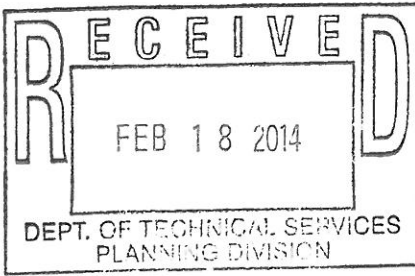


### Right to Know / FOIL

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



**PERCY & BARBARA MONTES**  
7 Kingston Avenue  
Cortlandt Manor, NY 10567

February 17, 2014

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

Ref: PB 5-08 -- 6th request for time extension

Dear Planning Board Members,

We are writing to request a time extension. We were approved by resolution 6-12 on March 6, 2012

Thank you for attention to this matter.

Sincerely,

Percy and Barbara Montes

- 1  
Copies ..... Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 2/19/14

**DRAFT**

**TOWN OF CORTLANDT  
PLANNING BOARD  
PB 5-08**

**RESOLUTION NO. 9-14**

**WHEREAS**, the application of **Percy & Barbara Montes** 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 5 lot major subdivision of a 8.760 acre parcel of property as shown on a Final Plat entitled "Subdivision of Property Known as Radio Estates", prepared by Robert S. Johnson, L.S. dated January 17, 2012 and on drawings entitled "Improvement & Integrated Plot Plan for Subdivision of Radio Estates", and "Profiles & Details latest revision dated December 20, 2011 and "Erosion and Sediment Control Plan" latest revision dated November 4, 2011 all prepared by Badey & Watson, P.C. was approved by Planning Board Resolution 6-12 adopted on March 6, 2012, and

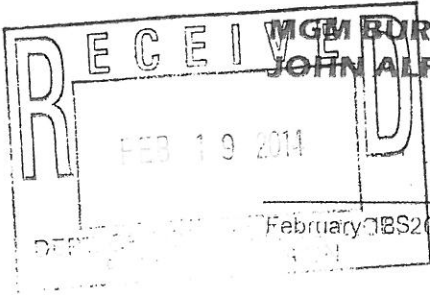
**WHEREAS**, the subject property is located at the end of Radio Terrace and designated on the Town of Cortlandt Tax Maps as Section 23.05, Block 4, Lot 1, and

**WHEREAS**, by Resolutions 26-12, 35-12, 10-13, 22-13, 39-13 & 46-13 the Planning Board previously granted six (6) 90-day time extensions of the final plat approval the latest of which expired on February 28, 2014, and

**WHEREAS**, by a letter dated February 17, 2014 Barbara Montes requested the 7<sup>th</sup> 90-day time extension to satisfy the conditions of that approval.

**NOW THEREFORE BE IT RESOLVED** that the request of Barbara Montes for the 7<sup>th</sup> 90 day-time extension for the above mentioned Final Plat is hereby granted said time extension to expire on May 29, 2014.

**TO BE CONSIDERED FOR APPROVAL: MARCH 4, 2014**



MGM BURBON LLC  
JOHN ALFONZETTI, P.E.

P.O. Box 136  
AMAWALK, NEW YORK 10501  
PHONE: 914-245-2400  
FAX: 914-455-4230

February 18, 2014

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


Re: Preliminary Subdivision Plan, PB 23-08  
Mountain View Estates  
Property of Angelo Cipriano  
Sec: 68.10 Blk.: 01 Lots: 27 & 28.1.

Dear Ms. Taylor,

We are hereby requesting a 90 day extension of the Final Plat Approval granted by Resolution 8-13 adopted on March 5, 2013.

Thank you for your assistance. If there are any questions, please do not hesitate to contact me.

Thank You.

  
John Alfonzetti, P.E.  
MGM Burbon LLC

Copies ..... 1 ..... Planning Board  
..... Town Board  
..... Zoning Board  
..... 1 ..... Legal Dept.  
..... 1 ..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 2/19/14

**DRAFT**

**TOWN OF CORTLANDT  
PLANNING BOARD  
PB 23-08**

**RESOLUTION NO. 10-14**

**WHEREAS**, the application of **John P. Alfonzetti, P.E., for the property of Angelo Cipriano**, for Planning Board approval of a Final Plat pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for a 4 lot major subdivision of 9.25 acres as shown on a Final Plat entitled "Subdivision Plat for Mountain View Estates" prepared by John Muldoon, PLS, latest revision dated December 21, 2012 and on an 8 page set of drawings entitled "Integrated Plat Plan" prepared by John Alfonzetti, P.E latest revision dated December 3, 2012 was approved by the Planning Board on March 5, 2013 by Resolution 8-13, and

**WHEREAS**, the subject property is located off of Mt. Airy Road E., southeast of Joseph Wallace Drive, and is designated on the Town of Cortlandt Tax Maps as Section 68.10, Block 1, Lots 27 & 28.1, and

**WHEREAS**, by Resolutions 40-13 & 47-13 the Planning Board previously granted two (2) 90-day time extensions of final plat approval the latest of which will expire on March 7 2014, and

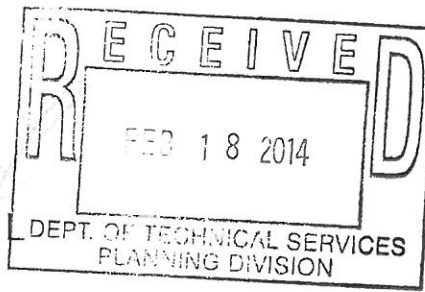
**WHEREAS**, by a letter dated February 18, 2014 John Alfonzetti, P.E. requested the 3<sup>rd</sup> 90-day time extension to satisfy the conditions of approval.

**NOW THEREFORE BE IT RESOLVED**, that the request of John Alfonzetti, P.E. for the 3<sup>rd</sup> 90-day time extension for the above mentioned Final Plat is hereby granted said time extension to expire on June 5, 2014.

**TO BE CONSIDERED FOR ADOPTION: MARCH 4, 2014**



GROUND CENTRAL



- Copies ..... 7 Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 2/21/14

18 February 2014

1B 24-84

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

Dear Ms. Taylor:

Ground Central, LLC, is requesting the Planning Board of Cortlandt's consideration of a business proposal for a Gourmet Coffee Truck to be located within the jurisdiction of the Town of Cortlandt, or specifically in the parking lot of 2089 Albany Post Road, Route 9A, Montrose, NY 10548. Ground Central was formed in the last year and has been developing a proprietary coffee bean and retrofitting a unique truck for sale of the coffee. I, and my wife Vanina Roux are the founders of Ground Central, residents of the Hudson Valley. I recently retired from a career in banking to begin this entrepreneurial venture.

**Hours and Operation:** The proposed hours of operation are from 6:00 am to 11:30 am daily with the exception of Sunday. There will be one employee at the site in the first month of operation and two (2) employees by the second month of operation.

**Product:** Ground Central will be serving only gourmet, organic coffee. The coffee will be single origin from Sumatra, Ethiopia and a proprietary medium roast blend. There will be no traditional brewing of the coffee as it will be brewed utilizing the Japanese 'pour-over' style method of brewing.

**Potential Impact:** The existing restaurant on the site, the India House Restaurant, has differing hours of operation from 12:00 pm to 2:30 pm and from 5:00 pm to 10:00 pm. Hence, the use of the parking lot for Ground Central will only and exclusively during the morning hours when the India House is closed. Additionally, the truck will not be located permanently on-site at the parking lot.

**Presentation Materials to Board:** I have attached the original presentation we submitted to the Town of Cortlandt. All supporting materials will be collected by Friday in addition to the letter and lease herein.

**Permitting:** Approval from the Westchester County Health Department is anticipated the first week of March.

Thanks as always for the support and consideration. If you have any questions, never hesitate to call (845) 464-9420.

Leo Jacobo

Founder  
Ground Central

cc: Chris Kehoe  
Jason Snyder, Ground Central General Counsel

# TOWN OF CORTLANDT



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

Jo-Ann Dyckman  
Town Clerk

To: Chris Kehoe, Dep. Dir. DOTS/Planning  
Planning Board Members

From: Jo-Ann Dyckman  
Town Clerk

Re: Memo from Thomas Wood, Town Attorney with  
Respect to a proposed Local Law to amend  
The Zoning Ordinance.

Date: January 27, 2014

At their regular meeting held on January 14, 2014 the Town Board referred to you the following memo from Thomas Wood, Town Attorney with respect to a proposed Local Law to amend the Zoning Ordinance.

Please forward any comments to my attention. The Town Supervisor is expecting this to be placed on the agenda for a public hearing at the Town Board meeting on March 11, 2014.

If this office can be of any assistance, please do not hesitate to contact me.

---

Enc.  
JAD/cc

Cc: Agenda file ✓



# TOWN OF CORTLANDT

(WESTCHESTER COUNTY)

OFFICE OF THE TOWN ATTORNEY  
2131 ALBANY POST ROAD  
MONTROSE, NY 10548

TEL: (914) 736-0930  
FAX: (914) 736-9082

LINDA D. PUGLISI  
Town Supervisor

THOMAS F. WOOD  
Town Attorney  
tfwesq@aol.com

JOHN J. KLARL  
Deputy Town Attorney  
jjklarl@aol.com

Town Board Members  
RICHARD H. BECKER  
DEBRA A. COSTELLO  
FRANCIS X. FARRELL  
SETH M. FREACH

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## MEMORANDUM

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**TO:** SUPERVISOR LINDA PUGLISI  
& MEMBERS OF THE TOWN BOARD

**FROM:** THOMAS F. WOOD  
TOWN ATTORNEY

**DATE:** January 8, 2014

**RE:** Proposed Amendments to Definitions

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Previously in early 2013, we had forwarded to you the enclosed draft Local Law for your consideration and review.

As you know, part of this was generated by an application before the Zoning Board and while that situation has subsided, it probably would be appropriate to proceed with a definition of a school run for-profit.

Additionally, it proposes to change the method by which fines can be imposed and allows for civil penalties instead of just a criminal action and then it further amends the parking requirements of the Town, which allows for further flexibility on the part of Planning Board.

If this is acceptable to the Board, I would request that the resolution that you generate refer this matter to the Planning Board for comment and schedule it for a Public Hearing at your March meeting.

If you have any questions or wish to discuss it further, please so advise.

TFW/lb

cc: Ed Vergano, PE  
Chris Kehoe, AICP  
Ken Hoch



LOCAL LAW NO.    OF 2014  
AMENDING THE ZONING ORDINANCE OF THE TOWN OF CORTLANDT KNOWN  
AS LOCAL LAW    OF    .

**SECTION ONE:**  
**LEGISLATIVE INTENT**

WHEREAS, from time to time the Town Board encounters situations where issues under the Zoning Ordinance need to be redefined or clarified. Recently the Zoning Board of Appeals has had to deal with issues of a for profit school, where the activity of such facility should be allowed.

Additionally, the Town Board, from time to time, is called upon to make changes and clarifications to the Zoning Ordinance and it is with this intent in mind that this Local Law is adopted.

**SECTION TWO:**  
**DEFINITION**

There shall be added to the list of definitions under the Town Zoning Ordinance the following:

SCHOOL (FOR PROFIT) a business that engages in academic tutoring, exam preparation and any other educational activity conducted on a for profit basis by an individual or corporation (uses vocational school parking).

**SECTION THREE:**  
**TABLE OF PERMITTED USES**

The table of permitted uses of the Zoning Ordinance shall be amended so as to provide that a school for profit shall be permitted under institutions, recreation and public uses in the CC, HC, CD, HC9A, MD, and M1 zones.

**SECTION FOUR :**  
**SPECIAL PERMIT – ADVERTISING**

Section 307-41 of the Town's Zoning Ordinance be and hereby is amended to provide that the notification with respect to Special Permits shall be the same as required in Section 307-72.

**SECTION FIVE:**  
**CIVIL PENALTIES**

The penalty provision of the Zoning Ordinance be and hereby is amended by adding the additional alternative remedy:

“Any person, firm or corporation who violates any provision of the Zoning Ordinance or any rule or regulation of this chapter or the terms or conditions of any certificate of occupancy issued shall be liable for a civil penalty of not more than Two Hundred and Fifty Dollars (\$250.00) for each day or part thereof during which the violation continues. The civil penalty provided in this sub-section shall be recoverable and an action instituted in the name of the Town.

Alternatively, in addition to an action to recover the civil penalties provided by the above sub-section, the Town may institute any appropriate action or proceeding to prevent, restrain, enjoin and correct or abate any violation of or to enforce any provision of the Zoning Ordinance or the terms and conditions of any certificate of occupancy issued thereunder.”

**SECTION SIX:**  
**REQUIRED PARKING**

Section 307-29 of the Town Code be and hereby is amended by inserting the following paragraph:

“The Planning Board will fix the appropriate number of parking spaces required for a particular use by considering the suggested standards herein, as well as information provided by the applicant as to the requirements of the use as well as generally accepted standards of the planning and engineering professions. The ability to exercise flexibility is further provided for in Section 307-34.1.”

**SECTION SEVEN:**  
**EFFECTIVE DATE**

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
JO-ANN DYCKMAN, TOWN CLERK

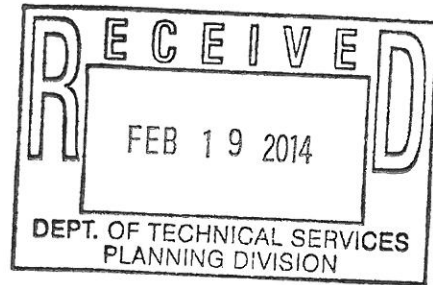
Date:                      , 2014

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

February 19, 2014



*PB 2-13*

Re: Earthcon Equipment and Realty Inc.  
Garden Supply Center  
2279 Crompond Road (34.06-3-14)

Dear Chairperson Taylor and Members of the Planning Board:

Enclosed please find fourteen (14) copies of a plan entitled Garden Supply Center prepared for Earthcon Equipment and Realty Inc., dated October 29, 2012, last revised February 18, 2014. The plans have been revised in response to comments from staff and our site meeting with Steve Coleman. Please schedule this matter for the next available Planning Board meeting.

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

Sincerely,

Daniel A. Ciarcia  
DAC: mc  
cc: Kevin Fraioli

Copies ..... <sup>7</sup> Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
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Sent 2/19/14