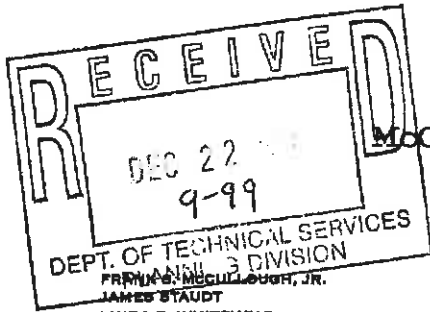


Right to Know / FOIL

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FRANK S. MCGULLOUGH, JR.
 JAMES STAUDT
 LINDA B. WHITEHEAD
 SETH M. MANDELBAUM
 JOANNA C. FELDMAN
 DEBORAH A. GOLDBERGER
 EDMUND C. GRAINGER, III
 PATRICIA W. GURAHIAN
 MEREDITH A. LEFF
 RUTH F.L. POST
 KEVIN E. STAUDT
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 CHARLES A. GOLDBERGER
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 COUNSEL

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December 22, 2015

Copies 1
 Planning Board
 Town Board
 Zoning Board
 Legal Dept.
 DOTS Director
 FRANK S. MCGULLOUGH (1908-1998)
 EVANS V. BREWSTER (1890-2008)
 C.A.C. |
 A.R.C.
 Applicant

 Sent 12/22/15
 MGS#2224.03

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**

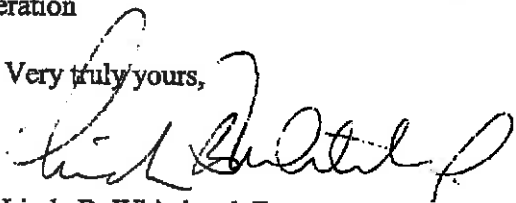
Dear Chairperson Taylor and Members of the Planning Board:

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 sixteen (16) ninety (90) day extensions of the conditional approval.

We hereby request a seventeenth (17th) ninety (90) day extension of the final plat approval and the time to satisfy the conditions of the approval.

We have received the Town's consultants approval on the stormwater plans and based thereon have resubmitted the plat to the Department of Health for re-approval. To my knowledge the DOH has not yet signed the revised plat. We are also working on the required easements and formation of the Drainage District.

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

Very truly yours,

 Linda B. Whitehead, Esq.

cc: Ron York
 Cosmo Marfione, P.E.
 Dan Ciarcia, P.E.
 Gary Peresiper

**TOWN OF CORTLANDT
PLANNING BOARD
PB 9-99**

DRAFT

RESOLUTION NO. 1-16

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

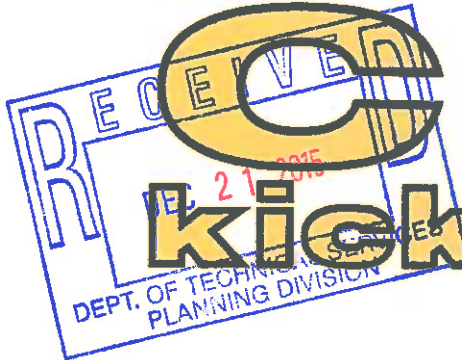
WHEREAS, the subject property is located on the north side of Furnace Dock Road, 1,500 feet east of Albany Post Road and is designated on the Town of Cortlandt Tax Maps as Section 55.19, Block 1, Lot 1, and

WHEREAS, by Resolutions 3-12, 11-12, 21-12, 29-12, 4-13, 15-13, 28-13, 42-13, 3-14, 12-14, 21-14, 29-14, 2-15, 6-15, 12-15 and 16-15 the Planning Board previously granted sixteen (16) 90-day time extensions the latest of which expired on December 22, 2015, and

WHEREAS, by a letter dated December 21, 2015 Linda Whitehead, Esq. requested the 17th 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 17th 90-day time extension of the above mentioned Final Plat is **APPROVED** said extension to expire on March 21, 2016.

TO BE CONSIDERED FOR ADOPTION: JANUARY 5, 2016



- Copies 7 Planning Board
- Town Board
- Zoning Board
- Legal Dept.
- 1 DOTS Director
- C.A.C.
- A.R.C.
- Applicant
-
-
- Sent 12/21/15

Dear Members of the Town of Cortlandt Planning Board,

My name is Jennifer Zelop. My partner John Heagle and I currently own CKO Kickboxing Peekskill. A fitness kickboxing facility we wish to move to 2050 E. Main Street, Cortlandt Manor, NY (AKA "Pikes Plaza".)

- Our facility at Pike's Plaza would be called CKO Kickboxing Cortlandt (AKA "CKO Cortlandt".) CKO Cortlandt would have maximum occupancy of 40 people during class scheduled times.
- Our employee list is as follows: 7 instructors; 7 front desk personnel and a nightly cleaning crew of 2 people. All employees are part time in status and we never have more than two employees at the facility at a given time.
- Our hours of operation are as follows:
 - Monday; Tuesday and Thursday: 5 am-6:30 am; 9 am-11 am; 5 pm-9pm
 - Wednesday: 5 am-6:30 am; 9 am-11 am; 5 pm-8pm
 - Friday: 5 am-6:30 am; 9 am-11 am; 5 pm-7pm
 - Saturday 7:45 am-10:45 am
 - Sunday 8:30 am-10:30 am
- The facility is not occupied during closed hours.
- Classes are instructor led and 60 minutes in duration. Members come in for a class and then leave the facility. Our member base is predominately female and is comprised of Cortlandt Manor local residents. Our desire to relocate is to be centrally located and added convenience for our member base.

- **Parking.** Currently the facility has approximately 180 spaces with the potential for 32-38 additional spaces. The average 5:15 class size is approximately 4 members. The average 9:30 am class size is approximately 25 members. Our evening classes range in class size from 10-20 members. Our Saturday morning class is approximately 30 members. Our peak hours which are our evening hours and Saturday morning coincide with other businesses located in the same complex off hours. This will help minimize the impact of parking spaces required. Employees will be required to park down below on the facility grounds away from current occupied storefronts.

Sincerely,

Jennifer Zelop and John Heagle

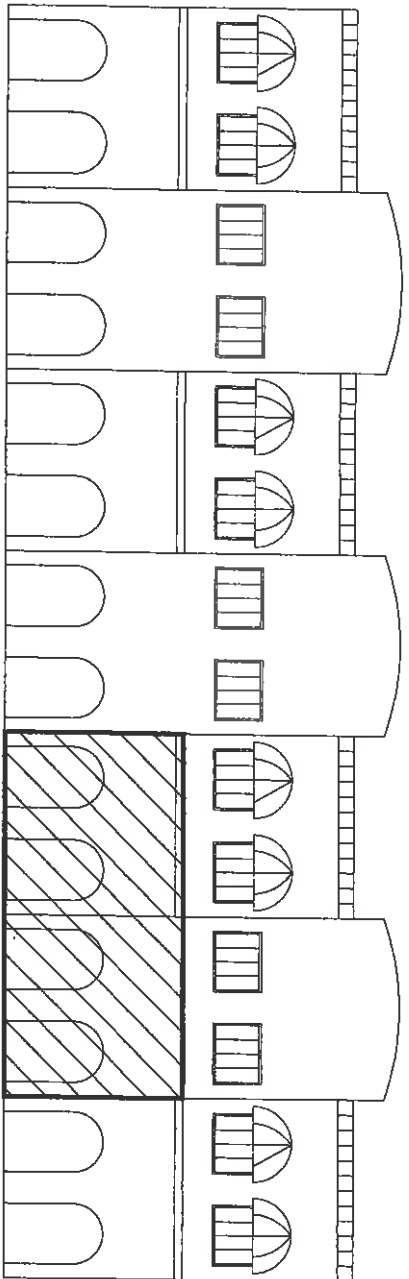


FIGURE 1

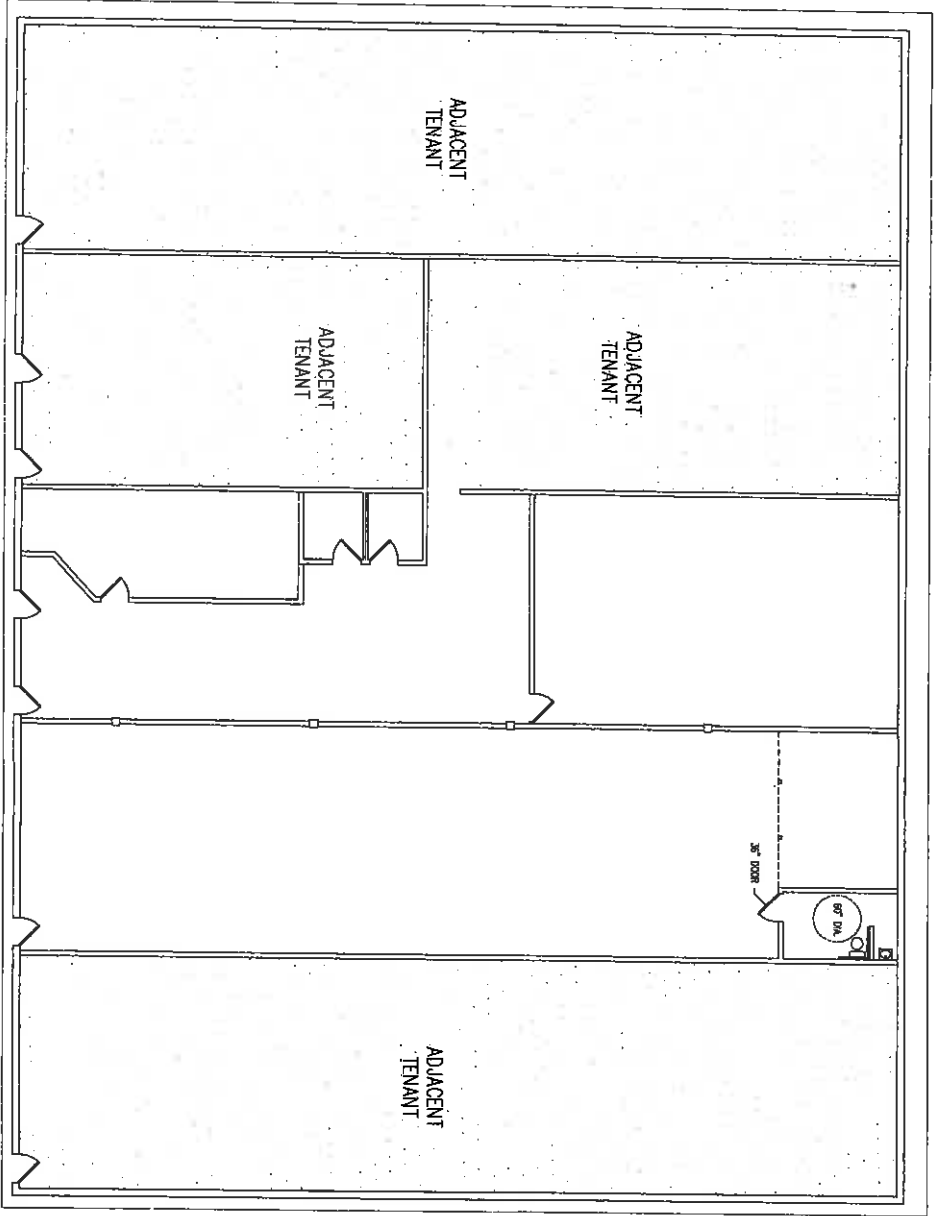
FIGURE 1



2050 E MAIN STREET, CORTLAND MANOR
EXTERIOR ELEVATIONS



2015-12-20



2050 E. MAIN STREET, CORTLAND MANOR
EXISTING CONDITIONS - GROUND FLOOR PLAN

2015-12-20
 $\frac{1}{8}'' = 1'-0''$



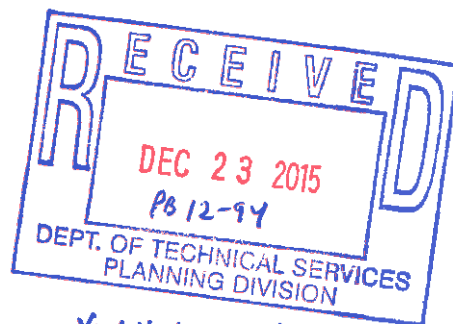
PHYSICIANone
URGENT CARE

December 22, 2016

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

RE: Cortlandt Town Center
3087 East Main St.
Mohegan Lake, NY 10547

Copies ¹ Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant
.....
.....
Sent 12/23/15



** Attachments to follow under separate cover*

Dear Ms. Taylor:

My name is Laura Betlow, and I am the Site Project Manager for PhysicianOne Urgent Care. We are a chain of urgent care clinics with 12 Connecticut locations, through which we helped just under 100,000 people feel better in 2015.

This letter is to file an application to launch a personal services use business in the Cortlandt Town Center's Pad #5, in the vacant space between Panera Bread and Subway. See Exhibit #1.

Acadia Realty has provided an authorization letter, as seen in Exhibit #2, and a site map is included in Exhibit #3.

We will be open 365 days per year: Monday through Friday 8:00 a.m. – 8:00 p.m. and Saturday and Sunday 9:00 a.m. – 5:00 p.m. A licensed medical provider is always present. Most insurances are accepted, and X-rays are available in a full radiology suite. We will have 5 or more exam rooms, with one dedicated to pediatric walk-in exams, and one to gynecological walk-in exams. 4 – 6 employees will be present at all times. Biohazard waste is contained onsite with standard protocol, and is removed from the premises regularly by Stericycle.

A draft schematic floor plan is attached, although we are still in the process of designing and configuring the floor plan for maximum efficiency. See Exhibit #4. Final plans will be drafted and submitted fully compliant with Building Permit Checklist and requirements.

The existing green awning will be replaced with a structurally identical blue awning which is consistent with our logo colors. We will bring a swatch of awning fabric to the hearing. No logo or text will appear on the awning. See Exhibit #5.

PhysicianOneUrgentCare.com

31 Old Route 7 | t: 203.885.0808
Brookfield, CT 06804 | f: 203.885.0813





PHYSICIANone
URGENT CARE

Exhibit #6 is a rendering of proposed exterior storefront signage.

Due to our concern of the existing pneumatic sliding doors potentially allowing uncomfortable bursts of cold or inclement weather to our patients in the waiting room, we will likely need to replace the doors with our standard single door entrance. Entrance and trim will match the existing storefront materials and finishes.

If you have any questions between now and the January 5, 2016 hearing, please do not hesitate to contact me.

Sincerely,

Laura A. Betlow
Site Project Manager for PhysicianOne Urgent Care

PhysicianOneUrgentCare.com

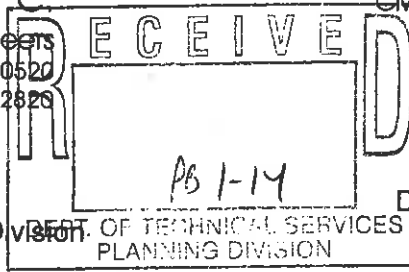
31 Old Route 7
Brookfield, CT 06804

t: 203.885.0808
f: 203.885.0813



RALPH G. MASTROMONACO, P.E., P.C.

Consulting Engineers
13 Dove Court, Croton-on-Hudson, New York 10520
Tel: (914) 271-4762 Fax: (914) 271-2826



Civil / Site / Environmental
Copies
www.rgmpepc.com
Planning Board
..... Town Board
..... Zoning Board
December 21, 2015
Legal Dept.
..... DOTS Director
..... C.A.C.
Hand Delivered
..... A.R.C.
..... Applicant
.....
.....
Sent 12/21/15

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

Re: Proposed Driving Range and Teaching Facility
Hudson National Golf Club
Section 67.08, Block 1, Lot 31, Town of Cortlandt, New York

Dear Chris:

Please find enclosed the following information:

1. Letter to Michael Preziosi, P. E. dated December 16, 2015 responding to his comments of December 1, 2015,
2. Stormwater Pollution Prevention Plan, Hudson National Golf Course dated December 17, 2015 (200 pages) containing the Stormwater Report and Erosion Control and Maintenance Report,
3. NYS DEC Notice of Intent (16 pages) dated December 17, 2015 including the SWPPP Acceptance Form,
4. Full Environmental Assessment Form (14 pages) revised December 10, 2015 to reflect the current project configuration,
5. Addendum to Application for Wetland Permit, Standards for Approval and Findings for Wetland Permit dated January 14, 2014 revised December 21, 2015 (4 pages),
6. Addendum to Application for Steep Slopes Permit, Standards for Approval and Findings for Steep Slope Permit dated January 14, 2014 revised December 21, 2015 (6 pages),
7. Two (2) full size and twelve(12) half size sets of the following drawings:
 - a. Site Plan Hudson National Golf Course Driving Range and Teaching Facility revise dated December 10, 2015 sheet 1 of 3,
 - b. Erosion Control, General Plantings Hudson National Golf Course Driving Range and Teaching Facility revise dated December 10, 2015, sheet 2 of 3,
 - c. Details Hudson National Golf Course Driving Range and Teaching Facility revise dated December 10, 2015, sheet 3 of 3,

As discussed our addendums for the Steep Slope and Wetland permits will be emailed in word format for your use in the Resolution of Approval.

The above materials represent our responses to all comments and supplemental materials requested by the Town.

Should you have any questions or require additional information, please call.

Sincerely,

Enclosures
cc: Theron Harvey

WHEREAS, an application for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning), for a Special Permit for a Country Club pursuant to Chapter 307-52 (Zoning) and for a Wetland Permit pursuant to Chapter 179 (Wetlands), a Tree Removal Permit pursuant to Chapter 283 (Trees) and a Steep Slope Permit pursuant to Chapter 259 (Steep Slopes) of the Town of Cortlandt Code was submitted by the Hudson National Golf Club for a private golf driving range and teaching facility to serve the existing Hudson National Country Club as shown on a 3 page set of drawings entitled "Site Plan, Hudson National Golf Course Driving Range and Teaching Facility" prepared by Ralph G. Mastromonaco, P.E. latest revision dated December 10, 2015, and

WHEREAS, the subject property of approximately 19.4 acres is located north of the existing Hudson National Golf Club, south of Hollis Lane and is designated on the Town of Cortlandt Tax Maps as Section 67.08, Block 1, Lot 31, and

WHEREAS, the subject property is zoned R-80, single family residential, and

WHEREAS, Country Clubs are permitted by Special Permit, as per Chapter 307-52 of the Town Code, and

WHEREAS, the applicant was required to apply to the Zoning Board of Appeals for an Interpretation that in order to satisfy the minimum lot area and frontage requirements for a country club Special Permit the applicant could utilize the adjoining property in the Village of Croton-on-Hudson and that the proposed use of the Cortlandt portion of its property as a golf driving range and teaching facility, as part of one combined country club and golf course use of that portion and the adjoining portion in the Village of Croton-on-Hudson, constitutes a country club use as permitted by Special Permit under Sections 307-4, 307-14 and 307-52 of the Town Code, and

WHEREAS, the applicant received a favorable Decision & Order (2014-16) from the Zoning Board of Appeals, and

WHEREAS, the remainder of the approximately 260 acre Hudson National Golf Club is located wholly within the Village of Croton-on-Hudson and was constructed between 1994-1996 and

(continued on page 2)

vehicular access to the clubhouse and course is through the existing Arrowcrest Subdivision located off of Route 9A in the Village of Croton-on-Hudson with a secondary access off of Prickly Pear Road also in the Village of Croton-on-Hudson, and

WHEREAS, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Full Environmental Assessment Form originally dated January 22, 2014, revised December 10, 2015, and

WHEREAS, the Town notified all interested and involved agencies of the Town's intention to be Lead Agent on the subject application, 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 September 1, 2015 adjourned to October 6, 2015, November 5, 2015 and December 1, 2015, and

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

WHEREAS, the subject Public Hearing Notice was mailed to adjacent and across the street property owners, as well as all of the homeowners on Hollis Lane, and the subject property was posted with a sign giving notice of the public hearing, and

WHEREAS, the subject application proposes to construct a dual direction driving range, short game practice area and putting green as well a one-story cottage/utility style building of approximately 2,000 sq. ft. that will be used as a teaching facility located within the existing Hudson National Golf Club, and

WHEREAS, the proposed project will require the disturbance of approximately 13.5 acres of the approximately 19.5 acre site, and

WHEREAS, access to the subject driving range will be only by foot or golf cart and no vehicular access is proposed to serve the range or teaching facility, and

WHEREAS, construction access to the site will be provided for by widening an existing golf cart path that is located in the Village of Croton along the fairway of the first hole, 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, a significant number of trees are proposed to be removed to construct the driving range and the trees on the subject parcel were located and inventoried by the applicant who submitted a report dated January 21, 2014 from Stefan Karlson of Arborscape entitled “Hudson National Country Club Proposed Driving Range Project”, and

WHEREAS, as required by the Town Tree Ordinance the applicant was required to fund the work of the Town’s Consulting Arborist, Bartlett Tree Experts, to review the inventory and provide comments on the applicant’s report, and

WHEREAS, Bartlett Tree Experts submitted a report entitled “Hudson National Golf Course” dated September 25, 2014 where they noted that the characteristics of the property and noted the difference in the character of the northeastern section of the forest, approximately 9 acres, which has been smothered by vines and the approximately 10 acres of the south and southwestern portion of the forest which is a mixed species young forest and he recommended that this be the area where some efforts be made at tree preservation should be made, and

WHEREAS, the Town arborist also noted that the applicant did not locate trees smaller than 24” DBH which did not conform with the requirements of the tree ordinance, and

WHEREAS, in response to the Town Arborist report the applicant completed an inventory of all regulated trees on the subject property and retained Arborist Scott Cullen to complete an arborist report and reforestation proposal, and

WHEREAS, Mr. Cullen submitted an Arborist Report and a proposed Tree Protection Plan dated January 17, 2015, and

WHEREAS, based on an interpretation of the Town Tree Ordinance requiring the planting of 1 tree per 1,000 sq. ft. of disturbed area the applicant would be required to plant 556 trees on the subject site, and

WHEREAS, representatives of the applicant and the applicant’s arborist held several meetings with Town staff, the Town Arborist and the Planning Board to discuss in detail the proposed reforestation plan, and

WHEREAS, the subject drawing shows approximately 3.6 acres of conservation area located on

(continued on page 4)

the northern and western side of the proposed driving range, adjacent to the properties of the Audubon Society and Village of Croton that will protect areas of the mixed species young forest as described by the Town Arborist, and

WHEREAS, significant areas of planting of 100 new trees are proposed for areas along the south and east of the proposed driving range to enhance the existing tree cover in the area, and

WHEREAS, after several discussion a plan known as “Appendix A – Reforestation Plan as Required by Chapter 283-3 (C), (3), (d)” dated August 27, 2015 was prepared that met the intent of the Tree Ordinance by planting 100 new 3.5 inch diameter trees, 250 small trees, 1,000 shrubs, a vine eradication program and the payment of a \$51,000 fee to cover the cost of the 170 tree planting deficit and was presented to the Planning Board, and

WHEREAS, the wetlands on the subject property were delineated by the Town Wetland Consultant, Stephen Coleman and a report was submitted dated September 6, 2014 entitled “Hudson National Golf Course, Proposed Golf Driving Range – Wetlands Delineation” in which two wetlands and two watercourses were defined on the subject property, and

WHEREAS, the proposed golf driving would directly impact both Wetland Area 1 near the proposed teaching facility building and Wetland Area 2 located at the northern end of the proposed driving range and result in the disturbance of over 1.5 acres of wetland buffer and the filling of approximately 7,550 sq. ft. of Town regulated wetland, and

WHEREAS, the applicant’s Wetland Consultant, Steven Marino prepared a mitigation plan entitled “Wetland Mitigation Area, Site Plan – Hudson National Golf Course” dated March 3, 2015 and a report entitled “Wetland and Habitat Assessment” dated April 20, 2015 that proposed enhancing and expanding the existing wetland area that would remain in the proposed project area after the construction of the proposed golf driving range and create 5,000 sq. ft. of compensatory wetland mitigation, invasive plant removal, and a invasive vine eradication program with the adjacent land owned by the Saw Mill Audubon Society, and

WHEREAS, the Town wetland Consultant, Stephen Coleman, reviewed the proposed plan and submitted a letter report dated June 1, 2015 in which he raised several concerns about the proposed mitigation including the fact the proposed creation of a 5,000 sq. ft. mitigation area fell short of the mitigation requirements of the Town Wetland Law, Chapter 179-10, and

(continued on page 5)

WHEREAS, the applicant completed a revised report and plan dated July 13, 2015 in which a new proposed wetland mitigation area, located away from the proposed driving range but still within the golf course totaling approximately 16,000 sq. ft. with wetland enhancement and restoration, the removal of invasive species and significant new native plantings, and

WHEREAS, the revised proposal was reviewed by Stephen Coleman in a letter report dated July 28, 2015 in which he stated that the proposed Wetland Mitigation area was a much better location for mitigating direct wetland impacts than the original mitigation proposal but he still raised concerns over the necessity of filling the wetland, and

WHEREAS, the applicant, consultants, Town staff and the Planning Board held several meetings to discuss possible alterations to the design of the proposed golf driving range to lessen or eliminate the direct wetland impact, and

WHEREAS, the applicant contended that shortening the proposed driving range to reduce or eliminate the filling in of the wetland was not a practical alternative and submitted several pieces of correspondence from the golf course designer stating that the over 300 yards length of the proposed driving range was necessary and consistent with standard practices of golf courses around the Country and that the comprehensive wetland mitigation plan including the creation of approximately 16,000 square feet of new wetland to offset the loss of approximately 7,550 sq. ft. was acceptable mitigation as required by Chapter 179, Wetlands of the Town Code, and

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

(1) The environmental impact of the proposed action.

FINDINGS:

The proposed construction of the Driving Range will require regrading in the wetland buffer and the filling of approximately 7,550 sq. ft. of Town regulated wetland. Environmental impacts will be mitigated by two-for-one enhancement of a wetland at a nearby location. The mitigation plans have been reviewed and accepted by the Town's wetland consultant.

(2) The alternatives to the proposed action.

FINDINGS:

The applicant and the Planning Board discussed possible modifications and alternatives to the layout and the design of the proposed driving range at length in order to eliminate the potential

(continued on page 6)

impact to the wetland. It was decided that it was not feasible to shrink the length of the proposed range as it would lack the necessary length to be a functional range for the members of the club. The proposed off-site wetland mitigation, still located within the existing Country Club, has been determined to be satisfactory.

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

FINDINGS:

Irreversible and irretrievable commitments of resources include the filling in of approximately 7,550 sq. ft. of wetland and the necessary regrading for the driving range that will impact the wetland buffer. The intensive replanting plan and the off-site wetland mitigation at a 2-1 ratio will mitigate this impact.

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

FINDINGS:

It is not anticipated the construction of the proposed driving range and drainage improvements will injure, interfere with safety, health or the reasonable use of property. The proposed driving range is located within the existing Hudson National Country Club and will become an integrated component of the overall site plan.

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

FINDINGS:

The project improvements, including the limited wetland and wetland buffer disturbance, are suitable for the site as the proposed driving range is located within an existing Country Club. A mitigation plan is proposed to enhance wetland functions on the adjoining site.

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

FINDINGS:

The functions of wetlands, water bodies and watercourses in the area will not be adversely affected by the proposed driving range and drainage improvements. A mitigation plan is proposed to enhance wetland functions on the adjoining site.

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

FINDINGS:

Viable alternative locations for the golf driving range are not available on the property due to the existing golf course. The Planning Board discussed several modifications to the proposed driving range in order to minimize impacts to steep slopes, trees and wetlands and certain design changes were incorporated.

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

FINDINGS:

The project includes the construction of a wetland mitigation area at a 2-1 ratio. In addition a significant planting plan is proposed for the site as well as over 3.5 acres of conservation easement land.

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

(continued on page 7)

FINDINGS:

The benefit to the applicant and members of the golf club from the proposed use outweighs the elimination of the small drainage channel in conjunction with overall improvements to the site drainage. There will be no impairment or endangerment of the public health, safety or welfare by the proposed Site Plan design. In addition the loss of the wetland is adequately mitigated by the creation of a new wetland area at a 2-1 ratio, and

WHEREAS, over 50% of the subject site has regulated slopes greater than 15% and in some areas greater than 30%, and

WHEREAS, in order to construct the proposed improvements the applicant is proposing to disturb approximately 6 acres of 15% slope or greater, and

WHEREAS, as part of the review of the subject proposal and based on observations made during the Planning Board site visit the subject site plan was revised to eliminate approximately .65 acres of proposed disturbance to slopes greater than 30% by shifting the proposed tee boxes to the south and by reducing the width of the proposed tee box, and

WHEREAS, as required by Section 259-6 of the Steep Slopes Ordinance the applicant submitted an analysis indicating how the proposal is consistent with Section 259-2 (Findings) of the Steep Slopes Ordinance and the Planning Board makes the following findings based on Section 259-6 of the Steep Slope Ordinance:

§259-6-A: Disturbance or alterations of trees and forests and topographical disturbances or alterations on steep slopes shall be in conformance with all provisions of this steep slopes ordinance as well as with all other applicable ordinances and regulations of the Town of Cortlandt, including, by way of example only, the requirements of Chapter 175 regarding flood damage control, Chapter 283 regarding trees, and Chapter 301 regarding diversion of watercourses.

FINDING:

Proposed disturbance is in compliance with all applicable ordinances and regulations of the Town of Cortlandt. There are no flood plains on the site. There is an elimination of a small watercourse that was reviewed by the Town's wetland consultant and the applicant and mitigation for that wetland disturbance is proposed at another location on the golf course at more than a 2-1 ratio. Tree removals were extensively analyzed by the Town's consulting arborist and the applicant's arborist and a detailed replanting plan was developed, and in addition a contribution of funds to an environmental restoration fund was agreed upon.

§259-6-B: Activities within wetlands shall be in conformance with Chapter 179, Freshwater Wetlands, Water Bodies and Watercourses, and, whether within or outside of wetlands, will not adversely affect any wetlands, water bodies, or watercourses.

FINDINGS:

The activities within the water course/wetland buffer area as defined in the Code will not adversely affect the drainage channel.

(continued on page 8)

§259-6-C: The proposed activity will not result in creep, sudden slope failure, or additional erosion.

FINDINGS:

An Erosion Control Plan has been prepared to safeguard against slope failure and erosion. Constructed slopes will be designed in accordance with standard engineering practice.

§259-6-D: The proposed activity will not adversely affect existing or proposed wells or sewage disposal systems.

FINDINGS:

The proposed activity is located away from any septic systems or wells. The teaching facility will be served by and an individual septic system and well.

§259-6-E: The proposed activity will not adversely affect any endangered or threatened species of flora or fauna.

FINDINGS:

There are no endangered or threatened species of flora or fauna in the area of proposed activity. This was Identified by the NYS DEC Environmental Resource Mapper. In addition the applicant and the Town's consulting arborist and wetland consultant analyzed the projects impact on habitat and determined there would be no significant adverse impact by the proposed project.

§259-6-F: The proposed activity is in accordance with the principles and recommendations of the most recent Master Plan of the Town.

FINDINGS:

The proposed activity is in accordance with the principles and recommendations of the most recent Master Plan of the Town.

§259-6-G: The proposed activity constitutes the minimum disturbance necessary to allow the property owner a reasonable use of the property.

FINDINGS:

Grading and slope disturbance associated with this project is the minimum necessary to achieve a usable teaching facility and dual direction driving range. As part of the review of the project modifications were made to the size of the driving area and the area was shifted to further minimize impacts to steep slopes.

§259-6-H: Disturbance or alteration of areas with steep slopes shall additionally be in conformance with the following provisions:

§259-6-H (1): The planning, design and development of buildings shall provide the maximum in structural safety, slope stability and human enjoyment while adapting the affected site to, and taking advantage of, the best use of the natural terrain and aesthetic character.

FINDINGS:

The proposed activity is in compliance with this section.

§259-6-H (2): The terracing of building sites, including the mounding of septic tile fields, shall be kept to an absolute minimum.

FINDINGS:

The proposed range has the minimum regrading to accomplish construction of the range. The proposed septic system will not be a mound system.

§259-6-H (3): Roads and driveways shall follow the natural topography to the greatest extent possible in order to minimize the potential for erosion and shall be consistent with all other applicable ordinances and regulations of the Town of Cortlandt and current engineering practices.

FINDINGS:

There are no proposed roads. The proposed golf cart path follows the natural terrain as closely as possible and the project is consistent with Town of Cortlandt regulations and standard engineering practices.

§259-6-H (4): Replanting shall consist of indigenous vegetation and shall replicate the original vegetation on the site as much as possible.

FINDINGS:

Replanting of disturbed areas will be consistent with the surrounding golf course use. New landscaping is proposed for the driving range. Wetland mitigation in a wetland buffer is proposed with native species. The proposed planting plan was developed in consultation with the Town's consulting arborist and wetland/bio-diversity consultant and is consistent with best management practices and proposes a mixture of native species.

§259-6-H (5): The natural elevations and vegetative cover of ridgelines shall be disturbed only if the crest of a ridge and the tree line at the ridge remain uninterrupted. This may be accomplished either by positioning buildings and areas of disturbance below a ridgeline or by positioning buildings and areas of disturbance at a ridgeline so that the elevation of the roofline of the building is no greater than the elevation of the natural tree line. However, under no circumstances shall more than 100 feet along the ridgeline, to a width of 100 feet generally centered on the ridgeline, be disturbed.

FINDINGS:

The slope disturbance involved with this project complies with the above section and the proposed range is not on a ridgeline.

§259-6-H (6): Any regrading shall blend in with the natural contours and undulations of the land.

FINDINGS:

Regrading is proposed to blend into existing contours at the site boundary.

§259-6-H (7): Cuts and fills shall be rounded off to eliminate sharp angles at the top, bottom and sides of regraded slopes. Visible construction cuts and permanent scarring should be minimized.

FINDINGS:

Regrading is proposed to blend into existing contours at the site boundary. Visible cuts and created slopes will be softened by new landscaping and slope treatment.

§259-6-H (8): The angle of cut and fill slopes shall not exceed a slope of one vertical to two horizontal except where retaining walls, structural stabilization or other methods acceptable to the Director of Technical Services are used.

FINDINGS:

No proposed slopes are greater than 1 on 2 except for retaining walls and structural slope stabilization.

(continued on page 10)

§259-6-H (9): Tops and bottoms of cut and fill slopes shall be set back from structures a distance that will ensure the safety of the structure in the event of the collapse of the cut or fill slopes. Generally, such distance shall be considered to be six feet plus 1/2 the height of the cut or fill. Nevertheless, a structure built on a slope or at the toe of a slope is permitted if it is properly designed to retain the slope and withstand the forces exerted on it by the retained slope.

FINDINGS:

The slope disturbance involved with this project complies with the above section.

§259-6-H (10): Disturbance of rock outcrops shall be by means of explosive only if labor and machines are not effective and only if rock blasting is conducted in accordance with all applicable laws and regulations of the Town of Cortlandt, County of Westchester, and the State of New York.

FINDINGS:

Explosives may be required for regrading. If required, blasting will be conducted in accordance with all applicable laws and regulations of the Town of Cortlandt, County of Westchester, and the State of New York.

§259-6-H (11): Disturbance of steep slopes shall be undertaken in workable units in which the disturbance can be completed and stabilized in one construction season so that areas are not left bare and exposed during the winter and spring thaw periods (December 15 through April 15).

FINDINGS:

Proposed construction is not expected to take more than a season and in any event, will not be left exposed.

§259-6-H (12): Disturbance of existing vegetative ground cover shall not take place more than 15 days prior to grading and construction.

FINDINGS:

The proposed action is in compliance with the above section.

§259-6-H (13): Temporary soil stabilization, including, if appropriate, temporary stabilization measures such as netting or mulching to secure soil during the grow-in period, must be applied to an area of disturbance within two days of establishing the final grade, and permanent stabilization must be applied within 15 days of establishing the final grade.

FINDINGS:

The proposed action is in compliance with the above section.

§259-6-H (14): Soil stabilization must be applied within two days of disturbance if the final grade is not expected to be established within 60 days.

FINDINGS:

The proposed action is in compliance with the above section.

§259-6-H (15): Measures for the control of erosion and sedimentation shall be undertaken consistent with the Westchester County Soil and Water Conservation District's Best Management Practices Manual for Erosion and Sediment Control and New York State Guidelines for Urban Erosion and Sediment Control, as amended, or their equivalents satisfactory to the approval authority.

FINDINGS:

The proposed action is in compliance with the above section. An Erosion Control Plan is included with the final construction plans.

(continued on page 11)

§259-6-H (16): All proposed disturbance of steep slopes shall be undertaken with consideration of the soils limitations characteristics contained in the Identification Legend, Westchester County Soils Survey, 1989, as prepared by the Westchester County Soil and Water Conservation District, in terms of recognition of limitation of soils on steep slopes for development and application of all mitigating measures and as deemed necessary by the approval authority.

FINDINGS:

The proposed action is in compliance with the above section. An Erosion Control Plan is included with the final construction plans.

§259-6-H (17): Topsoil shall be stripped from all areas of disturbance, stockpiled and stabilized in a manner to minimize erosion and sedimentation and replaced elsewhere on the site at the time of final grading. Stockpiling shall not be permitted on slopes of greater than 10%.

FINDINGS:

The proposed action is in compliance with the above section.

§259-6-H (18): No organic material or rock with a size that will not allow appropriate compaction or cover by topsoil shall be used as fill material. Fill material shall be no less granular than the soil upon which it is placed and shall drain readily.

FINDINGS:

The proposed action is in compliance with the above section.

§259-6-H (19): Compaction of fill materials in fill areas shall be such to ensure support of proposed structures and stabilization for intended uses.

FINDINGS:

The proposed action is in compliance with the above section, and

WHEREAS, the subject application was reviewed as per the requirements of Section 307-40, 307-41, 307-42 and 307-52 of the Town of Cortlandt Zoning Code and found to be consistent with the Standards and Conditions of Approval for a Country Club Special Permit, and

WHEREAS, the applicant submitted a Preliminary Stormwater Pollution Prevention Plan (SWPPP) latest revision dated December 21, 2015, and

WHEREAS, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Town of Cortlandt Architectural Advisory Council, the Town Engineering Division, the Fire Advisory Board, the Saw Mill River Audubon Society and the Village of Croton, and

WHEREAS, the subject plans were referred to the Croton Village Trails Committee who reviewed the proposed plans and conducted a site inspection of the proposed site and worked with representative of the golf course to relocate an existing pedestrian trail that is part of the Village of Croton Trail system to the northern side of the proposed golf driving range in a

(continued on page 12)

proposed conservation area and the Committee submitted a memo dated May 28, 2014 generally agreeing with the proposed new trail location, and

WHEREAS, the entire Hudson National Golf Course is covered by an Environmental Management Plan prepared by the Turf Science Group of Raleigh, North Carolina a copy of which was provided to the Planning Board, and

WHEREAS, the treatment and maintenance of proposed golf driving range will be incorporated into the management plan, and

WHEREAS, the proposed elevations for the teaching facility building were referred to the Architectural Advisory Council, and

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

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

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

(continued on page 13)

4. The proposed action will not result in the creation of a material conflict with the adopted 2004 Town Comprehensive Master Plan and Town Zoning Ordinance.
 5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
 6. The proposed action will not significantly impact the use of either the quantity or type of energy.
 7. The proposed action will not create a hazard to human health.
 8. The proposed action will not result in a substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
 9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.
 10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.
 11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.
 12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action, and
- FURTHER BE IT RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part 1 of the Full Environmental Assessment Form (EAF) prepared by Ralph G. Mastromonaco, P.E. latest revision dated December 10, 2015 and Parts II & III of the Full EAF prepared by the Planning Division dated January 5, 2015 and based on the subject site development plan and the record of this application and for reasons stated in this resolution

(continued on page 14)

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

FURTHER BE IT RESOLVED that the application of Hudson National Golf Club for a private golf driving range and teaching facility to serve the existing Hudson National Country Club as shown on a 3 page set of drawings entitled "Site Plan, Hudson National Golf Course Driving Range and Teaching Facility" prepared by Ralph G. Mastromonaco, P.E. latest revision dated December 10, 2015 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

FURTHER BE IT RESOLVED that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for a maximum of two (2) additional years, granted in one year intervals, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension, and**

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

CONDITIONS AND MODIFICATIONS:

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

(continued on page 15)

site plan mylar, (b) Submit an as-built survey in AutoCAD file in digital format.

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

3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.

4. Note on the Site Plan that a building permit shall be obtained within one (1) year of the Planning Board Chairman's signature on the subject Site Plan.

5. Posting of a combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code in the amount of \$7,500. 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, submission of the required as-built survey and an inspection by the Town. Prior to the release of the signed Site Development Plan by the Planning 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.

6. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required Federal, State Town and Village permits obtained prior to beginning any related work on the subject property. Permits and approvals shall include, but not necessarily be limited to, the following:

a) United States Army Corps of Engineers Permit for the proposed wetland mitigation.

b) Stormwater Pollution Prevention Plan (SWPPP) from the New York State Department of Conservation.

c) Approval of the Village of Croton for all work proposed in the Village, i.e. construction access road, trail construction, wetland enhancement.

d) Prepare, execute and record a trail easement through the subject property to the satisfaction of the Director of Technical Services and the Town Legal Department.

(continued on page 16)

7. The Applicant shall submit for review and approval a final comprehensive Stormwater Pollution Prevention Plan "SWPPP" in accordance with Chapter 262 of the Town Code and other local ordinances meeting the design standards and criteria as set forth in the Town Code and the New York State Department of Environmental Conservation Design Standards and Specifications for Erosion and Sediment Controls and the Stormwater Management Design Manual to the satisfaction of the Department of Technical Services and the Town Legal Department.
8. Prior to the Chairman signing the subject Site Development Plan the applicant shall fund an escrow account in the amount of \$5,000 to fund the monitoring of the required tree planting protocol (until construction is deemed completed by the Town) as shown on the subject site plan. Said monitoring is to be performed by the Town Arborist to the satisfaction of the Director of Technical Services.
9. Prior to the Chairman signing the subject Site Development Plan, the applicant shall submit a Wetland Monitoring Agreement to the satisfaction of the Director of Technical Services and the Legal Department and the payment of a \$5,000 site monitoring fee (in addition to the usual construction inspection fee equal to 5% of the cost of the site improvements) which provides for the payment to the Town of a wetland monitor, selected by the Town, for the proposed wetland plantings and other modifications, including the monitoring, maintenance and replacement of wetland disturbance after construction (for a period of 5 years minimum).
10. Payment of a 5% inspection construction monitoring fee to the town based on the on-site and off-site construction costs including grading, roads, soil and erosion controls, utilities, site clearing, tree removal, planting and all other improvements pursuant to Resolution 114-00 of the Cortlandt Town Board.
11. The applicant shall pay the required \$51,000 contribution to a dedicated Town Environmental Restoration Fund as agreed to by the Planning Board, the Town Arborist and the applicant as mitigation for the fact that the required on-site replanting of trees was not practical given the features and characteristics of the proposed site plan.
12. The applicant shall add the required Conservation Easement Note to the subject

(continued on page 17)

drawing for the proposed 3.6 acre conservation area. The area shall be defined by metes and bounds in a Conservation Easement Agreement to be recorded in the Westchester County Clerk's office. Said Conservation Easement Note & Agreement shall be submitted to and approved by the Director of Technical Services and the Town Legal Department.

13. The applicant shall provide to the Town a copy of the updated Environmental Management Plan for the golf course that includes the new driving range within six (6) months of the Chairman signing the subject Site Development Plan.

14. The property owner shall enter into a Stormwater Management Facilities maintenance agreement and a Stormwater Management Facilities inspection and maintenance easement.

15. Provide information on the materials and colors to be used on the proposed teaching facility building as requested by the Architectural Advisory Council to the satisfaction of the Director of Technical Services.

TO BE CONSIDERED FOR ADOPTION: JANUARY 5, 2016

**TOWN OF CORTLANDT
PLANNING BOARD
PB 9-15**

DRAFT

RESOLUTION NO. 3-16

WHEREAS, an application for Planning Board approval of an amended Site Development Plan pursuant to Chapter 307 (Zoning) was submitted by the Hendrick Hudson Free Library for a 1,200 sq. ft. addition to the existing building located at 185 Kings Ferry Road as shown on a drawing entitled “Amended Site Development Plan – Hendrick Hudson Library” prepared by Cronin Engineering, P.E., P.C. latest revision dated November 17, 2015 and on a 3 page set of drawings entitled “Hendrick Hudson Free Library – Children’s Room Addition” prepared by Lothrop Associates, LLP latest revision dated November 17, 2015, and

WHEREAS, the subject property of 2.47 acres is located at 185 Kings Ferry Road, is zoned R-15, single family residential and is designated on the Town of Cortlandt Tax Maps as Section 54.06, Block 4, Lot 6, and

WHEREAS, libraries as permitted as of right in residential zones, and

WHEREAS, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated October 1, 2015, 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 January 5, 2016 at 7:00 p.m., and

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

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

WHEREAS, the applicant is seeking amended Site Development Plan Approval for a 1,200 sq. ft. addition to the Children’s Room as well as a rain garden for stormwater management at the existing Hendrick Hudson Library, and

WHEREAS, the existing parking meets the requirements of the Zoning Code however the

(continued on page 2)

applicant is proposing to land bank 6 additional parking spaces that can be constructed if demand requires, and

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

WHEREAS, the Architectural Advisory Council reviewed the proposed elevations as shown on the subject drawings and recommend approval of the elevations as presented,

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.

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

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

(continued on page 3)

historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.

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

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

8. The proposed action will not result in a substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by Jill Davis dated October 1, 2015 and Part II of the Short EAF prepared by the Planning Division dated January 5, 2016 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and

(continued on page 4)

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

FURTHER BE IT RESOLVED that the application of Hendrick Hudson Free Library for amended Site Development Plan approval for a 1,200 sq. ft. addition to the Children's Room and other site improvements as shown on a drawing entitled "Amended Site Development Plan – Hendrick Hudson Library" prepared by Cronin Engineering, P.E., P.C. latest revision dated November 17, 2015 and on a 3 page set of drawings entitled "Hendrick Hudson Free Library – Children's Room Addition" prepared by Lothrop Associates, LLP latest revision dated November 17, 2015 is **APPROVED** subject to the conditions listed below and that the Chairman of the Planning Board be authorized to endorse approval on said Site Development Plan upon compliance by the applicant with such conditions as listed below, and

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

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

CONDITIONS AND MODIFICATIONS:

- 1. Obtain the required signature from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit (a) two prints and the mylar of said drawing to the Planning Office following the Planning Board Chairman's signature on the site plan mylar (b) Submit an as-built survey in AutoCAD file in digital**

(continued on page 5)

format prior to obtaining a Certificate of Occupancy (CO).

2. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.

3. The applicant is advised that the conditions of this approval must be satisfied and the site plan drawing signed by the Planning Board Chairman and any required State, County and Town permits obtained prior to beginning any related work on the subject property.

4. Posting of a combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code in the amount of two thousand five hundred dollars (\$2,500). Said security shall be in the form of a Irrevocable Standby Letter of Credit as required by Town Board Resolution No. 257-90 or a cash deposit pursuant to the terms of the Cash Deposit Form as approved by Town Board Resolution No. 190-04. Said security to be in effect for a period of not less than two years from the date thereof. Said security shall be extended as required by the Town if all improvements are not completed within 2 years from the date thereof. Prior to the release of the signed Site Development Plan by the Planning Division said Letter of Credit or cash deposit shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division.

5. The design engineer shall submit written certification that the proposed rain garden was constructed in conformance with the design plans to the satisfaction of the Director of Technical Services.

TO BE CONSIDERED FOR ADOPTION: JANUARY 5, 2016

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, NY 10516

(845) 265-4400

www.timillerassociates.com

December 21, 2015

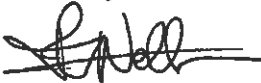
Loretta Taylor, Chairperson
Town of Cortlandt Planning Board
Town Hall - 1 Heady Street
Cortlandt Manor, NY 10567-1249

RE: Abee Rose Subdivision Application

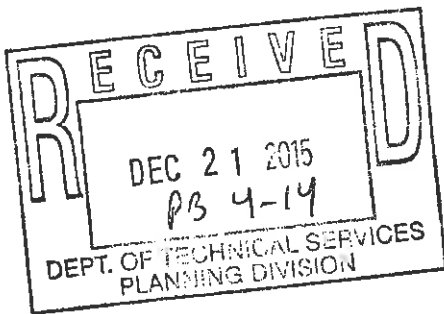
Dear Planning Board:

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

Sincerely,



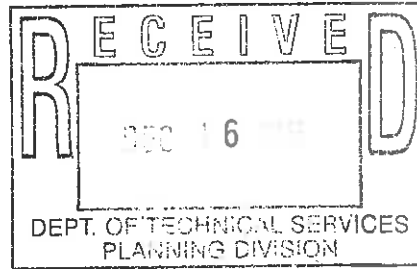
Frederick Wells, RLA
Senior Vice President
TIM MILLER ASSOCIATES, INC.



Copies 7
..... Planning Board
..... Town Board
..... Zoning Board
..... 1 Legal Dept.
..... 1 DOTS Director
..... 1 C.A.C.
..... A.R.C.
..... Applicant
.....
.....
Sent 12/21/15

December 16, 2015

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



Re: *PB 13-05,
Mill Court Crossing Phase II
Final Subdivision Application*

- Copies ... 1 ... Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant
..... _____

Dear Chairperson Taylor and Members of the Planning Board:

Find enclosed the following information for the above referenced project:

1. Two full size copies of the 20 sheet plan set for the project entitled "Subdivision and Site Development for Mill Court Crossing". The plans have been prepared by this office and are dated November 5, 2015 with selected sheets revised November 13, 2015. Sent 12/16/15
2. Ten reduced size copies of the 20 sheet plan set for the project entitled "Subdivision and Site Development for Mill Court Crossing". The plans have been prepared by this office and are dated November 5, 2015 with selected sheets revised November 13, 2015.
3. Twelve full size copies of the "Mill Court Crossing Subdivision Map prepared for Kirquel Development, LTD prepared by Fehringer Surveying, P.C. dated October 22, 2015.
4. Final Subdivision application fee of \$1,000 .
5. One copy of the Town of Cortlandt Planning Board Application form signed by the applicant.

The above materials are being provided in support of the application by Kirquel Development, LTD for Final Subdivision of the second phase of the Mill Court Crossing property at the north end of Mill Court in the Town of Cortlandt. This property received Preliminary Plat Approval on November 3, 2010 in resolution 52-10 with the most recent time extension for Preliminary Plat Approval granted by the Board on June 30, 2015 in resolution 11-15.

The eastern portion of the site (the first phase) received Final Plat Approval on July 1, 2014 in resolution 22-14 with 3 building lots and a conservation parcel. We are now returning to you to finalize the subdivision of the remainder of the property into 13 building parcels and a 21.58 acre open space parcel.

Please place this item on the January 5, 2016 Planning Board agenda to allow us to set up a Public Hearing for the project at your February meeting. Should you have any questions or require additional information please contact me at the above number. Thank you for your time and consideration in this matter.

Respectfully submitted,

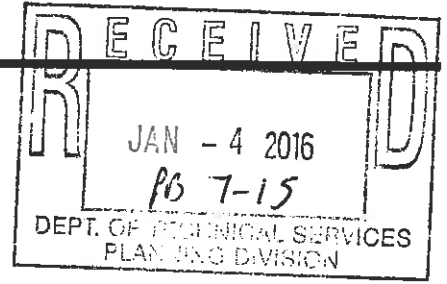


Ronald Wegner
Cronin Engineering P.E. P.C.

cc: Michael Sheber
Chris Kehoe
John Klari, Esq.
David Steinmetz, Esq.
file

Chris Kehoe

From: Ken Hoch
Sent: Monday, January 04, 2016 7:52 AM
To: 'Daniel L. Pagano Esq.'
Cc: Chris Kehoe; Martin Rogers; Michael Preziosi
Subject: RE: PB 7-15



Dan,

I forwarded this email to Chris Kehoe, Deputy Director of Planning.

Ken Hoch

Town of Cortlandt
Code Enforcement
1 Heady St.
Cortlandt Manor, NY 10567
(914)734-1010

From: Daniel L. Pagano Esq. [mailto:danielpaganolaw@optonline.net]
Sent: Sunday, January 03, 2016 10:16 PM
To: Ken Hoch; jklarl@aol.com
Cc: whatagreek@aol.com; greenwestchester@aol.com; keith@croninengineering.net; pencilbase@aol.com
Subject: PB 7-15

Hello Mr. Koch and Mr. Klarl:

I have been retained by George Liaskos in regards to the instant application PB 7-15 and previously Green Materials PB 20-08.

I am writing to request that the application scheduled for January 5, 2016 be adjourned to the February Planning Board meeting;

The applicant needs to amend the site plan application to add/include PB 20-08 the Specialty Trade Contractor/concrete recycling.

I would like to request a meeting to discuss how to get this done with DOTS staff.

I request that any communications regarding any enforcement issues going forward be through my office.

Please notify me if we need to appear on January 5, 2016.

I request all correspondence regarding this application be copied to my office.

Thank you and Happy New Year.

Regards

Daniel Pagano, Esq.

Copies 7
..... Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant
.....
Sent 1/4/16

Cc: George Liaskos
Keith Cronin
James Meaney
John Lentini

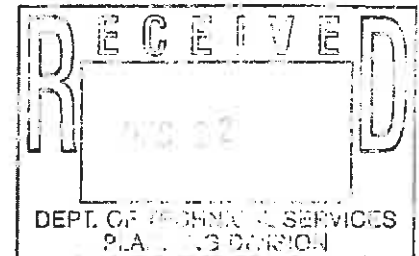
CIARCIA ENGINEERING, P.C.

360 Underhill Avenue • Yorktown Heights • New York 10598 (914) 245-0123 Fax (914) 245-5670

Hon. Loretta Taylor
Chairperson of the Town of Cortlandt Planning Board
and Members of the Planning Board
Town of Cortlandt Town Hall
One Heady Street
Cortlandt Manor, New York 10567

December 21, 2015

Re: Yeshiva Ohr Hameir (the "Yeshiva")
141 Furnace Woods Road; Cortlandt Manor, NY 10567
Planning Board Resolution Nos. 01-10 & 18-12



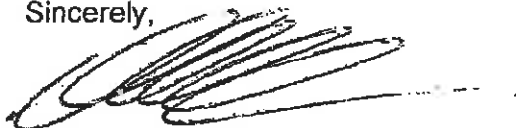
Dear Chairperson Taylor and Members of the Planning Board:

As you are aware, the Yeshiva is seeking a renewal of the special use permit granted by the Planning Board in 2010. In order to process this request, we are providing the Board with the following materials:

1. Fourteen (14) copies of a letter from Zarin & Steinmetz requesting a renewal of the Special Permit for the Yeshiva dated December 21, 2015.
2. Fourteen (14) copies of the Planning Board application form.
3. Application fee in the form of Ciarcia Engineering Check #1497.
4. Fourteen (14) copies of the list of abutters.
5. One (1) full size set of plans and fourteen (14) reduced size sets of plans consisting of the following sheets:
 - a. Site Plan New Dormitory Addition Prepared for Yeshiva Ohr Hameir dated February 21, 2012, last revised June 19, 2014 (Sheet 1 of 3).
 - b. Details New Dormitory Addition Prepared for Yeshiva Ohr Hameir dated July 16, 2012, last revised January 27, 2014 (Sheet 2 of 3).
 - c. Details New Dormitory Addition Prepared for Yeshiva Ohr Hameir dated July 16, 2012, last revised January 27, 2014 (Sheet 3 of 3).

Should you have any questions or require additional information, please call.

Sincerely,



Daniel A. Ciarcia

DAC: mc

cc: Rabbi Elya Kanarek
Yaakov Rothberg
David S. Steinmetz, Esq.
Daniel M. Richmond, Esq.
David Wald



ZARIN &
STEINMETZ

David J. Cooper
Jody T. Cross ●
Marsha Rubin Goldstein
Jeremy E. Kozin
Helen Collier Mauch ▲
Matthew R. Pisciotta
Daniel M. Richmond
Brad K. Schwartz
Lisa F. Smith ●
David S. Steinmetz ●
Krista E. Yacovone
Michael D. Zarin

December 21, 2015

● Also admitted in D.C.
● Also admitted in CT
▲ Also admitted in NJ

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**Re: Yeshiva Ohr Hameir (the "Yeshiva")
141 Furnace Woods Road; Cortlandt Manor, NY 10567
Planning Board Resolution Nos. 01-10 & 18-12**

Dear Chairperson Taylor and Members of the Planning Board:

By this letter, the Yeshiva respectfully requests the renewal of the Special Permit granted by the Board pursuant to Resolution No. 01-10, adopted January 13, 2010, and renewed by the Board pursuant to Resolution No. 11-13, adopted on April 16, 2013.

As we have previously advised Your Board, including by letters dated June 12, 2014 and February 26, 2015, the Yeshiva is now proposing to connect its facility to the Stevens Lane Pump Station. As we have explained, following its receipt of the Amended Approvals for its Project from Your Board, the Yeshiva amended its Plans to conform to your Board's conditions, and developed a complete set of engineering plans for the connection of the Yeshiva to the existing force main at Lafayette Avenue and Ridge Street, and the construction of an on-site pump station. After several iterations, the Yeshiva's sewer plans were signed by the Town Director of Technical Services, Ed Vergano, P.E., the Town provided necessary documentation to the Westchester County Department of Health ("DOH"), DOH signed off on the Project, and the Project was put out to bid for construction. The bids the Yeshiva received were exorbitant: some of the bids were literally 100% higher (and \$1,000,000.00 more) than the Yeshiva had been apprised that such a sewer line would cost. Moreover, in discussions with Town Staff, it became apparent that, as the result of recently implemented work by the Town, the Yeshiva can now connect to the Stevens Lane Pump Station, subject to, among other things, an engineering analysis by the Town's consultant of the proposed connection.

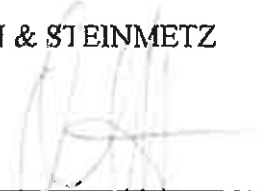
Accordingly, the Yeshiva has prepared full engineering drawings for the proposed connection to Stevens Lane, which have been reviewed by Town Staff. The Yeshiva looks forward to presenting these plans to DOH upon its receipt of authorization from the Town. The Yeshiva stands ready to implement this long-awaited project as soon as it gets all required approvals for the Stevens Lane connection.

Finally, we remind your Board that a Special Permit renewal process like the instant application is a Type II action under the State Environmental Quality Review Act. See 6 N.Y.C.R.R. § 617.5(c)(26); see also Atlantic Cement Co., Inc. v. Williams, 129 A.D.2d 84, 516 N.Y.S.2d 523, 525 (3d Dept. 1987) (“Where the Court held that “in the absence of a material change in conditions or evidence of a violation of the terms of the permit, a renewal should be granted without unduly burdening the applicant.”). While the precise location of the offsite sewer connection has changed, the “use” of the property and the on-site improvements remain the same. As such, issuance of a Special Permit renewal is lawful and appropriate.

We look forward to appearing before your Board at its February Meeting to answer any questions you may have regarding the Yeshiva’s request. In the interim, as always, please do not hesitate to contact us with any questions or comments.

Respectfully submitted,

ZARIN & STEINMETZ

By: 
David S. Steinmetz
Daniel M. Richmond

DSS/mth

encs.

cc: Rabbi Elya Kanarek
Yaakov Rothberg
Yeshiva Ohr Hameir
David Wald
Dan Ciarcia, P.E.
Edward Vergano, P.E.
Michael Preziosi, PE
Chris Kehoe, AICP
Thomas Wood, Esq.