / departure times "outside of the "normal" shift change/rush hour times (i.e. shift start times to begin at 6:00am, 2:00pm and 10:00pm during the 24 hour day, seven day per week period). Additional details regarding staffing levels is provided in Appendix B.

**B. EXISTING CONDITIONS AND HISTORY OF THE SITE**

- The site contains approximately 20.83 acres and is located in the R-80 Single Family Residential district. The site is adjacent to the Town of New Castle municipal boundary to the south (Figures I.1 and I.2) and is bounded by Quaker Ridge Road on the west. The site contains two local wetlands along the southerly portion, and a pond to the east, none of which, nor the buffers associated therewith, are proposed to be disturbed by the Proposed Action. The site contains seven existing buildings which are proposed to remain and be utilized by the proposed rehabilitative hospital use (site photographs, Appendix C). The site utilities include existing well and septic systems. The site improvements proposed are some additional parking, the installation of two new septic fields, improvements to the water systems and related fire protection, as well as electrical upgrades. The existing buildings will be brought up to the current Building Code, including installation of fire suppression sprinklers and heat/smoke/carbon monoxide detectors, and energy efficiency will be emphasized in the restoration and operation of the buildings. Substantial plantings have

been installed to-date (Appendix C, Figure P-13). Extensive interior and exterior renovations have been completed and are on-going.

The property was previously used as a hospital, having been purchased in 1920 by a New York physician, Dr. Robert Lamb, who designed the site to serve as a specialized medical care center ("sanitarium") as noted in the original property building card, see Appendix I) with the purpose of providing highly individualized care for his patients (especially those requiring mental rehabilitation) (Appendix M). Dr. Lamb's design of the site and the main building reflected his belief that a typical hospital-like atmosphere should be avoided. The hospital was closed in 1948 and leased to several tenants and the rental income used to finance grants to the Albany Medical School and the University of Vermont Medical College, as specified by Dr. Lamb. The outbuildings were constructed in the 1950's with the exception of the maintenance garage, which was constructed in the 1970's (Appendix I)

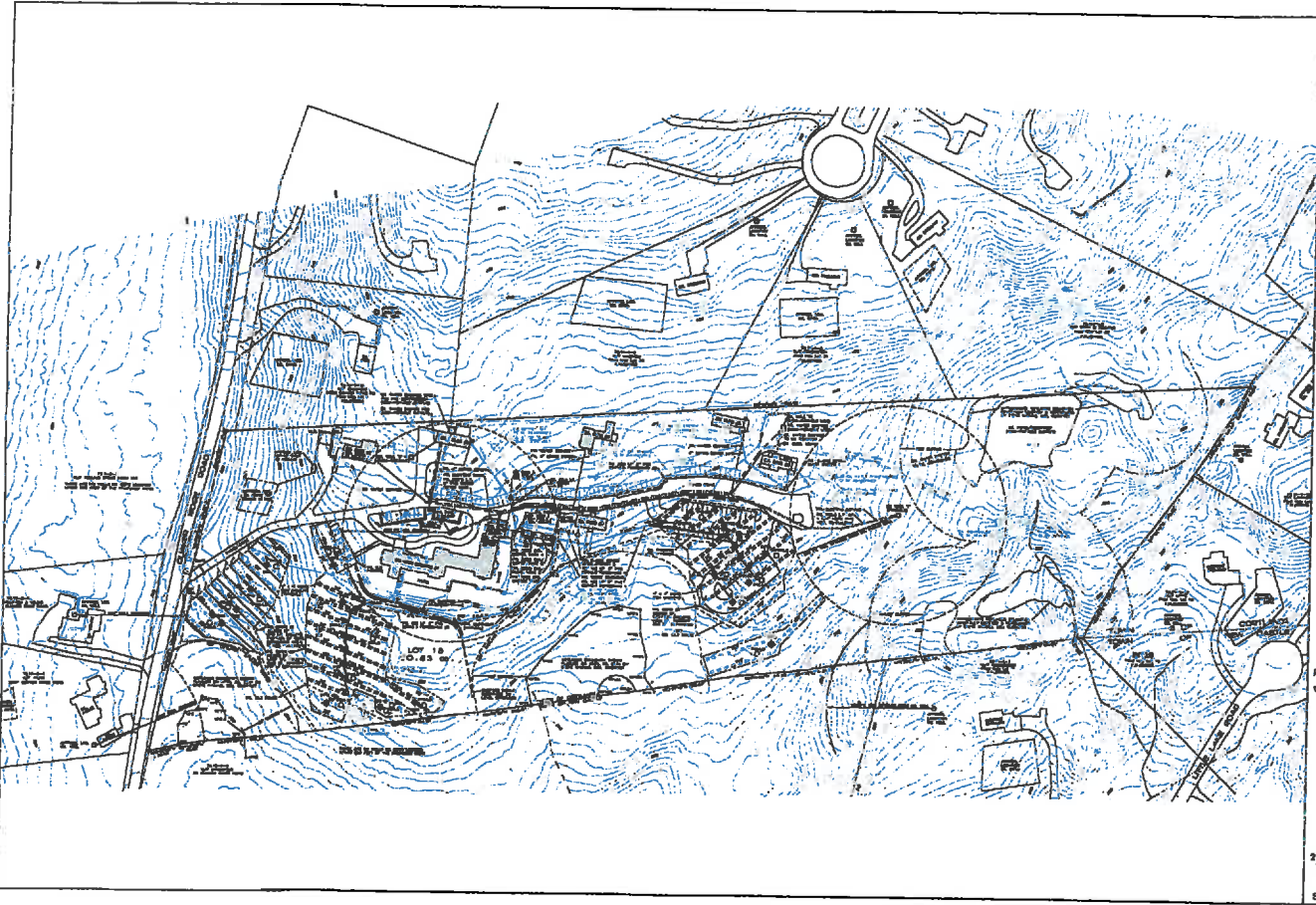
Subsequent tenants included the Maryknoll Sisters, who needed interim accommodations while their new convent was being built in Ossining. The Sisters left in 1957 and the estate was sold to IBM, whose Research Division used the site until 1961 when the Thomas J. Watson Research Center was completed in Yorktown. In 1957, the Lamb Foundation made an application for a special permit to permit IBM to use the property for laboratory and office use. This entailed the construction of a parking area for 55 cars with the provision for another 35 cars in the future. The permit was subsequently granted as Zoning Board of Appeals (ZBA) case No. 3A-57, 4-57. The Zoning Board's 1968 resolution in case No. 2-68 granted an amendment to the special permit previously issued to the Hudson Institute, thereby documenting that permit. In 1981, a Certificate of Occupancy was filed for the one family residence on the site. (Appendix M.1-M.7)

The site was occupied beginning in 1962 and into the 1970's and early 1980's by the Hudson Institute, a private, non-profit research institute studying public policy issues. The Institute moved its headquarters to Indianapolis in 1984.

In ZBA Case No. 170-86, a special permit was issued in 1989 for a hospital and/or nursing home to operate as a Residential Community Re-entry Facility for persons who suffered brain injuries was issued. This had been denied twice by the Board and was finally directed by the Supreme Court of Westchester County, via Judge Rosato in Article 78 proceeding, Index No. 12830/88. There was a Planning Board Resolution as well in PB 46-86. The ZBA's notable conditions of approval included the limitation to 75 patients, but with a total 225 combined patients and employees permissible. Apparently this hospital did not commence operations.

**C. PROJECT PURPOSE AND NEED**

In August 2012, Hudson Education and Wellness Center engaged the services of Brown Consulting, Ltd., Toledo, Ohio to conduct a comprehensive study to determine the feasibility for the development of successful "high end" residential addictions treatment programs within the greater New York City and Westchester County market areas. The Feasibility Analysis concluded that a 92-bed capacity residential addictions program providing treatment services to affluent individuals and families experiencing chemical dependency can be successfully developed by Hudson Education and Wellness Center at the site.



**LEGEND**

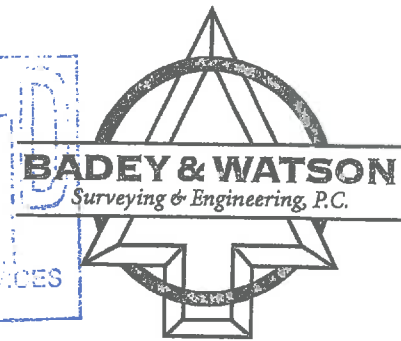
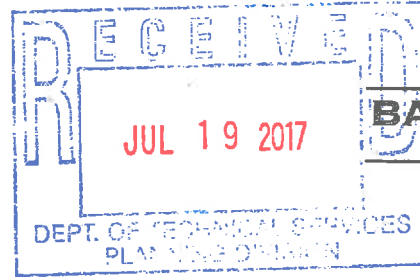
|                   |             |             |             |
|-------------------|-------------|-------------|-------------|
| Proposed Property | Center Line | Center Line | Center Line |
| Proposed          | Center Line | Center Line | Center Line |
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| Proposed          | Center Line | Center Line | Center Line |

RAUL G. MASTROMACHO, P.E. P.C.  
 Civil Engineer  
 1100 West 10th Street, Suite 100  
 Westchester, NY 10590

OWTS DESIGN PLAN  
 PREPARED FOR  
 HILSON ROSE  
 WELLNESS CENTER  
 LOCATED AT  
 2016 CLAUDE EDGE RD  
 TOWN OF WEST CANTON  
 WESTCHESTER CO NY  
 MARCH 5, 2017  
 SHEET 1 OF 4 SHEETS

July 19, 2017

Ms. Loretta Taylor, Chairperson  
Town of Cortlandt Planning Board  
1 Heady Street  
Cortlandt Manor, NY 10567



Re: Abee Rose Subdivision  
Maple Avenue, Hilltop Drive  
Mongoose Inc.  
Cortlandt Manor, NY  
TM #45.14-3-1, 45.15-1-1, & 45.10-2-1

Dear Chairperson Taylor and Board Members,

The applicant's representatives met with Town staff to discuss the Stormwater Pollution Prevention Plan (SWPPP) and Mr. Preziosi's comment letter. It was agreed that certain items needed to be further developed for the preliminary SWPPP in order to determine the potential impact or lack thereof and which items could be developed after the project received preliminary approval. Below are our responses to the following comment letters:

1. *Town of Cortlandt Review Memo by Michael Preziosi, PE dated August 14, 2015:*
2. *Review Memo by Michael Preziosi, PE dated July 1, 2016:*
3. *Planning Board Engineering Review Memo dated April 14, 2017*

For ease of review the comments are included followed by our responses.

*Town of Cortlandt Review Memo by Michael Preziosi, PE dated August 14, 2015:*

1. Driveways in excess of 500 feet in length shall provide a turnaround suitable for us by fire apparatus in accordance with the Residential Code of New York State. Minimum driveway widths shall be 12-ft.

**Response: All driveways are designed to be a minimum of 12 feet wide. The only driveway in excess of 500 feet is on lot 4, where a turnaround for a fire apparatus in accordance with the Residential Code of NYS has been provided.**

2. Preliminary heights of the retaining walls must be provided.

**Response: Top and bottom of proposed retaining walls have been added to the plan.**

3. Provide roadway widths for the common road and the lot driveways. Similarly provide the diameter of the cul-de-sac. The Preliminary Layout has a 96' diameter while the Integrated Plot Plan shows an 80' diameter cul-de-sac.

**Response: Additional labels have been added to the plan.**

4. Land based topography for the area of the common road shall be obtained and the profile revised to reflect such.

**Response:** The profiles for the common road and driveways are developed from land based topography, a note on the plan indicates the date of the topographic survey.

5. The proposed water main shall be at minimum 6-inch diameter cl-54 cement lined ductile iron pipe and must extend into the cul-de-sac. A hydrant shall be provided.

**Response:** The water main is a minimum of 6-inch diameter CL-54 cement lined ductile iron pipe extended into the cul-de-sac. A hydrant is provided.

- a. Houses setback greater than 100-ft from the roadway require meter pits.

**Response:** All of the proposed houses will be setback greater than 100 feet from the roadway, a note has been added to the plan to indicate they will require meter pits.

6. Catch basins, pipe type and size for the proposed storm water infrastructure must be identified on the plans. Inverts and rim elevations shall be shown.

**Response:** Details for the proposed catch basins and manholes are included in the plan set. The plan includes rims and inverts.

- a. A trench drain should be placed across lots 1 and 2 and tie into the storm water infrastructure to reduce runoff from the common road running down the driveways.

**Response:** The common road is curbed and the driveways have drop curbs to keep the water in the road to be collected by the stormwater infrastructure.

7. Indicate proposed location of other utilities (electric and gas).

**Response:** Preliminary locations of other utilities (cable, electric and gas) are now indicated on the plans.

8. Indicate easements for all utilities. At minimum easement width for utilities shall be 20-ft wide. Easements shall follow lot lines and extend 10' on either side.

**Response:** Easement will be develop with a more advanced site plan.

9. Prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with Chapter 262 of the Town Code, the NYSDEC Stormwater Design Manual (2015 Rev.) and SPDES General Permit 0-15-002 for Construction Activity.

**Response:** A SWPPP has been developed for the project.

- a. A hydraulic and hydrologic analysis shall be prepared and demonstrate both quantitatively and qualitatively that there is no net increase in runoff from pre to post construction and mitigation methods to control volume, velocity, pollutants and sedimentation have been designed for. The design storm shall be for the 100-year storm. Hydrographs shall be submitted for the 1-year, 2-year, 10-year, 25-year and 100-year storm).

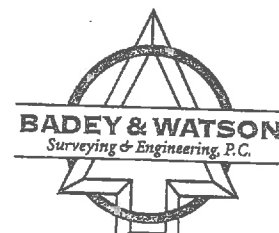
**Response:** Comment noted.

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Ms. Loretta Taylor, Chairperson and Town of Cortlandt Planning Board

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- b. What is the total disturbance area? What is the total area of disturbance for each lot?

**Response: A tabulation of the total disturbance and disturbance for each lot is included on the plan set.**

- c. Submit a completed Notice of Intent and MS4 Acceptance Form. The Town's SPDES ID is NYR20A181.

**Response: A completed NOI and MS4 acceptance form is included in the SWPPP.**

- d. Develop an Erosion and Sedimentation Control Plan for the site.

**Response: A Preliminary E&SC plan is included in the plan set.**

10. There is text identified as "stormwater" in multiple locations on the plans. These areas appear to be undersized for traditional practices such as a basin. Please clarify their intended use.

**Response: Preliminary area for "stormwater" have been removed from the plan. Appropriately sized stormwater practices are not included on the plans.**

11. Capture and direct all runoff created from the common road. No runoff will be permitted to leave the site and drain to infrastructure located on Hilltop Drive.

**Response: All runoff from the common road is directed to infrastructure and not allowed to surface flow to the existing Hilltop Drive.**

12. As recommended by the Town's Consultants, permanent demarcation and delineation of a disturbance line along the wetland buffers shall be provided for each lot. This can be in the form of a stone wall, fence, monuments, etc.... Show on the plan.

**Response: A permanent demarcation and delineation of the disturbance line along the wetland buffer has been added to the plan.**

13. Indicate location of monuments in accordance with Town Code Section 265-18.

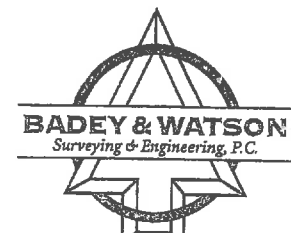
**Response: Location of proposed monuments in accordance with Town Code Section 265-18 will be added to the plat when the layout is established.**

14. Show the location of drainage structures on the proposed road profile.

**Response: The location of the drainage structures will be added to the plan on the proposed road profile when the layout is established.**

15. Revise the profile of Lot 1 to lengthen the 80' vertical curve to reduce the change of grade to the garage slab. Is it possible to raise the elevation of the structure to accomplish this?

**Response: According to the NYSDOT Standard Sheet for Residential and Minor Commercial driveways, 608-03 Table 5, the minimum design for a vertical sag curve with a change of grade between 12%-14% is a length of 8'. We have a radius of 80' which is 10**





times the recommended standard. Additionally, it has been Badey & Watson's practice to provide a minimum K value of 6.5 for sag curves and 3.25 crest curve for driveway designs. Drivers typically travel slow on their own driveways and do not "bottom out" as you would when traveling on a road where minimum K values are typically 25.

16. The driveway grade for Lot 2 is maxed out at 14%. Can this grade be reduced by lengthening the 80' vertical curve to reduce the change of grade which is 12% heading into the garage? Vehicles could potentially bottom out.

**Response:** The topography does not lend itself to reducing the grade from 14% to 12% in this area. We lengthened the driveway to increase the platform in front of the garage and lengthen the vertical curve but maintained the 14% grade, which is compliant with the Town of Cortlandt Town Code.

17. The platform portion (first 20-ft) from the common road for all driveways shall have a grade no greater than 3%. Revise the profiles of Lots 2, 4 and 5.

**Response:** All driveways provide a minimum of a 20-foot platform with a grade no greater than 3% as they meet the common road.

18. Profiles shall be revised to limit changes of grade to 6% or less or to the maximum extent possible.

**Response:** Unfortunately the topography does not lend itself to providing changes in grade that max out at 6%, this arbitrary standard would create additional impact with greater cuts and fills or the need for excessive retaining walls.

19. Provide a typical road cross section.

**Response:** A typical road cross section is shown on the plans.

Review Memo by Michael Preziosi, PE dated July 1, 2016:

1. The requirements of a preliminary layout are outlined in Chapter 265-20 of Town Code. Subsection 265-20D(12) requires "proposed provisions for collecting and disposing of stormwater drainage". It is my opinion that the proposed layout does not provide the adequate minimum standards to address storm water runoff. A preliminary storm water pollution prevention plan (SWPPP) designed in accordance with Chapter 262 of the Town Code, the NYSDEC Stormwater Design Manual (2015 Rev.) and SPDES General Permit 0-15-002 for Construction Activity has not been submitted.

**Response:** A preliminary SWPPP has been developed and provided for review.

2. If the Applicant wishes to pursue the preliminary layout for the 6-lot subdivision as proposed a preliminary SWPPP must be submitted. At minimum, the preliminary SWPPP should:

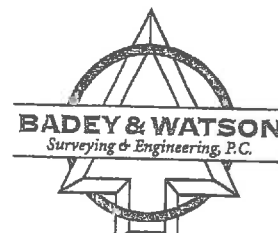
- a. quantify total land disturbance for the common plan of development
- b. identify interested agencies and required permitting (i.e. NYSDEC, NYCDEP, ACOE)
- c. quantify runoff generated by the proposed development (water quality / water quantity volumes)

July 19, 2017

Ms. Loretta Taylor, Chairperson and Town of Cortlandt Planning Board

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- d. present the initial findings of the hydrologic and hydraulic analysis
- e. Site proposed best management practices for post storm water construction runoff controls

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

3. Since post storm water construction runoff controls are required (forebays, ponds, basins, etc....) the size and location of such can significantly impact the development by increasing wetlands and steep slope disturbance, re-grading, altering the location of the proposed roadways or impacting lot lines or requiring easements for maintenance and access.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

Planning Board Engineering Review Memo dated April 14, 2017:

A) SWPPP Comments

1. The project description must be revised to provide a breakdown of proposed impervious cover for the common infrastructure and lot specific buildout.

**Response: The SWPPP has been updated to reflect the review comment.**

2. The General Permit has been revised to GP-0-15-003.

**Response: General Permit GP-0-15-003 is the NYSDEC SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems. Whereas General Permit GP-0-15-002 is the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity and correctly referred to in the SWPPP.**

3. Explain the A-32 NYSDEC wetlands determination and required permitting.

**Response: A-32 is not a wetland determination but an ID for the State Wetland found on the project site. Work in the wetland or its buffer will require a New York State Wetlands Permit prior to construction.**

4. Provide a sample of the deed restriction for post-construction storm water management practices.

**Response: This item will be addressed in the final SWPPP.**

5. Pre and post comparison qualitative and quantitative controls for 1, 2, 10, 50, 100-year storms for each design point. Run analysis for 1, 2, 5, 10, 25, 50, 100-year storms.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

6. What is the HSG used to determine the minimum required runoff reduction volume? The soils and their infiltration/percolation rates in the areas of disturbance shall dictate the reduction factor.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

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Ms. Loretta Taylor, Chairperson and Town of Cortlandt Planning Board

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7. The SWPPP does not address conveyance criteria and erosive overland flows.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

8. The proposed runoff reduction techniques cannot be fully evaluated because their locations are not shown on the plans. For example drywells can only be located in suitable soils capable of infiltration and on slopes less than 15%.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

9. Pre-treatment volumes are predicated on soil infiltration rates. Preliminary testing in accordance with Appendix D of the NYSDEC Storm Water Design Manual is required.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

10. In reading section 5.5 of the report you are proposing on utilizing the bio-retention areas to accommodate all of the water quality volume yet only apply a 40% runoff reduction credit. Clarification from the NYSDEC must be obtained permitting such application. By comingling first flush volumes with storage volumes the treatment benefit of the practice is eliminated.

**Response: The SWPPP and its components are designed in accordance with the NYSDEC Stormwater Management Design Manual last revised January 2015. Badey and Watson will review any concerns the reviewer may have.**

11. The location of the water quantity controls and associated drainage infrastructure must be shown.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

12. The Notice of Intent found in Appendix B is incomplete and left blank. It should be preliminarily completed.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

13. Provide a table indicating pre and post curve numbers and times of concentration for each sub catchment. The length of overland flow used in time of concentration (tc) calculations is limited to no more than 100 feet for post development conditions.

**Response: A preliminary SWPPP incorporating these components has been developed and provided for review.**

14. The potential impacts to environmentally sensitive areas were not discussed. In addition are there any proposed impacts to the stream identified by the wetlands delineation "H"?

**Response A preliminary SWPPP incorporating these components has been developed and provided for review.**

15. The preliminary and final version of the SWPPP will be referred to the Town's Consultant for a more in depth technical review. A proposal for review services will be obtained and forwarded to the Applicant for funding.

**Response: Comment noted.**

July 19, 2017

Ms. Loretta Taylor, Chairperson and Town of Cortlandt Planning Board

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B) Subdivision Plat Comments

1. Include NYSDEC wetlands, on-site streams and approximate locations of house footprints with on-site waste water treatment systems and expansion areas shown.

**Response: The plans have been updated to reflect the review comment.**

2. Provide snow easement 10' around cul-de-sac.

**Response: The plans have been updated to reflect the review comment.**

3. Revise plans to show proposed monuments.

**Response: The plans will show appropriate monuments when the layout is finalized.**

C) Preliminary Overall Plan Comments

1. Indicate locations of preliminary testing locations for OWTS and storm water best management practices. Reference reports containing soil test results.

**Response: Locations with reference numbers have been added to plan set.**

2. Call out locations of environmentally sensitive areas identified in the bio diversity study.

**Response: Locations with callouts have been added to the plan set.**

3. Identify and tabulate all proposed trees to be removed due to the proposed site improvements for each individual lot, common infrastructure and re-grading.

**Response: The trees to be removed are indicated on the tree plan.**

4. Identify and tabulate proposed steep slope disturbance due to the proposed site improvements for each individual lot, common infrastructure and re-grading.

**Response: The plans have been updated to reflect the review comment.**

D) Preliminary Erosion and Sediment Control Plan Comments

1. Identify the total proposed area of disturbance. Categorize by total development, common infrastructure and each individual lot.

**Response: A chart with this information can be found on the Overall Site Plan.**

2. Provide a construction sequencing plan with limits of disturbance.

**Response: A construction sequence will be developed when the layout is established.**

3. No temporary controls such as temporary diversion swales, sediment basins, etc... are shown on the plans.

**Response: These items will be developed with the final SWPPP, there is enough room in the limits of disturbance to accommodate any temporary diversion swales or sediment basins necessary for the construction of the plan.**



4. Quantify tree removals for each lot and common roadway. Provide mitigation and landscaping plans.

**Response: Tree removal for each lot and the common road has been identified. A landscaping plan will be developed when the layout is established.**

5. Wetlands disturbance greater than 1/10 acre or in areas deemed significant as determined by the Town and its Consultants during the biodiversity analysis will require 2:1 compensatory mitigation.

**Response: We are aware of the requirement for compensatory mitigation and will develop a plan once the plan is finalized and the disturbance limits are determined. A Conceptual Wetland Mitigation Plan prepared by Tim Miller Associated is included with this letter.**

**E) Preliminary Improvement and Integrated Plot Plan Comments**

1. Water, storm drainage, gas and electric utilities are not shown on the plans. Water mains shall be cl-54 cement lined ductile iron pipe with mechanical joint fittings and water tight gaskets. .

**Response: These elements have been added to the plan.**

2. Lots will be required to have water meter pits. Pits shall be located at the property line.

**Response: Comment noted.**

3. Driveways shall be designed in accordance with the IRC adopted by New York State. Turnouts and turn arounds for emergency vehicles shall be shown on the plans.

**Response: As stated earlier, the only driveway in excess of 500 feet is on lot 4, where a turnaround for a fire apparatus in accordance with the Residential Code of NYS has been provided.**

4. All proposed structures (i.e. pools) shall be indicated as such.

**Response: Comment noted.**

5. Provide top and bottom of wall elevations for all retaining structures.

**Response: Top and bottom of wall elevations for all retaining walls have been added to the plan.**

6. If the existing water main is proposed to be extended into the cul-de-sac an engineer's report with flow testing results must be provided. Note that there is significant pressure loss in this area. DOH requirements may not allow for the automatic inclusion of booster pumps at the individual lots. Therefore, if the main is to be extended another 700-linear foot to a dead end, a pressure boosting system will need to be designed and located appropriately along Dickerson Road. Furthermore, a hydrant or air release valve may be required to at the end of the cul-de-sac.

**Response: We are presently working with the Town of Cortlandt Water Department to secure the required pressure testing data to determine the requirements for a booster pump station. An Engineer's Report will be provided at a future date.**

July 19, 2017

Ms. Loretta Taylor, Chairperson and Town of Cortlandt Planning Board

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F) Preliminary Profiles and Sight Lines

1. Source of topography used for the driveway? Land based topography for the area of the common road shall be obtained and the profile revised to reflect such.

**Response: The land based topography for the area of the common road and driveways is noted on the plan set.**

2. Proposed driveway profiles for the building lots have steep transitions with minimal vertical curvature for transition in which changes to grade exceed 10% potentially bottoming out vehicles. Revise accordingly.

**Response: This comment is responded to on pages 3 and 4 items 15 to 18.**

3. Clearly demonstrate that the driveway platforms at the intersection to the common drive and right-of-way's along and at garage slabs are long enough to accommodate vehicles without bottoming out. .

**Response: This comment is responded to on pages 3 and 4 items 15 to 18.**

4. The roadway profile does not appear to meet Town Code Chapter 265-18(B) at the connection to Hilltop Drive and from sta 4+50 to 6+00. All changes in street grades shall be connected by a vertical curve of not less than 200-ft. Revise the profile accordingly.

**Response: The common road profile has been revised, please see plan.**

5. What is the grade of the cul-de-sac and diameter? The grade is recommended to be kept between 3-5%.

**Response: The common road profile has been revised, please see plan.**

6. Sight line profile for Lot 5 must be revised to reference DOT standard or AASHTO standard used and indicate actual sight distance provided.

**Response: Sight lines and site line profiles for Lot 5 have been added to the plan and reference NYSDOT standard.**

G) Preliminary Details

1. A comprehensive review will be provided at a later date. Some general comments.
  - a) Roadway pavement thickness is 2-inch top, 4-inch binder and 8-inch item-4 base. NYSDOT prevailing standard for local roads.

**Response: Roadway pavement detail on plan set reflects this standard.**

- b) Recycled materials are not permitted.

**Response: Note added to plan set.**

- c) Retaining wall details must accurately depict maximum height.

**Response: All retaining walls greater than 6 feet in height will be designed and certified by others. Details will be provided to and reviewed by the Town of Cortlandt Engineering Department and Building Department prior to final approval.**



4. All overhead electrical, cable and fiber optics must be direct buried.

**Response: Note added to plan set.**

To further advance the Abee Rose Subdivision we submit for review:

1. Two copies of the Preliminary Stormwater Pollution Prevention Plan along with two full size sets of plans prepared by Badey & Watson, last dated July 19, 2017.
2. Twelve sets full sized plans, prepared by Badey & Watson, last dated July 19, 2017.
3. Twelve copies of a Letter Report and Wetland Mitigation plan prepared by Tim Miller Associates, dated July 19, 2017.
4. Twelve copies of a Conceptual Wetland Mitigation Plan prepared by Tim Miller Associates, dated July 19, 2017.

Please place this item on the next available Planning Board agenda at which time we would like to discuss the completeness of the application and if possible schedule a public hearing.

Yours truly,

**BADEY & WATSON,**

*Surveying & Engineering, P.C.*

by

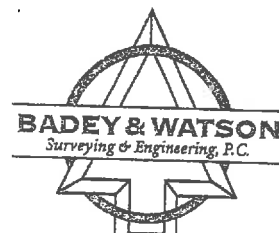


Margaret Smith McManus

845.265-9217 x19

[mmcmanus@badey-watson.com](mailto:mmcmanus@badey-watson.com)

MSM/NJM



Narrative

Retro Fitness

July 19, 2017



Subject property is the current Kohl's shopping center on East Main Street (Route 6). We are proposing to create an outdoor exercise area behind the existing Retro Fitness facility. The exercise area is approximately 2400 square feet and would sit on the existing asphalt behind the building. We are proposing no changes to the existing asphalt. The exercise area would consist of 1/2" poured-in-place rubber safety surfacing over a 1" base cushion course by PlaySites + Surfaces, Inc. A layer of recycled concrete Item #4 would be used for leveling between the cushion layer and existing asphalt. This built-up area would be contained by prefabricated concrete "Jersey barriers" set in place at the Northwest and Southwest sides of the exercise area, with the other two sides beveled back to the existing asphalt parking lot surface to provide accessibility. We are also proposing an open grate steel ramp from the floor level of the existing facility to the existing parking lot for accessibility. The maximum pitch would be 1:12. We are proposing to move two existing dumpsters from the area behind the Retro Fitness facility to the rear wall behind the Kohl's department store and will provide an enclosure per the attached plans. We are proposing to extend appropriately-sized aluminum leaders across the rear of the building to carry rain water from the roof and condensation from the existing air conditioning units across the rear of the building to the Southeast corner and into an underground pipe which will carry the water to the existing culvert. We are proposing to maintain the existing lighting on the building as indicated on the attached plans and request a waiver from any additional lighting as this outdoor area will be used only during daylight hours. Our intent is to create an exercise area that constitutes no permanent changes to the existing site. All improvements being contemplated can be easily removed and the site restored to its current condition in the event Retro Fitness decides to discontinue the use of an outside exercise area. There will be no change in impervious surface or drainage caused by this proposed work.

- Copies **7**
- ..... Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant



**TOWN OF CORTLANDT  
PLANNING BOARD APPLICATION**

Copies 7 11024  
 ..... Planning Board  
 ..... Town Board  
 ..... Zoning Board  
 ..... Legal Dept.  
 ..... DOTS Director  
 ..... C.A.C.  
 ..... A.R.C.  
 ..... Applicant

**CHECK APPROVAL (S) REQUESTED**

- Lot Line Adjustment
- Preliminary Subdivision
- Conventional
- Cluster-open space
- Final Subdivision
- Site Development Plan
- Site Development Plan Amendment
- Special Permit
- Wetlands Permit
- Steep Slopes Permit



For Official Use Only:

PB No. 2017-12  
 Date Received 7/19/17  
 Fee Paid \$250.00

1. Name of Proposed Development RETRO FITNESS CORTLANDT MANOR.....
2. Name of Applicant TSB FITNESS, LLC Phone 917 596.4944  
 Address 3006 EAST MAIN ST. CORTLANDT MANOR NY 10567 7/19/17  
Street No. & Name Town State Zip
3. Owner of Record YORKCON PROPERTIES INC. Phone 203 846 4545  
 Address 488 MAIN AVE. NORWALK CT 06851  
Street No. & Name Town State Zip
4. Engineer/Architect JONATHAN B. HODOSH Phone 845 638 9334  
 Address 60 S. MAIN ST. NEWCITY NY 10954  
Street No. & Name Town State Zip
5. Land Surveyor \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
Street No. & Name Town State Zip
6. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
Street No. & Name Town State Zip
7. Site Location: On the NORTHWEST side of E. MAIN STREET  
(direction) (street)  
20 feet SOUTHWEST of W. BROOK DRIVE  
(direction) (street)
8. Tax lot designation: Section: 24.13 Block 5 Lot(s) 2
9. Total Area: \_\_\_\_\_ No. of Lots \_\_\_\_\_ Sq. Ft. of Building \_\_\_\_\_  
 Zoning Dist. CD Proposed Use \_\_\_\_\_ No. Of Parking Spaces \_\_\_\_\_
10. If this application is for a cluster-open space subdivision give date and Resolution number of Town Board authorization. Date: \_\_\_\_\_ Res. # \_\_\_\_\_

**MARY E. BREINING**  
 Receiver of Taxes, Town of Cortlandt

**PLEASE CHECK APPROPRIATE SPACE:** I consent to the extension of the 62-day Public Hearing and review period. See instructions item # 4. YES  NO

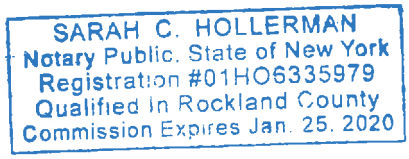
CONFIRMATION ALL TAXES PAID: [Signature] Date: JUL 19 2017  
Receiver of Taxes

STATE OF NEW YORK; )  
 COUNTY OF WESTCHESTER: ) SS  
 TOWN OF CORTLANDT )

[Signature] hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Mailing Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SWORN to before me this 18 day of JULY, 2017  
 NOTARY PUBLIC [Signature]



GENERAL INSTRUCTIONS

P L E A S E   R E A D

1. Attach hereto a copy of the duly filed deed indicating the current ownership of the subject property. **EVENT OF CORPORATION OWNERSHIP:** A list of all directors, officers and major stockholders of each corporation must be attached. If applicant is a **contract vendee**, then attach a copy of the duly executed contract of sale.
2. If the applicant is a **tenant** submit a copy of the lease agreement and have the owner of the property sign and have notarized the statement below.
3. The applicant shall submit a list of the names and addresses of all **adjoining property owners** and of those property owners directly across all road frontages adjoining the proposed development. The list shall also contain the Town of Cortlandt current Tap Map Section, Block and Lot designation for each parcel.
4. NYS Town Law obligates the Planning Board to conduct a Public Hearing with respect to a preliminary or final subdivision plat, conforming to local requirements, within 62 days following receipt of same by the Planning Board Clerk. Likewise, NYS Town Law requires the Planning Board to approve, disapprove or approve with modifications, a proposed site plan within 62 days after same has been filed with the Planning Board or, if a Public Hearing was held on the plan within 62 days after such hearing. Due to the complexity of many proposals and the numerous technical and procedural requirements of all the applicable laws and regulations, many applications may be found to be incomplete or deficient and, therefore, not ready for Public Hearing nor Planning Board approval. Thus a determination based upon all pertinent facts and circumstances cannot always be rendered by the Planning Board within the 62 days. To do so might result in a disapproval when, with further information or changes, and SEQR compliance, approval or approval with modifications might otherwise occur. In such cases, Planning Board staff will notify the applicant of missing or incomplete items as soon as possible.

In light of the above, you are asked to indicate, by checking the appropriate box on the front page of this application, whether you consent to the extension of the 62 day public hearing period or review period, for so long as may reasonably be necessary to generate a submission which is complete and in conformity with all pertinent requirements. You may revoke your consent at any time by communicating that fact in writing to the Clerk of the Planning Board whereupon your plat, or site plan or special permit proposal will be scheduled for the next regularly scheduled meeting of the Planning Board.

5. For procedures, design standards, specifications for drawings and other information see the following chapters in the Town of Cortlandt Code; for subdivisions Chapter 265, for site development plans, zoning and special permits Chapter 307, for wetland permits Chapter 179 and for steep slope permits Chapter 259.
6. Please be advised that the site development plan, subdivision or special permit process often involves engineering, legal and other professional skills. While Planning Board staff will provide guidance and assistance within reasonable limits, the responsibility for the proper presentation of your proposed development plan, is upon you and your professional advisors, and not upon the Planning Board itself or staff.
7. The applicant shall also submit the following: a completed **environmental assessment form** as required by SEQR for the proposed project; 2 copies of a recent survey, 14 sets of **FOLDED plans**, an **electronic copy of all plans on a CD in .jpg, .tif or .gif format**, a **colored map** of the project showing **wetlands and steep slopes** pursuant to the attached guideline, a **check** to the Town of Cortlandt for the application fee as indicated below.
8. The applicant shall be responsible for **posting and removing a sign** on their property concerning their application as required by the Planning Board and provided by the Planning Division.

FEE SCHEDULE

|                           |  |
|---------------------------|--|
| LOT LINE ADJUSTMENT-----  | \$300  |
| SUBDIVISION -----         | Preliminary (major) \$750 + \$750 for each building lot  |
| -----                     | Preliminary (minor) \$500 + \$500 for each building lot  |
| -----                     | Final approval - \$1000  |
| SITE PLAN -----           | \$150 for each 1000 sq. ft. of proposed floor areas + \$5 for each proposed parking space. Minimum \$500 |
| SITE PLAN AMENDMENT ----- | Same as above, minimum fee \$250.  |
| SPECIAL PERMIT-----       | \$500  |

STATE OF NEW YORK;            )  
COUNTY OF WESTCHESTER: ) SS  
TOWN OF CORTLANDT         )

I Donn Mostaic understand that as the owner of the subject property I authorize the tenant to make this application and I also understand that I as well as the tenant will be bound with the Planning Boards' Resolution of approval including all conditions of such approval.

Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SWORN to before me this  
18 day of JULY, 2007

NOTARY PUBLIC Sarah C. Holler

**SARAH C. HOLLERMAN**  
Notary Public, State of New York  
Registration #01HO6335979  
Qualified In Rockland County  
Commission Expires March 25 2020



**% JPW Enterprises**  
Justin Wingenroth, Owner

2050 East Main Street  
Cortlandt Manor, NY 10567  
Suite 1-3F & Suite 1-4F

Suite 1-3F: 2272 sq ft  
Suite 1-4F: 1000 sq ft

Total: 3272 sq ft

**Previous Use:**

Suite 1-3F: Yoga Studio  
Suite 1-4F: Chiropractic Office



**Proposed Use:** Dance Studio

**Proposed Hours of Operation:**

September - June:

Monday - Friday: 4:00pm - 10:00pm, office hours 12:00pm - 4:00pm (as needed)

Saturday: 8:30am - 4:30pm

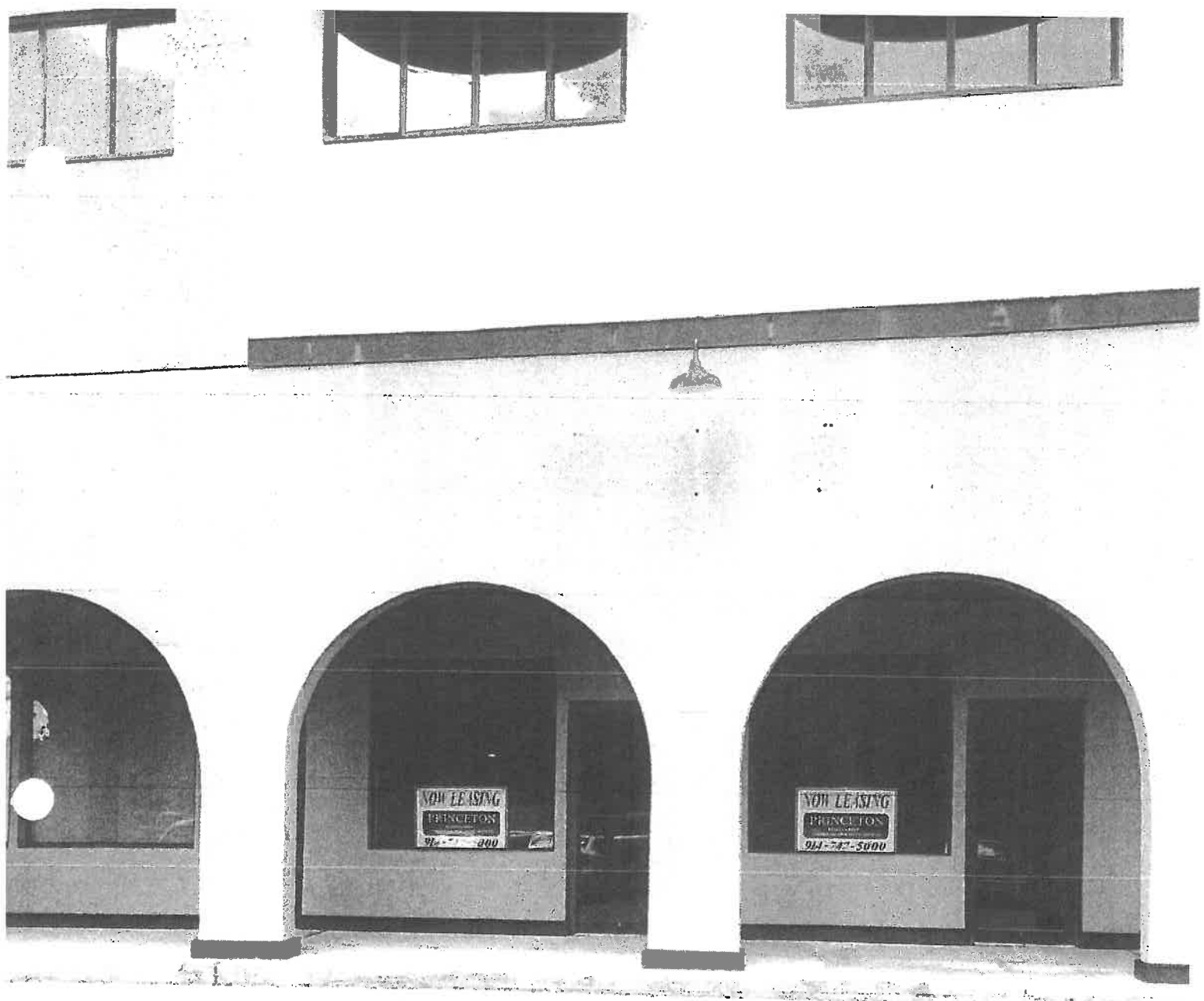
Sundays: 12:00pm - 5:00pm (as needed)

July - August:

Monday - Friday: 9:00am - 5:00pm

**Proposed Number of Employees:** 10-15. Each night of classes, only 2 or 3 teachers will be working. There will be an additional 1 or 2 administrative staff on duty. There will be a maximum of 5 employees on site at any given time.

**Parking Spaces:** 179 on site. Anticipating 20-40 students in class each night. Parents are more likely to drop-off and pick-up rather than occupying parking for extended periods of time. Classes are staggered to alleviate congestion. Employees will be asked to park in the rear lots to keep space in front of the studio available. We do not see a significant increase in parking usage from space's previous use.



2050 E. MAIN, SUITE 1-3F



CORTLANDT  
CHIROPRACTIC

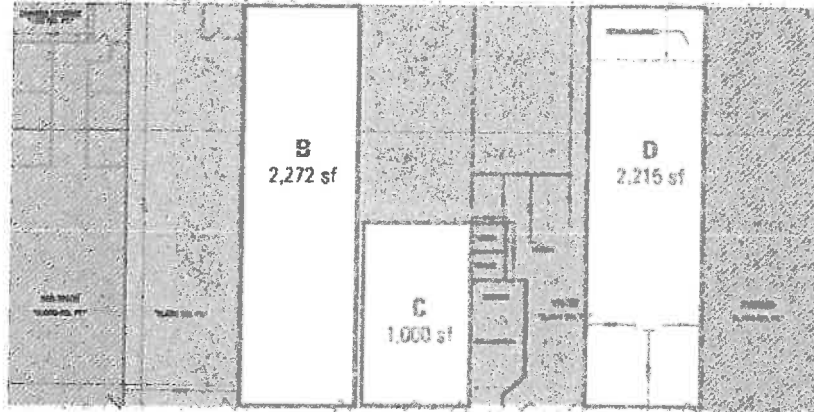
NOW LEASING  
914-745-5000

2050 E. MAIN, SUITE 1-4F

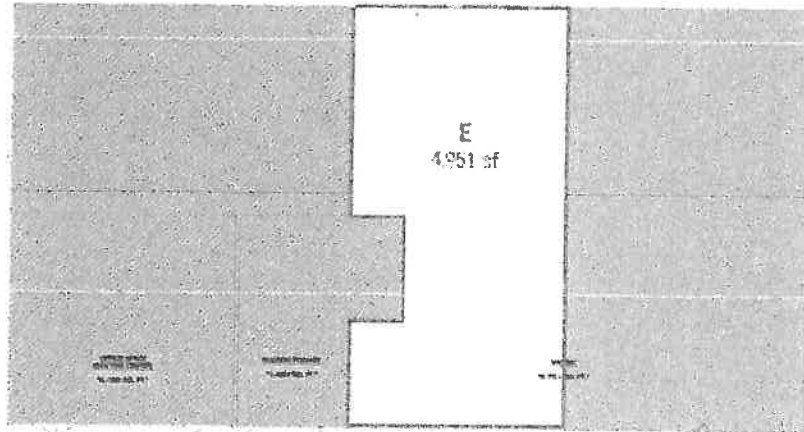


### Floor Plans

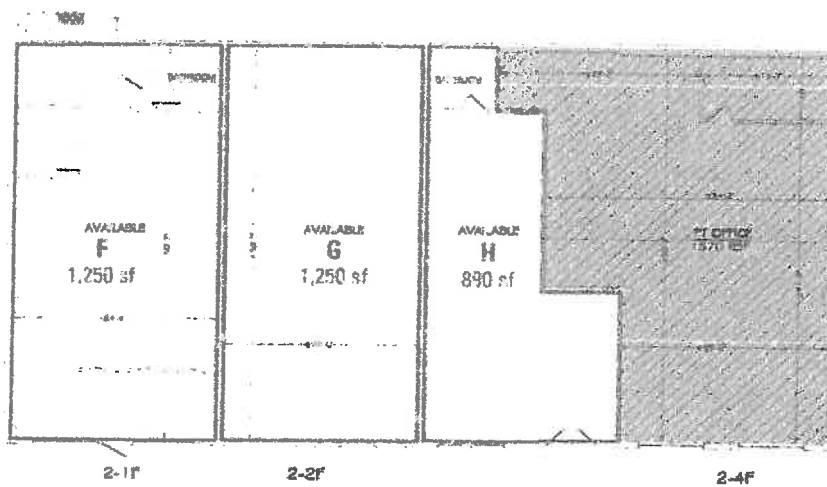
FIRST FLOOR PLAN

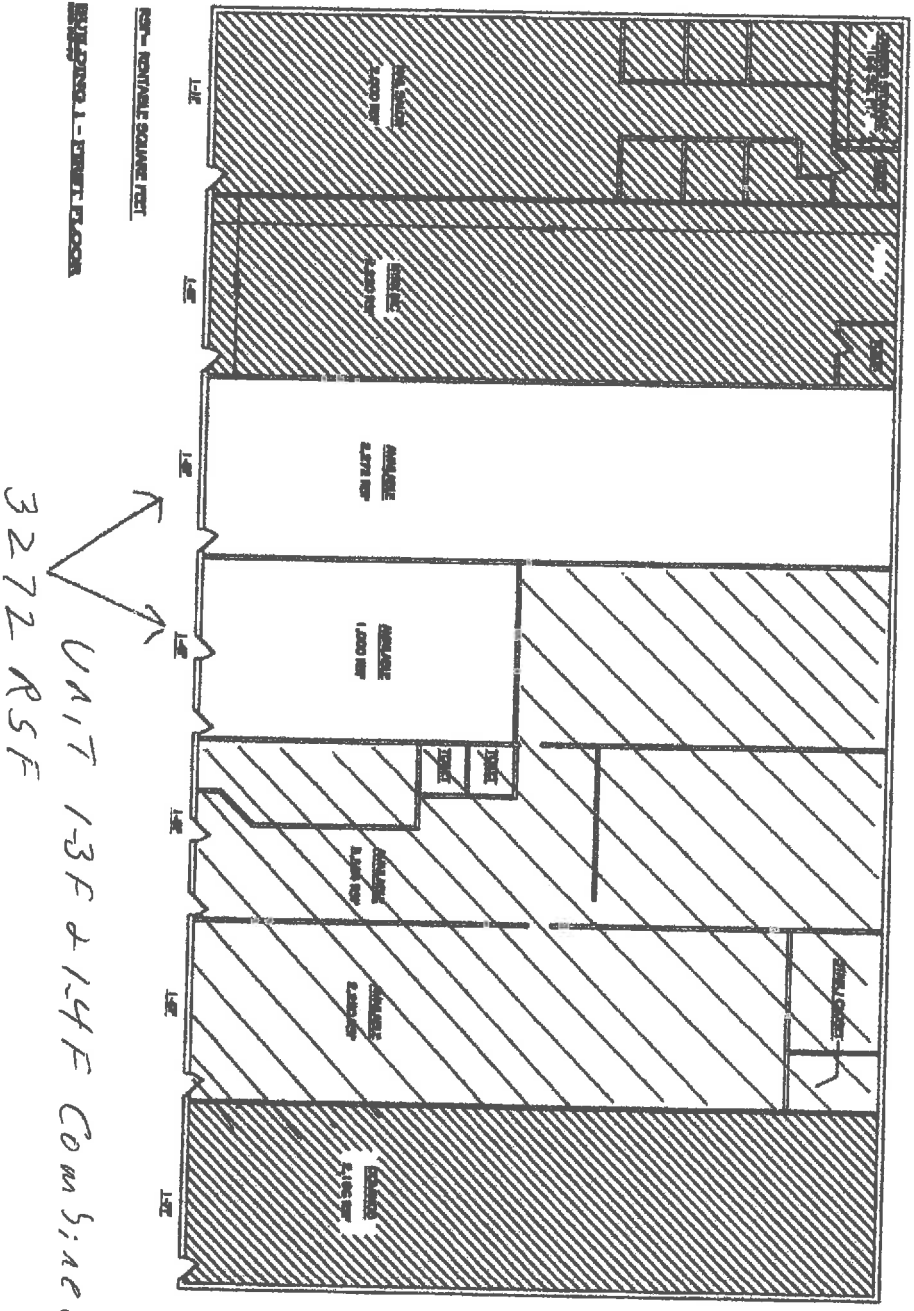


SECOND FLOOR PLAN



FRONT BUILDING FIRST FLOOR PLAN





UNIT 13F & 14F Combined  
3272 RSF



733 York Ave., Suite 40  
New York, NY 10014  
Tel: 212-678-1189  
Fax: 212-678-1187

also Prime Locations |  
733 York Ave. Suite 40  
New York, NY 10014  
Attn: Mr. Lloyd Arnold

REVISIONS:

DATE: 11/15/01

1500 EAST MAIN STREET  
CORCORAN, NY 10827

1ST FLOOR PLAN

NOVEMBER 15, 2001

DESIGNED BY: JG

As Noted

A-



# Existing Conditions

Studio Space  
2050 E. Main Street, Courthandt Manor, NY



2162 sqft

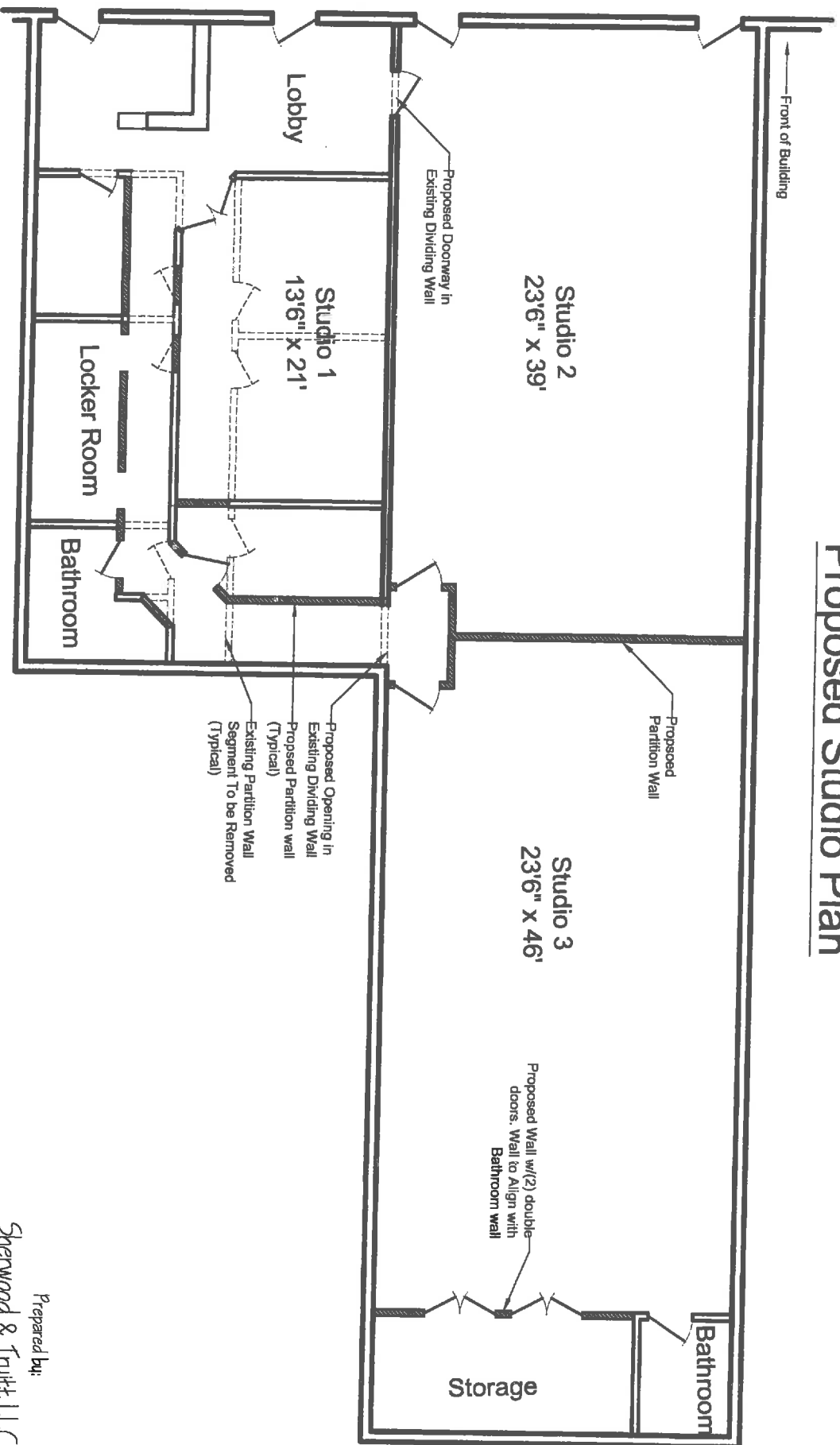
1000 sqft

*This Sketch is intended for graphic representation of proposed work only. Accuracy is NOT assured, in any way. This sketch is the sole and exclusive property of Sherwood & Trutt LLC. Use of this drawing for any purpose without explicit written consent from Sherwood & Trutt LLC is strictly forbidden.*

Prepared by:  
Sherwood & Trutt LLC  
460 Spring Dr. Yorktown Heights, NY  
(914) 962-2340  
Scale: Not To Scale  
Date: 05.30.2017

# Proposed Studio Plan

Studio Space  
2050 E. Main Street, Courthand Manor, NY



*This Sketch is intended for graphic representation of proposed work only. Accuracy is NOT assured, in any way. This sketch is the sole and exclusive property of Sherwood & Truitt LLC. Use of this drawing for any purpose without explicit written consent from Sherwood & Truitt LLC is strictly forbidden.*

Prepared by:

**Sherwood & Truitt LLC**

460 Spring Dr. Yorktown Heights, NY  
(914) 962-2340

Scale: Not To Scale

Date: 05.30.2017

I, DONALD J. DONNELLY, THE SURVEYOR HAS MADE THIS MAP AND ENERGY CERTIFICATE THAT THIS MAP WAS COMPLETED ON THE LAST BUSINESS DATE SHOWN IN THIS CERTIFICATE OF COMPLETION.

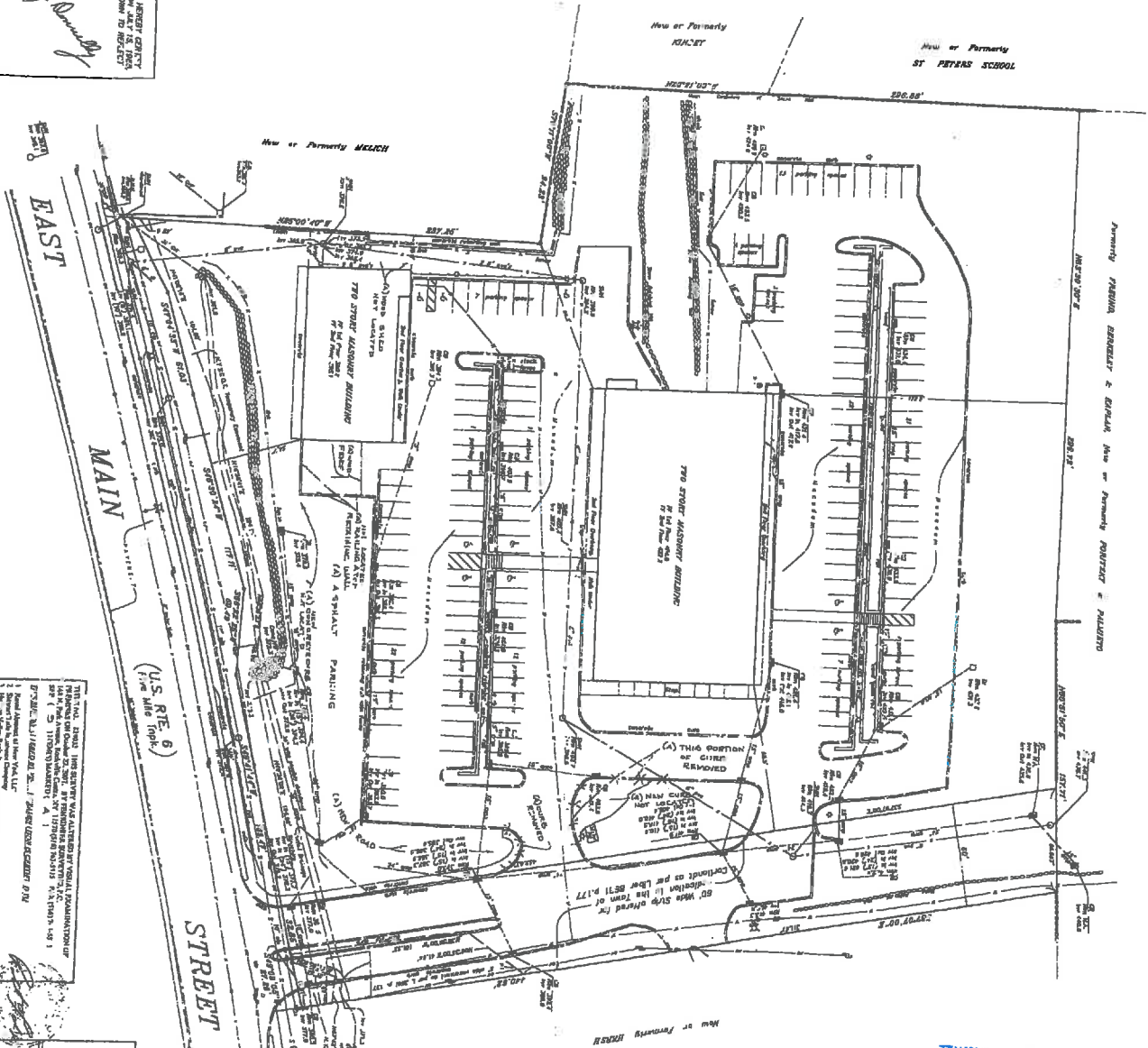
**DONALD J. DONNELLY, L.S.**

N.Y.S. Lic. No. 44806  
 1831 BURGESS STREET  
 NORTHWIND HEIGHTS, NY 10814  
 Phone: (718) 482-2114  
 Fax: (718) 482-1126

*Donald J. Donnelly*

**LEGEND:**

- TO: Utility Pole
- : Overhead Wire
- : Building
- : Utility Show
- : Common Show that
- : Fire Hydrant
- : Meter Valve
- : Catch Basin
- : Low, Pond



THE TOTAL SURVEY INFORMATION HEREON WAS OBTAINED BY VISUAL EXAMINATION OF THE RECORDS OF THE TOWN OF WESTCHESTER, NY, AND THE RECORDS OF THE TOWN OF WESTCHESTER, NY, AND THE RECORDS OF THE TOWN OF WESTCHESTER, NY.

DATE OF SURVEY: 11/1/17  
 DATE OF PLOTTING: 11/1/17

RECEIVED  
 JUL 20 2017  
 DEPT. OF...



**PIKE REALTY, INC.**  
 SURVEY SHOWING  
 CONSTRUCTION PROGRESS  
 Prepared For

Stakeholder  
 TOWN OF WESTCHESTER  
 COUNTY OF WESTCHESTER, NY  
 Scale: 1"=30'  
 Dec. 22, 1994