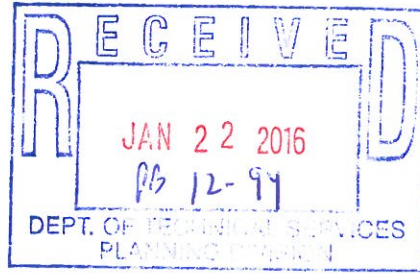


Right to Know / FOIL

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.

January 21, 2016



RECEIVED

DEPT. OF TECHNICAL SERVICES
PLANNING DIVISION

Loretta Taylor
Chairperson
Town of Cortlandt
1 Heady Street
Corlandt Manor NY10567

Dear Mrs. Taylor

I am asking permission to park an additional 10 more trucks in the far back corner of building C. This area is located behind the UA Theatre.

During the month's of December and January you may see a total of 24 due to the weather and being the slowest time of year.

There will be no mechanical maintenance performed. This area is strictly used for the customer picking up of rented vehicles.

Thank you for your time and consideration.

Sincerely yours,

Joseph Magagnoli

Copies 7

- Planning Board
- Town Board
- Zoning Board
- Legal Dept.
- DOTS Director
- C.A.C.
- A.R.C.
- Applicant
- _____
- _____

Sent 1/22/16



ACADIA
REALTY TRUST

January 19, 2016

Mr. Joseph Marazino

3121 East Main Street

Suite 500

Mohegan Lake NY 10547

Dear Joe,

Pending the final decision by the Planning Board to approve your continuance at the current location at Cortland Town Center; this letter is to serve as acknowledgement that, Acadia Realty Trust is open to discussing with you the execution of a long term lease.

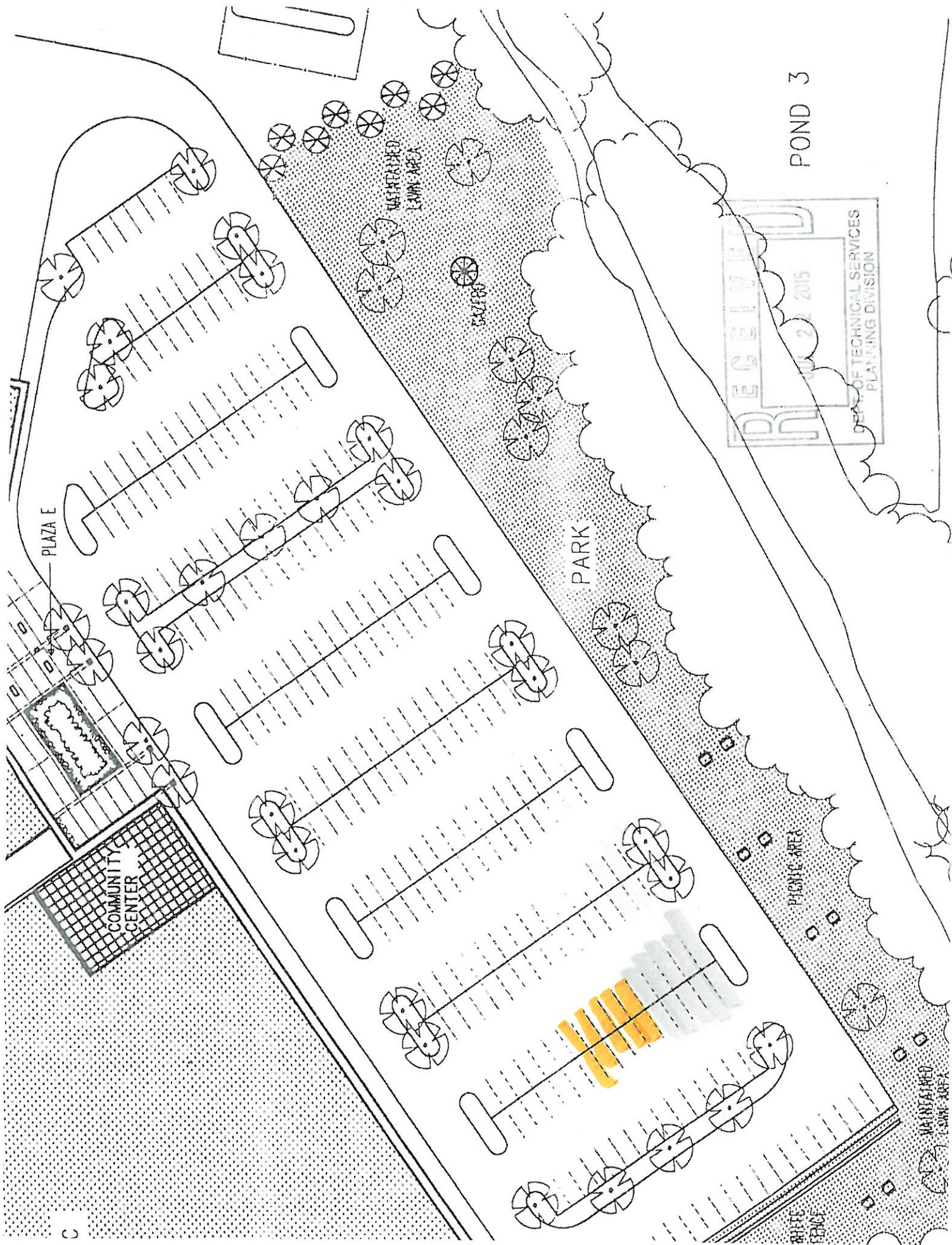
Sincerely yours,

Thomas Eikhof CSM

Regional Property Manager

North-East Suburban Properties

cc: K. Holbrook



PLAZA E

COMMUNITY CENTER

MAINTAINED LAWN AREA

PARK

PICNIC AREA

TREE FENCE

MAINTAINED LAWN AREA

POND 3

RECEIVED
JUN 22 2015
DEPT. OF TECHNICAL SERVICES
PLANNING DIVISION



TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
PLANNING DIVISION

LINDA D. PUGLISI
TOWN SUPERVISOR

TOWN BOARD MEMBERS

Richard H. Becker
Debra A. Costello
Francis X. Farrell
Seth M. Freach

TOWN HALL, 1 HEADY STREET, CORTLANDT MANOR, NY 10567

914-734-1080

FAX 914-788-0294

www.townofcortlandt.com

Planning Staff e-mail:
chrisk@townofcortlandt.com

MICHAEL PREZIOSI, P.E.
Director

CHRIS KEHOE, AICP
Deputy Director

MEMO

TO: Linda D. Puglisi, Town Supervisor
Members of the Town Board

Loretta Taylor, Chairperson
Members of the Planning Board

FROM: Chris Kehoe, AICP *CK*
Deputy Planning Director

RE: Annual Planning Board Report - 2015

DATE: January 21, 2016

Please find attached a copy of the 2015 Annual Planning Board Report

CRK/crk

Enc.

cc: Michael Preziosi, P.E., Director DOTS
John Klarl, Esq. Deputy Town Attorney
Art Clements, AAC
David Douglas, CAC
Michael Huvane, PRC
Jo-Ann Dyckman, Town Clerk

2015 ANNUAL REPORT - PLANNING BOARD

2015 MAJOR SUBDIVISIONS GRANTED PRELIMINARY APPROVAL

1. PB 1-11 Hanover Estates	27 lots
Total:	27 lots

2015 MAJOR SUBDIVISIONS GRANTED FINAL APPROVAL

None

2015 MINOR SUBDIVISIONS GRANTED PRELIMINARY APPROVAL

1. PB 4-15 MJD Contracting	2 lots
Total:	2 lots

2015 MINOR SUBDIVISIONS GRANTED FINAL APPROVAL

None

2015 SUBDIVISION RE-APPROVALS

None

2015 PRELIMINARY SUBDIVISION APPROVAL TIME EXTENSIONS

1. PB 13-05 Mill Court Crossing	2 extensions
---------------------------------	--------------

2015 FINAL SUBDIVISION APPROVAL TIME EXTENSIONS

1. PB 9-99 Furnace Dock Inc.	4 extensions
2. PB 5-08 Montes	4 extensions

2015 AMENDED SUBDIVISION APPROVALS

None

2015 PERFORMANCE SECURITY REDUCTIONS

1. PB 21-05 Hillside Estates
2. PB 2-12 Valeria

2015 SPECIAL PERMITS WITH SITE DEVELOPMENT PLAN APPROVAL

1. PB 7-14 Westchester Spray Zone

2015 SPECIAL PERMITS WITHOUT SITE DEVELOPMENT PLAN APPROVAL

1. PB 5-15 Renewal of Teatown Special Permit for Private Nature Preserve open to the public

2015 SPECIAL PERMIT RECOMMENDATION TO TOWN BOARD

None

2015 SITE DEVELOPMENT PLAN APPROVALS

1. PB 9-14 SOMA 2014 LLC

2015 SITE DEVELOPMENT PLAN AMENDMENTS

1. PB 5-14 Hilltop Nursery
2. PB 2-13 Earthcon Garden Supply Center

2015 SITE DEVELOPMENT PLAN TIME EXTENSIONS

None

2015 SITE PLAN TIME EXTENSIONS TO OBTAIN BUILDING PERMIT

None

2015 WETLAND PERMITS

1. PB 1-11 Hanover Estates

2015 STEEP SLOPE PERMITS

1. PB 1-11 Hanover Estates

2015 TREE REMOVAL PERMITS

1. PB 1-11 Hanover Estates

2015 SEQR FEIS REVIEW

1. PB 14-13 Cortlandt Crossing

2015 TOWN BOARD RECOMMENDATIONS

None

2015 LOT LINE ADJUSTMENTS

1. PB 2-15 Santucci
2. PB 8-15 Argiros
2. PB 11-15 Vourliotis/Mazzei

2015 ITEMS APPROVED UNDER CORRESPONDENCE

1. PB 17A-80 Holy Smoke BBQ Restaurant, 2016 Albany Post Road
2. PB 25-06 Monteverde Barn
3. PB 11-86 Dumpster Enclosure, 2 Westbrook Drive
4. PB 17-06 Solid Oxide Fuel Cell (Clean Energy Generator) Home Depot
5. PB 12-94 Parking of U-Hauls, Cortlandt Town Center
6. PB 19-81 Parking Facility, St. Patrick's Church, Verplanck
7. PB 4-09 Sign, driveway columns and lights, Church of the Holy Spirit
8. PB 12-94, Massage Envy Spa at Cortlandt Town Center
9. PB 21-03 Facade Improvements and new signage, Foodtown, Route 9A

ANNUAL REPORT - 2015 PLANNING BOARD

PLANNING BOARD PRELIMINARY PLAT APPROVALS

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
<u>Minor Subdivisions</u>																		
Number of Plats	3	3	2	3	1	1	4	6	6	0	1	0	0	0	0	0	0	1
Number of Lots	6	6	2	2	2	2	6	6	6	0	2	0	0	0	0	0	0	2
<u>Major Subdivisions</u>																		
Number of Plats	2	6	6	2	5	2	3	5	3	4	5	0	2	2	0	0	0	1
Number of Lots	5	27	21	4	15	38	8	11	8	26	15	0	20	5	0	0	0	27
Condominium Units (NYS Section 278)		5*	92**			115		147										
Preliminary Subdivision																		
Time Extensions	2	5	9	5	7	6	8	11	15	17	12	17	11	7	3	2	2	2
Time Extensions Denied	2	2					1											
Amendments	2	2	1	2		3	1	1	2	2	2		1					
Denials							2						1					

PLANNING BOARD FINAL PLAT APPROVALS

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
<u>Minor Subdivision</u>																		
Number of Plats	0	3	2	3	1	1	1	4	6	2	0	0	2	0	0	0	0	0
Number of Lots	0	6	4	2	2	2	0	8	6	4	0	0	4	0	0	0	0	0
<u>Major Subdivision</u>																		
Number of Plats	3	3	6	2	4	3	2	0	6	5	4	2	2	2	5	2	1	0
Number of Lots	21	10	23	8	11	11	32	0	20	11	5	8	6	4	13	151	4	0
Condominium Units (NYS Section 278)				5*		85	30		147	92**				16***	147****			
Reapproval	1	1		2									3					
Final Subdivision	5		2	4	8	3	1	2	2	7	15	14	13	9	16	20	17	8
Time Extensions																		

*Rental dwelling units- Mark Picucci, U.M.I. Corp.

**Roundtop- 92 apartments

*** Furnace Dock Inc. Cluster

**** Valeria - Modification of 2007 Approval

PLANNING BOARD: SITE DEVELOPMENT PLAN APPROVALS

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
<u>Site Development Plans (SDP)</u>	3	8	7	5	5	3	2*	4	7	6	9	4	4	1	1	4	4	1
<u>SDP Amendments</u>	7	7	3	4	2	7	9	3	2	2	3	1	1	1	2	3	1	2
<u>SDP with Special Permit</u>	5	3	3	2	3	2	1	1	4	1	1	2	3	1	1		1	1
<u>SDP TOTALS</u>	15	18	13	11	10	12	11	8	11	9	13	7	8	3	4	7	6	4
<u>SDP Time Extensions</u>	3	2	1	5	8	2	3	2	3	4	5	7	5	2	1	1	0	0
<u>SDP Time Extensions Denied</u>	1																	
<u>SDP Denials</u>	2							1										

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
<u>Zoning Code Amendment Recommendations</u>	2	1	2	2	3	2	3	2	3	4	1	3	2	2			1	0
<u>Wetland Permits</u>	2	3	3	2	3	2	1	4	4	4	5	2	3	2	1	1	2	1
<u>Tree Removal Permits**</u>													5	1			2	1
<u>Steep Slope Permits</u>	1	3	2	2	3	2	4	4	2	4	5	1	2	1	1			1
<u>Special Permits</u>	1	1	2	1	2	2	1	1	3	1		0	3	1	1	3		1
<u>Special Permit Recommendations</u>														1***				0

<u>Lot Line Adjustments</u>	4	1	3	1	8	4		3	2	2	2	0	1	1			2	3
<u>Lot Line Adj. Time Extensions</u>	3	3	3	2						2		0	0				1****	0
<u>Performance Security Reductions</u>	5	4	4	1	2	1	3	2			0	0	1	1	1	2	2	2
<u>Cluster Recommendations</u>				1	2							0	0					0
<u>DEIS Scopes</u>	7	2	2	2	1			2		3		0	1	1				0

*Includes Jacobs Hill Village PVD 103 Apartments and 58 Condominiums

** Began tracking in 2010

*** RRUSP Pondview Recommendation

**** Harbolic Lot-Line Re-Approval

WHEREAS, an application for Planning Board approval of a Final Plat pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code was submitted by **MJD Contracting** for a 2 lot minor subdivision as shown on a on a 3 page set of drawings entitled “Integrated Plot Plan, Tree Plan and Details and Profiles” prepared by John Karell Jr., P.E. latest revision dated November 18, 2015 and on a plat entitled “2-Lot Minor Subdivision of Property prepared for MJD Contracting Corporation” prepared by Robert Baxter, P.L.S., dated November 15, 2015, and

WHEREAS, the subject property of approximately 2 acres is zoned R-40, single family residential, is located at 16 Hillcrest Avenue and is designated on the Town of Cortlandt Tax Maps as Section 12.15, Block 1, Lot 7, and

WHEREAS, the requirements for Preliminary Layout approval in Chapter 265, (Subdivision Regulations) of the Town of Cortlandt Code have been met by said subdivision application and Preliminary & Final Plat, and

WHEREAS, a Public Hearing was held as required by Section 265 of the Town Code and Section 276 of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on October 6, 2015, and

WHEREAS, the Public Hearing Notice was published in the “Journal News” and in the “Gazette”, and

WHEREAS, on November 5, 2015 by Resolution 18-15 the Planning Board granted conditional Preliminary Plat Approval to the subject application, and

WHEREAS, pursuant to Section 277 of New York State Town Law and Chapter 265-11 of the Town Code, “Reservation of recreation areas” the Planning Board analyzed the recreation needs of the Town and determined that additional recreation land is required and in addition that the additional recreation land cannot be provided within the proposed subdivision and thereby a payment of a recreation fee is required, and

WHEREAS, the Planning Board reviewed the record of this application and of preliminary plat approval and deems the subject final plat to be in substantial agreement with the approved preliminary plat, therefore no final public hearing is required for this application.

NOW THEREFORE BE IT RESOLVED, that the application of **MJD Contracting** for Planning

Board approval of a Final Plat pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for a 2 lot minor subdivision as shown on a on a 3 page set of drawings entitled “Integrated Plot Plan, Tree Plan and Details and Profiles” prepared by John Karell Jr., P.E. latest revision dated November 18, 2015 and on a plat entitled “2-Lot Minor Subdivision of Property prepared for MJD Contracting Corporation” prepared by Robert Baxter, P.L.S., dated November 15, 2015 be **approved** subject to the modifications and conditions listed below, and the Chairman of the Planning Board be authorized to endorse approval of said Final Plat upon compliance by the applicant with such conditions as listed below. However, if such conditions are not complied with within one hundred and eighty (180) days from the date of this Resolution, the Final Plat shall be deemed expired, unless extended by the Planning Board, by timely request by the applicant, for additional periods of ninety (90) days each, and

FURTHER BE IT RESOLVED, in accordance with law, the approval or approval with conditions of any Final Plat shall expire within sixty two (62) days of the date of the signature of the Chairman of the Planning Board on the Final Plat if said Final Plat has not been filed in the Office of the County Clerk. Conditional approval of the Final Plat does not entitle the owner to file said Final Plat until the listed conditions are accomplished and the Chairman signs the Final Plat.

CONDITIONS AND MODIFICATIONS:

- 1. Obtain the signature of the Westchester County Department of Health on the mylar of the Final Plat.**
- 2. Submit (a) the mylar transparency and two paper prints of the subdivision plat to the Planning Office following the signatures of the County Health Department, the required Department Heads and the Planning Board Chairman prior to filing the final subdivision plat in the County Clerk’s office (b) three (3) paper sets of the improvement drawings and SWPPP (c) electronic copy of the final plat in a shape file, geodatabase or AutoCAD 2006 or newer format (.dwf or .dwg) format and be in New York State Plan coordinates; North American Datum 1983; units, feet.**
- 3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid in compliance with the Town Code.**
- 4. Payment of the required \$6,000 recreation fee.**

(continued on page 3)

5. Prior to the Planning Board Chairman signing the subdivision final plat the applicant is required to post an irrevocable Standby Letter of Credit pursuant to Town Board Resolution No. 257-90 or a cash deposit pursuant to Town Board Resolution No. 190-04 in the amount of \$2,500.00 to guarantee site maintenance and the implementation and maintenance of soil erosion controls as shown on said improvement drawings. Said security to be in effect for a period of not less than two years from the date thereof. Said security shall be extended as required by the Town if all improvements are not completed within 2 years from the date thereof.
6. Provide the Planning Board with an affidavit confirming that title to all of the premises located within the proposed subdivision remain in the applicant or its successor in interest as to the entire parcel which was the subject of this application.
7. No excavation, tree removal or site work other than that required for preliminary Health Department investigation shall be permitted until the final plat is approved and all applicable conditions of Final Plat Approval are satisfied.

TO BE CONSIDERED FOR ADOPTION: FEBRUARY 2, 2016

WHEREAS, an application for Planning Board approval for the renewal of a Special Permit pursuant to Chapter 307-50 (University, College or Seminary) of the Town of Cortlandt Zoning Ordinance was submitted by the **Yeshiva Ohr Hameir** for the continued operation of the Yeshiva Ohr Hameir school as described in a letter dated December 21, 2015 from David Steinmetz, Esq. and as shown on a 3 page set of drawings entitled "Site Plan" prepared by Ciarcia Engineering, P.C. latest revision dated June 19, 2014, and

WHEREAS, the subject property of 37.32 acres is zoned R-40, Single Family Residential, is located at 141 Furnace Woods Road and is designated on the Town of Cortlandt Tax Maps as Section 44.12, Block 1, Lot 3, and

WHEREAS, a university, college or seminary is permitted by Special Permit in the R-40 Single-Family Residential Zoning District, and

WHEREAS, by Planning Board Resolutions 1-10 adopted on January 13, 2010 and 11-13 adopted on April 2, 2013 the Planning Board previously granted two (2) renewals of the required Special Permit, and

WHEREAS, by Resolution 1-10, modified by Resolution 18-12 adopted on July 10, 2012 and Resolution 4-14 adopted January 7, 2014 the Planning Board approved a Site Plan for the subject property including the renovation/reconstruction of the existing Dodge City Building for classroom and dormitory space and an on-site pump station for a sewer line and for a gravel service road to access the pump station, and

WHEREAS, as per condition No. 1 of PB Resolution 11-13 the subject Special Permit for a (University, College or Seminary) is valid for three years and will expire on April 2, 2016, and

WHEREAS, the Special Permit shall remain in full force and effect until a final determination by Planning Board Resolution on any Special Permit renewal application, and

WHEREAS, the subject application, as per 6 N.Y.C.R.R. 617.5(c)(26), as a permit renewal with no change in conditions of the site or any violations of the Special Permit, is considered a Type II action under SEQRA requiring and no further environmental analysis, 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 February 2, 2016, and

WHEREAS, the Public Hearing Notice for this application was duly 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 subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Town Engineering Division and the Westchester County Planning Department, and

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

WHEREAS, the Planning Board considered the issuance of the subject Special Permit pursuant to the requirements, conditions and standards contained in Sections 307-40, 307-41, 307-42 and 307-50 of the Town of Cortlandt Zoning Ordinance for a University, college or seminary, and

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 307-50(B), Standards and Conditions the Planning board finds that:

1. The minimum lot area is greater than 25 acres.
2. The minimum frontage is greater than 200 feet.
3. An existing building on the Yeshiva property is located closer than 100 feet to a lot line.
However, no additions or modifications are proposed to this building.
4. The total building coverage is less than 25%
5. The minimum landscape coverage is greater than 50%
6. The parking area lot line is setback more than 50 feet from the property line.
7. The maximum height of buildings is less than 70 feet.
8. The Zoning Board of Appeals granted a variance from the requirement that “access to the premises shall be via State or County highways only” as per a Decision & Order adopted

on March 17, 2010 and the Yeshiva is permitted to continue its present access to its premises from Furnace Woods Road (a Town Road).

9. The proposed improvements to the existing Dodge City Building and other proposed site improvements will be located far enough away from neighboring properties and landscape improvements are proposed so as to protect neighboring property from adverse impacts and conforms to the standards established in Sections 307-21B and 307-22 of the Zoning Code.

WHEREAS, this application for a renewal of the previously issued Special Permit is a Type II action under SEQR and no further environmental review is required, and

NOW THEREFORE BE IT RESOLVED that the application of Yeshiva Ohr Hameir for the renewal of a Special Permit pursuant to Chapter 307-50 (University, College or Seminary) of the Town of Cortlandt Zoning Ordinance to allow the continued operation of the Yeshiva Ohr Hamier is **approved** for a period of three years subject to the conditions listed below, and

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

CONDITIONS AND MODIFICATIONS:

1. The applicant is to reapply for renewal of said permit three months prior to February 2, 2019 which is the expiration date of the Special Permit issued by this Resolution.
2. The applicant shall submit a letter in October for presentation at the Planning Board meeting in November 2016, November, 2017 and November 2018 (or such other dates as scheduled by the Planning Board) updating the Planning Board on any issues with the operation of the Yeshiva. By October 15 of each year, the Planning Board shall receive reports from Town staff as to the operation of the site and determine whether any substantial code violations exist affecting health, safety and general welfare. If the Planning Board determines that the code violations reported in the yearly reports are substantial, a Special Permit renewal application may be required before the 3 year term noted above.
3. The applicant shall maintain the property in compliance with all laws, regulations and

(continued on page 4)

ordinances of the Town of Cortlandt as determined by the Department of Technical Services, Code Enforcement Division and all other governmental agencies having jurisdiction.

TO BE CONSIDERED FOR ADOPTION: FEBRUARY 2, 2016

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, NY 10516

(845) 265-4400

www.timmillerassociates.com

January 19, 2016

Loretta Taylor, Chairperson
Town of Cortlandt Planning Board
Town Hall - 1 Heady Street
Cortlandt Manor, NY 10567-1249

RE: Abee Rose Subdivision Application

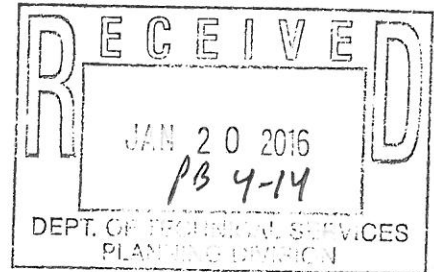
Dear Planning Board:

On behalf of the Applicant for the Abee Rose Subdivision Application, we request that this matter be adjourned to the March meeting.

Sincerely,



Frederick Wells, RLA
Senior Vice President
TIM MILLER ASSOCIATES, INC.



7
Copies Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant
.....
.....
Sent 1/21/16