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Kirquel Development. Ltd. 3489 Lexington Avenue Mohegan Lake, NY 10547 (914) 528-1261

December 11, 2012

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

### Via E-mail

Chairwoman Loretta Taylor and Members of the Town Planning Board Town Of Cortlandt 1 Heady Street, Town Hall Cortlandt Manor, NY 10587

Re: Residences at Mill Court Crossing, PB13-5

Dear Chairman Taylor and Members of the Board:

Kirquel is still engaged in preparing its plat for final approval of the mandated plan and requires addition time to complete the process. Therefore, Kirquel asks that the PB, at its next meeting, extend Kirquel's time to file its final plate to on or before June 9, 2013.

This is Kirquel's second extension request. Thank you for your time and attention to this matter

Kirquel Development Ltd. By: Michael Sheber

cc: Ed Vergano- Director of Office of Technical Services John Klarl, Esq.-Attorney for the Planning Board Jo Ann Dyckman- Town Clerk

DRAFT

**RESOLUTION NO. 1-13** 

TOWN OF CORTLANDT PLANNING BOARD

PB 13-05

WHEREAS, the application of Kirquel Development for Preliminary Plat Approval pursuant to

Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations)

of the Town of Cortlandt Code and for permits pursuant to Chapter 259 (Steep Slopes), Chapter 179

(Wetlands) and Chapter 283 (Trees) for a proposed 22 lot major subdivision of a 52.78 acre parcel of

property as shown on a 15 page set of drawings entitled "Subdivision and Site Development for

Residences at Mill Court Crossing" prepared by Cronin Engineering, P.E., P.C. latest revision dated

July 8, 2009 and on drawings entitled "Preliminary Landscape Plan" and "Stone Wall Plan" both

prepared by Tim Miller Associates, Inc. and dated July 21, 2009 was approved by Planning Board

Resolution No. 52-10 adopted on November 3, 2010 as a 16 lot subdivision, and

WHEREAS, the subject property is located on the west side of Lexington Ave. and at the south end

of Mill Court, is zoned R-40, single family residential and is designated on the Town of Cortlandt

Tax Maps as Section 13.18, Block 2, Lot 2, and

WHEREAS, by Resolution 20-12 the Planning Board previously granted the first six-month time

extension of the preliminary plat approval which will expire on January 10, 2013, and

WHEREAS, by a letter dated December 11, 2012 Michael Sheber requested the 2nd six-month time

extension of Preliminary Plat approval in order to meet with staff and begin perfecting the

application prior to submitting for final approval.

NOW THEREFORE BE IT RESOLVED, that the request of Michael Sheber for the 2<sup>nd</sup> six-

month time extension of the above mentioned Preliminary Plat is APPROVED said extension to

expire on July 10, 2013.



December 19, 2012

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

Planning Board

... Town Board

• • • Zoning Board . Legal Dept.

DOTS Director

Applicant

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

Re: Time Extension, Final Subdivision Plat Michael Rvan 109 Watch Hill Road PB 43-06

Dear Ms. Taylor and Members of the Planning Board:

This letter is written to request a second ninety day time extension of the Final Subdivision Plat approval granted by the Planning Board on April 4, 2012 via Resolution No. 9-12. One ninety day time extension of Final Plat approval has already been granted to this project on October 2, 2012 in Resolution No. 30-12.

We have the Health Department endorsement on the Plat and we are also forwarding copies of a Wetland Mitigation plan under separate cover. The outstanding work to be completed involves providing declarations for maintenance of the stormwater facilities to the satisfaction of the Town's Legal Department and the Director of Technical Services. The applicant has been working toward satisfying this condition and hopes to have it completed within the next ninety days.

Please place this item on the agenda of the January 8th Planning Board meeting for approval of the extension request. Should you have any questions or require any additional information. please do not hesitate to contact me at the above number.

Respectfully submitted,

Ronald Wegner, P.E.

Project Engineer

Cc: Michael Ryan via e-mail

File

DRAFT

TOWN OF CORTLANDT **PLANNING BOARD** PB 43-06

**RESOLUTION NO. 2-13** 

WHEREAS, the application of Michael Ryan 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) for a 3 lot major subdivision of a 4.33 acre parcel of property as shown on a final plat

entitled "Subdivision Map prepared for Michael Ryan" prepared by William J. Simmons, L.S. latest

revision dated February 9, 2012 and on a 4 page set of drawings entitled "Integrated Plot Plan"

prepared by Timothy L. Cronin, III, P.E. latest revision dated December 21, 2011 was approved by

Planning Board Resolution 9-12 adopted on April 3, 2012, and

WHEREAS, the subject property is located on the west side of Watch Hill Road at the intersection

of John Alexander Drive and is designated on the Town of Cortlandt Tax Maps as Section 55.10,

Block 3, Lot 8, and

WHEREAS, by Resolution 30-12 the Planning Board previously granted the 1st 90-day time

extension of the final plat approval which expired on January 2, 2012, and

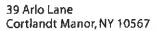
WHEREAS, by a letter dated December 19, 2012 Ronald Wegner, P.E. requested the 2<sup>nd</sup> 90-day

time extension to satisfy the conditions of that approval.

NOW THEREFORE BE IT RESOLVED that the request of Ronald Wegner, P.E. for the 2<sup>nd</sup> 90

day time extension for the above mentioned Final Plat is hereby granted said time extension to expire

on April 2, 2013.





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

December 18, 2012

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

Sent via email ChrisK@townofcortlandt.com

Re: PB 20-06, Joseph Picciano Resolution No. 28-12 7<sup>th</sup> Time Extension Maple Avenue Subdivision



Dear Madam Taylor and Members of the Planning Board:

The above referenced project received Final Plat Approval from your board on January 5, 2011 via Resolution number 26-11. At this time, we are requesting a 7<sup>th</sup> ninety (90) day time extension from the 6<sup>th</sup> ninety (90) day time extension which was issued at the October 2, 2012 Planning Board meeting by resolution number 28-12.

The applicant continues working on the completion of the conditions of the Subdivision Plat approval. Most of the currently outstanding conditions are legal, and we believe that the conditions will be satisfied in the near future.

I would kindly request that this item be placed on the January 8, 2013 Planning Board agenda for consideration. If you have any questions or require additional information please contact me at the above number. Thank you for your time and assistance in this matter.

Respectfully submitted,

James W. Teed, Jr. Project Designer

cc: Joe Picciano

Planning Board-Picciano-Maple Ave-Sub-Time Ext-JWT-20121218.doc

TOWN OF CORTLANDT PLANNING BOARD PB 20-06

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 Joseph Picciano for a 4 lot major subdivision of of a 16.55 acre parcel of property as shown on a Final Plat entitled "Four Lot Subdivision prepared for Joseph Picciano" prepared by Donald D. Coleman, P.L.S. dated June 21, 2010 and on a 4 page set of drawings entitled "Integrated Plot Plan for Joseph V. Picciano" prepared by Cronin Engineering,

WHEREAS, the subject property is located on the south side of Maple Avenue at the intersection

with Furnace Woods Road and is designated on the Town of Cortlandt Tax Maps as Section 44.08,

P.E., P.C. latest revision dated October 13, 2010 was approved by Planning Board Resolution 2-11

Block 6, Lot 9, and

adopted on January 5, 2011, and

WHEREAS, by Resolutions 16-11, 26-11, 2-12, 10-12, 19-12 and 28-12 the Planning Board previously granted six (6) 90-day time extensions the latest of which expired on December 26, 2012, and

WHEREAS, by a letter dated December 18, 2012 James W. Teed, Jr. requested the 7<sup>th</sup> 90-day time extension of Final Plat Approval to satisfy conditions of said approval.

NOW THEREFORE BE IT RESOLVED, that the request of James W. Teed, Jr. for the 7<sup>th</sup> 90-day time extension of the above mentioned Final Plat is **APPROVED** said extension to expire March 26, 2013.

Copies ..... Planning Board

McCullough, Goldberger & Staudt, LLP

**ATTORNEYS AT LAW** 

1311 Mamaronece Avenue, Suite 340

White Plains, New York

10605

(914) 9-19-6400

January 2, 2013

PAX (914) 9-19-2510

WWW.MCCULLOUGHGOLDHERGER.COM

RANKS HOLLLO DE THE LESS

\*\*\*\* A.R.C.

· · · Applicant

· · · · · Town Board

· · · · · Zoning Board

···- Legal Dept.

Applican

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LINDA B. WHITEHEAD SETH M. MANDELBAUM JOANNA C. FELDMAN DEBORAH A. GOLDBERGER EDMUND C. GRAINGER, III PATRICIA W. GURAHIAN ALICE D. KORNFELD

RUTH F.L. POST

FRANK S. MCCULLOUGH, JR.

CHARLES A. GOLDBERGER JAMES STAUDT

Chairperson Loretta Taylor and Members of the Planning Board Town of Cortlandt 1 Heady Street

Cortlandt Manor, New York 10567

Re: Application of Beaver Brook Cortlandt, LLC (formerly Furnace Dock, Inc.), 16 lot cluster subdivision, Furnace Dock Road

Dear Chairperson Taylor and Members of the Planning Board:

As you will recall, by Resolution No. 17-11 dated July 6, 2011, the Planning Board granted conditional final plat approval for the above referenced application. You have previously granted four 90 day extensions of the conditional approval.

We hereby request a fifth ninety (90) day extension of the final plat approval and the time to satisfy the conditions of the approval. I have been advised that some additional changes were requested to the plans. We are hopeful this may be the last required extension.

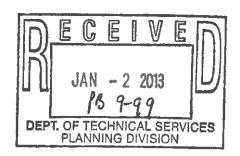
We would appreciate if this extension request could be placed on the agenda for your January 8, 2013 meeting. Thank you for your consideration

Very truly yours,

Linda B. Whitehead

cc: Ron York

Cosmo Marfione, P.E. Dan Ciarcia, P.E.



**RESOLUTION NO. 4-13** 

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 submitted by Beaver Brook Cortlandt, LLC for a 16 lot cluster subdivision of

a 42.43 acre parcel of property as shown on a Final Plat entitled "Subdivision Plat for Furnace Dock,

Inc" latest revision dated April 11, 2011 prepared by Scott B. Gray, L.S and on a 12 page set of

improvement drawings entitled "Furnace Dock Subdivision" prepared by Dan Ciarcia PE, latest

revision dated April 14, 2011 was approved by Planning Board Resolution 17-11 adopted on July 6,

2011, and

WHEREAS, the subject property is located on the north side of Furnace Dock Road, 1,500 feet east

of Albany Post Road and is designated on the Town of Cortlandt Tax Maps as Section 55.19, Block

1, Lot 1, and

WHEREAS, by Resolutions 3-12, 11-12, 21-12 and 29-12 the Planning Board previously granted

four (4) 90-day time extensions the latest of which expired on January 2, 2013, and

WHEREAS, by a letter dated January 2, 2013 Linda Whitehead, Esq. requested the 5th 90-day

time extension of Final Plat Approval to satisfy conditions of said approval.

NOW THEREFORE BE IT RESOLVED, that the request of Linda Whitehead, Esq. for the 5th

90-day time extension of the above mentioned Final Plat is APPROVED said extension to expire

April 2, 2013.

TOWN OF CORTLANDT PLANNING BOARD PB 13-07

WHEREAS, an application for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and for a Steep Slope Permit pursuant to Chapter 259 and a Tree Removal Permit pursuant to Chapter 283 of the Town of Cortlandt Code was submitted by Hilltop Nurseries LLC for a proposed nursery, farm market, garden center with two new apartments consisting of 5,824 sq. ft. of new building additions to be added to the existing house on a 2.75 acre parcel of land as shown on six page set of drawings entitled "Proposed Site Plan, Hilltop Nurseries, LLC" latest revision dated February 7, 2008 and a two page set of drawings entitled "Elevations" latest revision dated April 24, 2008 prepared by Edmond Gemmola, R.A. was approved by the Planning Board on June 3, 2008 by Resolution 31-08, and

WHEREAS, the subject property of 2.75 acres is located at the west side Albany Post Road (Route 9A) northwest of the Route 9 southbound entry ramp and is designated on the Town of Cortlandt Tax Maps as Section 67.6, Block 1, Lot 5, and

WHEREAS, the site was developed and the nursery has been operating for several years, and WHEREAS, the applicant undertook work on the subject site without seeking Planning Board approval that included the building of three (3) temporary greenhouse structures, filling in portions of the property, unauthorized tree removal, expansion of business operations and encroachment onto neighboring property with bins holding organic material such as topsoil and mulch and was issued a violation by the Department of Technical Services, Code Enforcement Division, and

WHEREAS, the Planning Board reviewed and approved the greenhouses, subject to the applicant obtaining all required permits from the Code Enforcement Division at the Planning Board meeting of April 3, 2012 since the greenhouses were located in an area where the applicant had received approval to construct a barn in the future, and

WHEREAS, the applicant submitted a drawing entitled "As-Built Survey prepared for Brian Panessa" prepared by Badey & Watson, P.C. latest revision dated August 20, 2012 showing existing conditions and a drawing entitled "Proposed Site Plan, Hilltop Nurseries, Inc." prepared by Edmond Gemmola, R.A. dated October 23, 2012, and

(continued on page 2)

WHEREAS, the Planning Board conducted a site visit of the subject property, and
WHEREAS, the Planning Board notified the adjacent property owners (Luposello's Garage and
the Westchester County Parks Department) of the encroachments onto their property, and
WHEREAS, David DeLucia of the Westchester County Parks Department submitted a letter
dated September 27, 2012 detailing a required remediation plan for the County Park Property,
and

WHEREAS, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC) and the Westchester County Parks Department, and

WHEREAS, the Planning Board considered trees which will be removed from the subject property due to the proposed action and trees to be saved pursuant to Chapter 283 (Trees) of the Town of Cortlandt Code, and

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

NOW THEREFORE BE IT RESOLVED that the Planning Board does hereby approve the applicant's amended Site Plan as shown on a drawing entitled "Proposed Site Plan, Hilltop Nurseries, Inc." prepared by Edmond Gemmola, R.A. dated October 23, 2012 "upon compliance by the applicant with such conditions as listed below, and

### CONDITIONS AND MODIFICATIONS:

- 1. The applicant is required to complete the remediation work as required by the Westchester County Parks Department in their letter dated September 27, 2012.
- 2. Applicant agrees to provide the Town with 40 additional 2" caliper trees, for off-site mitigation with the species to be determined by the Director of Technical Services and the Town consulting arborist.
- 3. Posting of a combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code in the amount of \$2,500. Said security to be in effect for a period of not less than two years from the date thereof at which time the applicant can request the release of the security based upon completion of all required improvements and an inspection by the Town. Prior to the release of the signed Site Development Plan by the Planning

(continued on page 3)

Res. 5-13 page 3

Division said security shall be submitted to and approved by the Town Department of Law

which will then be forwarded to the Town Clerk and a copy to the Planning Division. Any

security or performance collateral required to be posted shall be in accordance with Chapter

237 of the Town Code and as per Town Board Resolution 190-04.

TOWN OF CORTLANDT PLANNING BOARD PB 10-95

WHEREAS, the application of the Hendrick Hudson Library for Planning Board approval of a Site

Development Plan pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code to construct a two

story library building, a 67 car parking lot and related site improvement on a 2.4 acre lot as shown on a

10 page set of drawings entitled "Hendrick Hudson Free Library" prepared by Lothrop Associates,

Architects, dated March 22, 1995 was approved by Planning Board Resolution 49-95 adopted on July

11, 1995, and

WHEREAS, the subject property is located on the north side of Kings Ferry Road, approximately 75

feet west of Tate Avenue and is designated on the Town of Cortlandt Tax Maps as Section 54.06, Block

4, Lot 6, and

WHEREAS, the approved Landscape Plan "SD-3" latest revision dated October 4, 1995 shows a 10'

wide sewer easement crossing the property now or formerly owned by "Zachary & Wall", and also

shows two (2) Redspire Callery Pear trees to be planted between the Library and the property now or

formerly owned by "Zachary & Walls", and

WHEREAS, sewer easement was never granted and the two pear trees were not planted due to the

significant landscape buffer that existed between the two properties, and

WHEREAS, several trees in the existing landscape buffer were removed in 2011 due to storm damage

and instead of planting the required pear trees the library, in consultation with the adjacent property

owner Nicholas Zachary, planted two (2) Somerset Maple trees to provide a buffer between the two

properties.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby approves that a note shall

be attached to the subject Landscape Drawing SD-3 latest revision dated October 4, 1995

acknowledging that the 10' wide sewer easement was never granted and is not needed and further

approves the modification of the Landscape Plan to show the planting of the two (2) Somerset Maple

trees instead of the two (2) required pear trees, and

BE IT FURTHER RESOLVED that if in the future the Somerset Maple trees are damaged or

removed appropriate shade trees, to the satisfaction of the Director of Technical Services and the Town

Consulting Arborist, shall be replanted.

# **Noll Brothers**

America's Luxury Home Builder®

December 21, 2012

Loretta Taylor Planning Board Chairperson Town of Cortlandt 1 Heady Street Cortlandt Manor, NY 10567 DECEIVE
DEC 21 2012
PARTICLES
PLANNING DIVISION

Re:

Valeria Subdivision

Furnace Dock Road, Town of Cortlandt, NY Amended Site Plan & Subdivision Approval

Dear	Cha	irpe	rson:
	~	P	

RANCE

A.H.C.

Applicant

Sent 12/27/12

known as the Valeria Subdivision

PA Associates, LLP gained approval

2010 with no change in the number

.. Planning Board

· · · · Town Board

.... Zoning Board

... DOTS Director

..... Legal Dept.

Toll Brothers is currently the Contract Vendee on the property known as the Valeria Subdivision which is a 147 unit Residential Cluster Subdivision for which RPA Associates, LLP gained approval in January 2005. This approval was later amended in September 2010 with no change in the number of units.

Enclosed please find the following documents for your review.

- 1. One complete full-sized set of plans titled "Proposed Subdivision Plans Prepared for Valeria," last revised 12/18/12;
- 2. Ten copies of 11" x 17" sets of plans that include the following Plan Sheets:
  - o C-102, C-103, C-110, C-111, C-114, C-115;
  - Color-coded Site Plan illustrating the proposed modifications;
- 3. Ten copies of the Full EAF;
- 4. Town of Cortlandt Planning Department Application requesting a Preliminary and Final Subdivision Approval;
- 5. Application Fees; \$750 for Preliminary Subdivision Approval & \$1,000 for Final Subdivision Approval
- 6. Architectural Elevations

Toll Brothers is proposing to replace the majority of RPA architecture with Toll Brothers architecture. It is proposed to replace a total of 25 tuck-under (garage under) units and 21 double walk-down units with conventional at-grade or walk-out units. This will allow for 117 of the 147 homesites to accommodate a 1<sup>st</sup> floor master bedroom plan. In consideration of the 2-bedroom restriction on the units, the architectural revisions are essential to the success of the project. The replacement of unit types will necessitate grading changes to accommodate the different floor plan layouts. Architectural elevation

Below is a summary of architectural revisions.

Approved Plan	No. Units	2-Car Garage	1st Floor Masters
At Grade	71	71	62
Tuck-under	55	55	0
Double Walk-down	21	21	0
Revised Plan	No. Units	2-Car Garage	1st Floor Masters
At Grade (Toll)	117	117	117
Tuck-under (AVR)	30	30	0
Double Walk-down	0	0	0

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Modifications to the approved plan are required in order to accommodate the desired architecture. Below is a summary of pertinent details resulting from these revisions. It is important to note that the proposed architecture and grading changes will actually result in less disturbance/tree clearing and less impervious site coverage.

	Approved Plan	<u>Revised Plan</u>
# of Units:	147	147
# of Bedrooms Per Unit:	2	. 2
# of Garage Spaces Per Unit:	2	2
Building Height:	≤35'	≤35'
Area of Disturbance:	36.58 acres	36.24 acres
Impervious Coverage:	13.5 acres	13.36 acres

The proposed architecture is consistent with the approved plan and, "will be finished with a selection of earth tone siding and roofing colors to coordinate with the existing Valeria buildings" as outlined in the Findings Statement.. Architectural elevations are included with this submission for reference.

Aside from the architectural and subsequent grading changes discussed above, there are no other changes requested. The project will adhere to all applicable approvals previously issued, including the Final Resolution and Findings Statement.

We respectfully request that this matter be placed on the next available Planning Board agenda. Should you have any questions or require additional, please feel free to contact me at (845) 897-8900.

Sincerely

Casey M. Devlin, P.E.

Senior Land Development Manager

cc:

Joseph Riina, Site Design Consultants

Dan Zalinsky, TBI James Fitzpatrick, TBI

