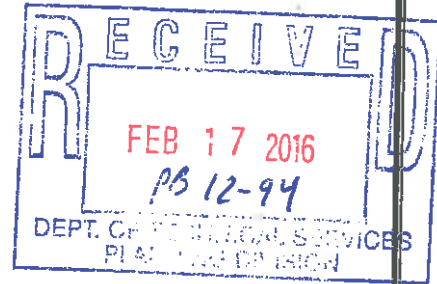


### **Right to Know / FOIL**

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.

February 17, 2016

Loretta Taylor  
Chairperson  
Town of Cortlandt  
Headt Street Cortlandt Manor NY 10547



Dear Mrs. Taylor

I have 21 pieces of equipment. 17 are trucks and 4 trailers. Out of the 21 pieces 4 are out on monthly rentals which leave's 17 pieces. During the week 3 to 5 are rented out daily, Weekends anywhere from 4 to 7

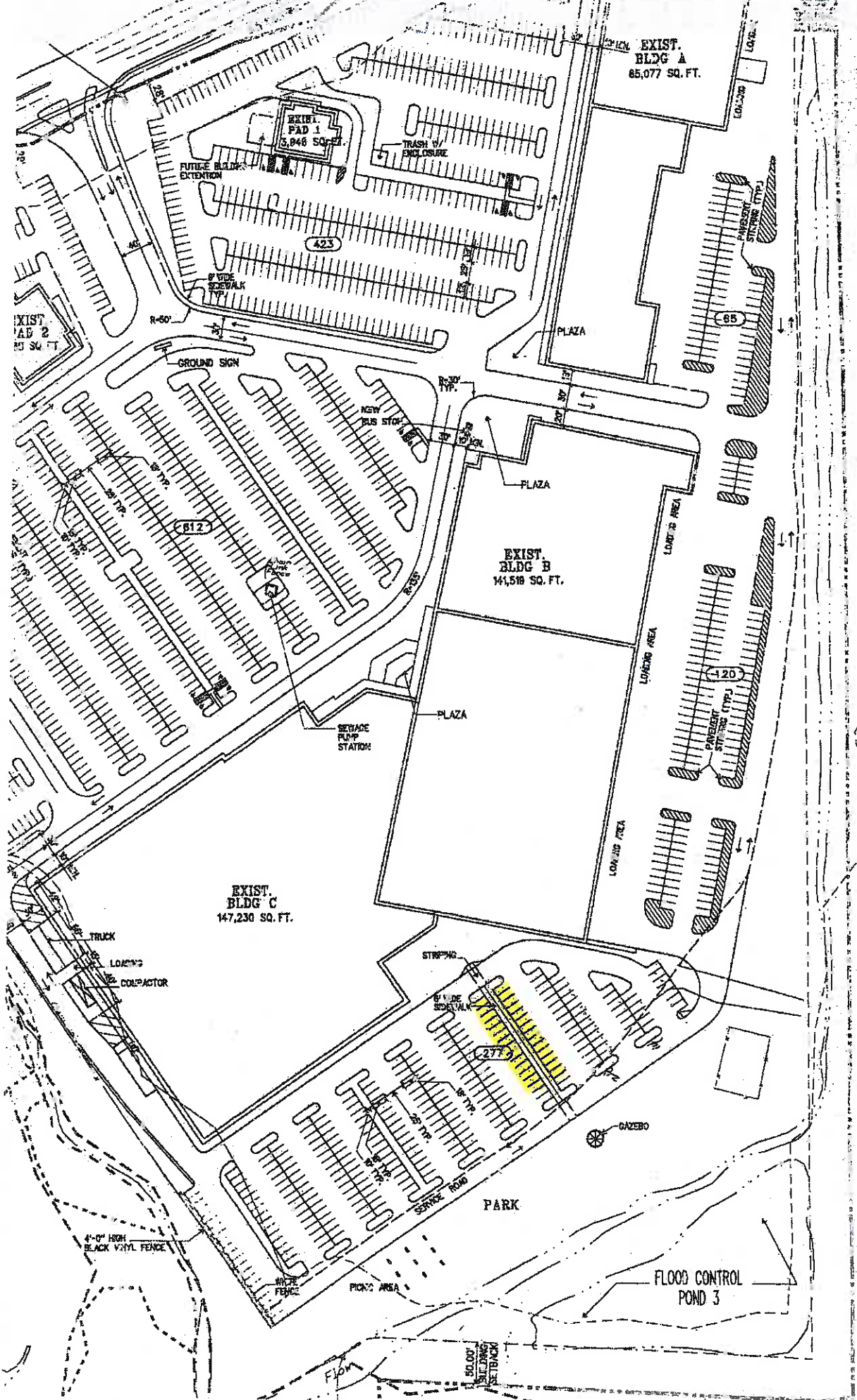
Then you have one way returns from other Uhaul locations that do not sit for more then 5 days. If they are not out on rent with in the 5 day period Uhaul will make arrangements to have these pieces of equipment picked up and delivered to a another location.

Thank you for your time and consideration

Sincerely yours

Joseph Marazino

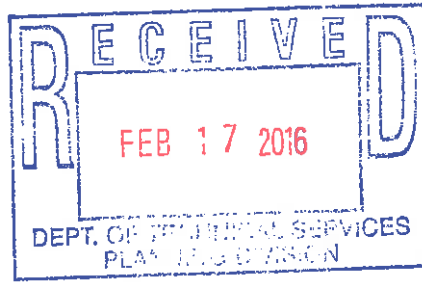
Copies.....7  
..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOT'S District  
..... C.A.C.  
..... A.R.C.  
..... App'l Court  
.....  
.....  
Sent 2/17/16



Vertical text on the right side of the drawing, likely a title block or project information, is partially visible but mostly illegible due to the drawing's orientation and scale.



**ACADIA**  
REALTY TRUST



February 17, 2016

Loretta Taylor  
Chairperson of the Planning Board  
One Heady Street  
Cortlandt Manor, NY 10567

Re: Planning Board Meeting

Dear Ms. Taylor and Board Members,

Please accept this letter as a request to establish a staging area behind Building A. See attachments.

The area proposed will be used to mobilize the seasonal equipment and supplies required for the maintenance of landscaping and snow removal at Cortlandt Town Center. The area selected has been reviewed by the Town's Engineering Department. The location is a section of asphalt that is least used by both the general public as well as the center employees.

I appreciate your reviewing and approving the location as indicated in order that we may maintain Cortlandt Town Center as a First Class Property.

Thank You.

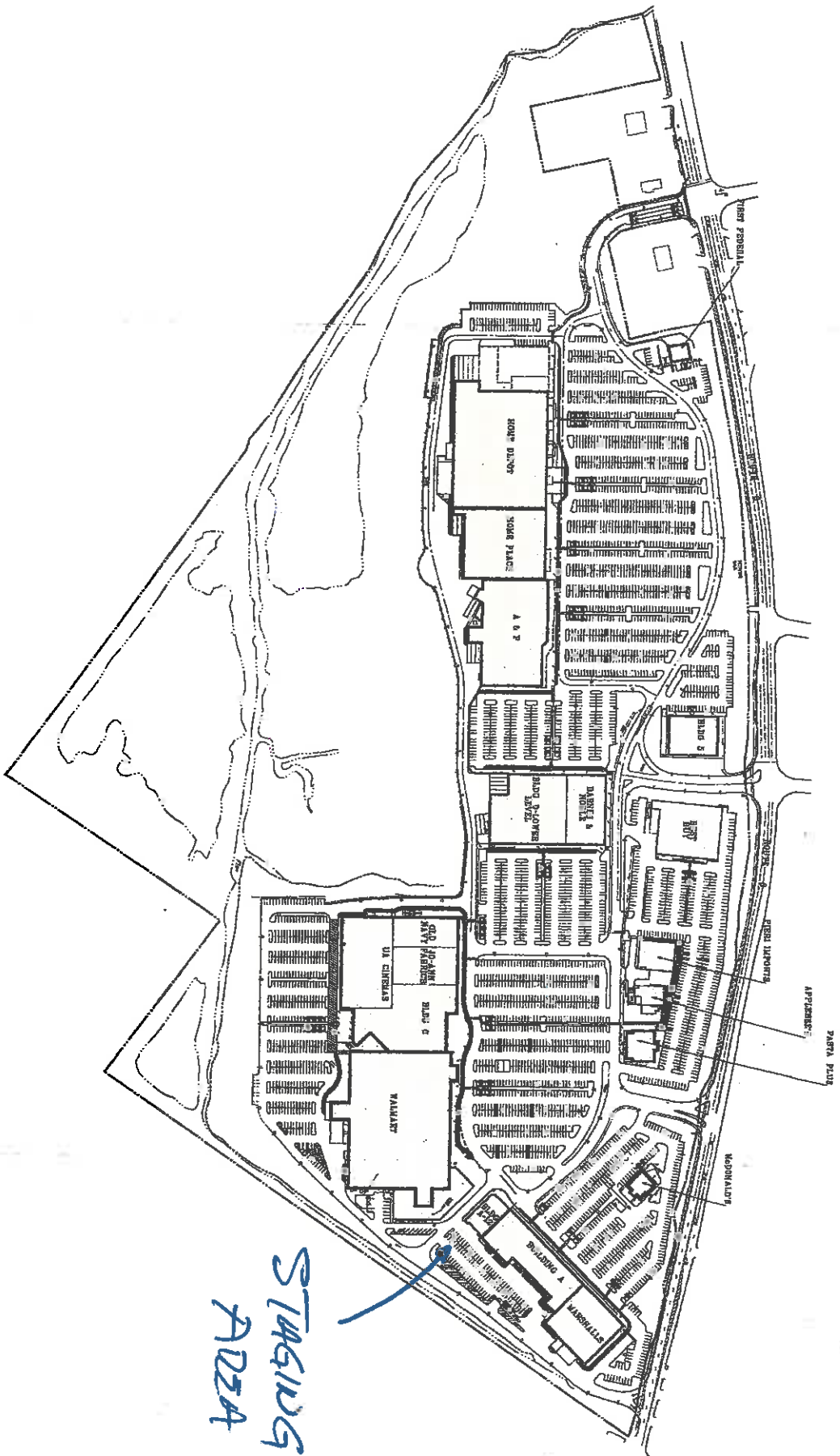
Best regards,

  
Thomas Eikhof CSM  
Regional Property Manager  
Acadia Realty Trust

cc: M Harrison  
M O'Connor

Copies ..... 7 Planning Board  
 ..... Town Board  
 ..... Zoning Board  
 ..... 1 Legal Dept.  
 ..... 1 DOT'S Director  
 ..... C.A.C.  
 ..... A.B.C.  
 ..... Applicant  
 .....  
 .....  
 Sent 2/14/16

CORTLANDT TOWN CENTER



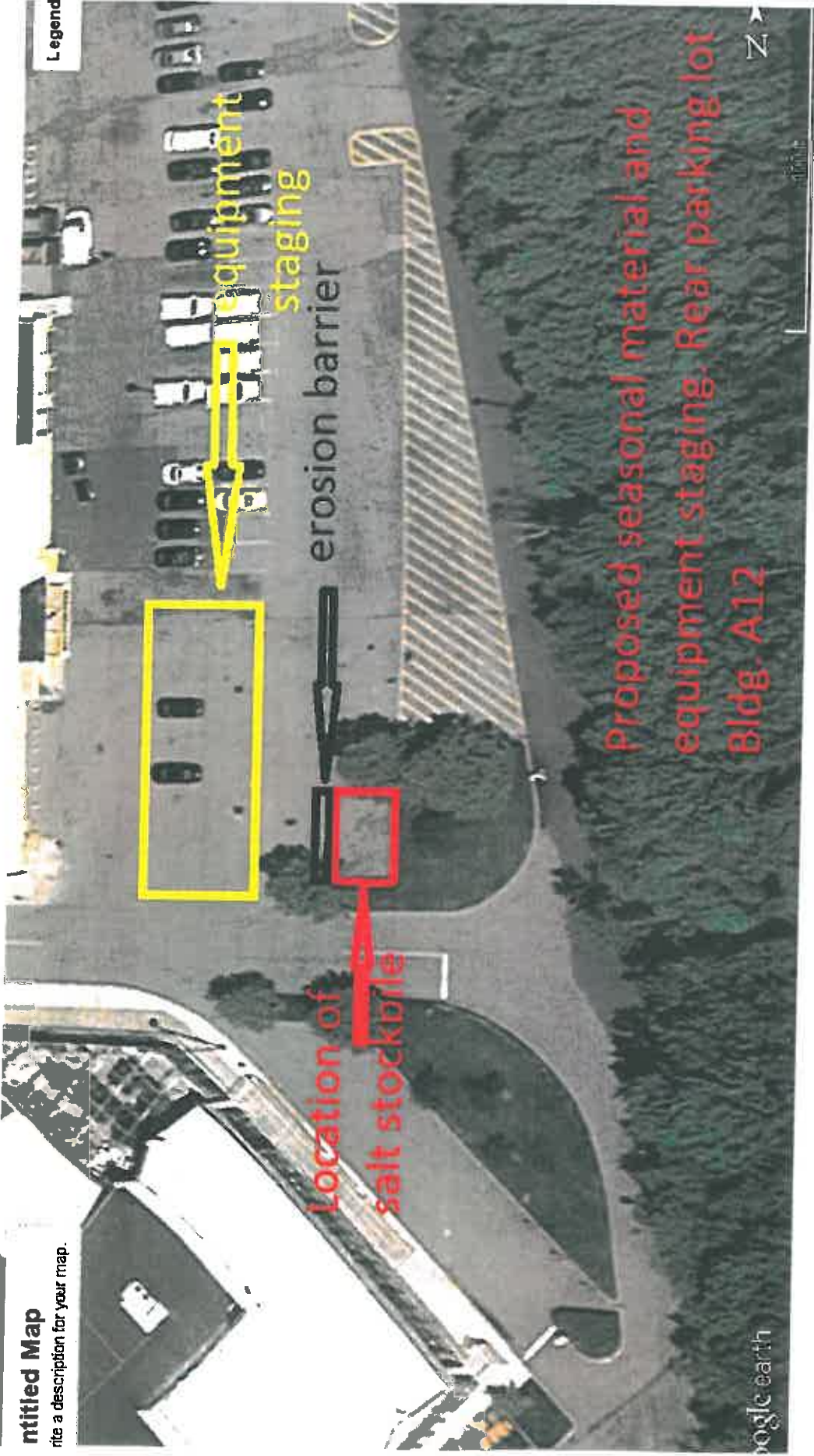
STAGS  
ADDA





**Untitled Map**

Write a description for your map.



Legend

equipment staging

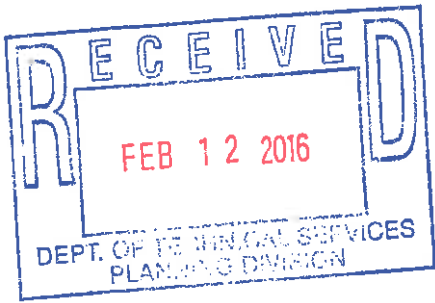
erosion barrier

Location of salt stockpile

Proposed seasonal material and equipment staging. Rear parking lot Bldg. A12

google earth





J&L COMMUNICATIONS INC  
3189 Lexington Avenue  
Mohegan Lake, New York 10547

Copies ..... 1  
..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 2/12/16

February 11, 2016

Loretta Taylor, Chairperson  
Planning Board

Dear Chairperson Taylor,

This letter is regarding the retail space located at 2093 E. Main St, Cortlandt Manor, NY 10567, also known as the Freight Liquidator Building.

I, Jose Rozon want to open a Boost Mobile store, a franchise wireless carrier in the above premises. I will sell Cellular phones and accessories. I will also offer phone repair. This store will have only two computer stations for point-of-sale purposes and it will also have three phones displayed.

I propose to be open Monday – Saturday from 10 am to 8 pm and Sunday from 11 am to 6 pm. I anticipate having 3 full time employees and 1 part time employee. I am proposing new signage for the front of the store but not other exterior changes.

If you have any questions please feel free to contact me at 718-791-8704

Sincerely,

\_\_\_\_\_  
Jose Rozon

**TOWN OF CORTLANDT**  
DEPARTMENT OF TECHNICAL SERVICES  
Code Enforcement Division  
Town Hall, 1 Heady Street, Cortlandt Manor, NY 10567  
914-734-1011 FAX 914-293-0991  
<http://www.townofcortlandt.com> e-mail: [code@townofcortlandt.com](mailto:code@townofcortlandt.com)

**PROXY STATEMENT**

Dominick Cuccia is the owner of the property located at  
2093 East Main St  
Cortlandt Manor, N.Y. 10567 and has authorized Jose Rozon  
to make the attached application for All Town Approvals and to represent  
them at all Board meetings.



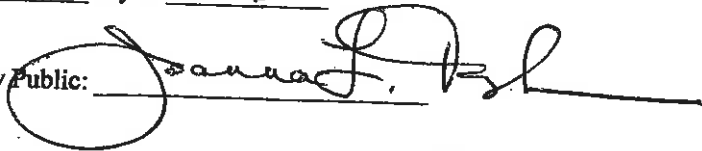
Signature of Owner

**NOTARY:**

Sworn to before me

this 9<sup>th</sup> day of 2016

Notary Public:



JOANNA L. FARKAS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01FA6209309  
Qualified in Westchester County  
My Commission Expires July 27, 2017





PROPERTY  
OF C. P. C.  
WAS DESTROYED  
↓

Allstate  
INSURANCE

ALLSTATE

739-9286

Cafard's Pizza

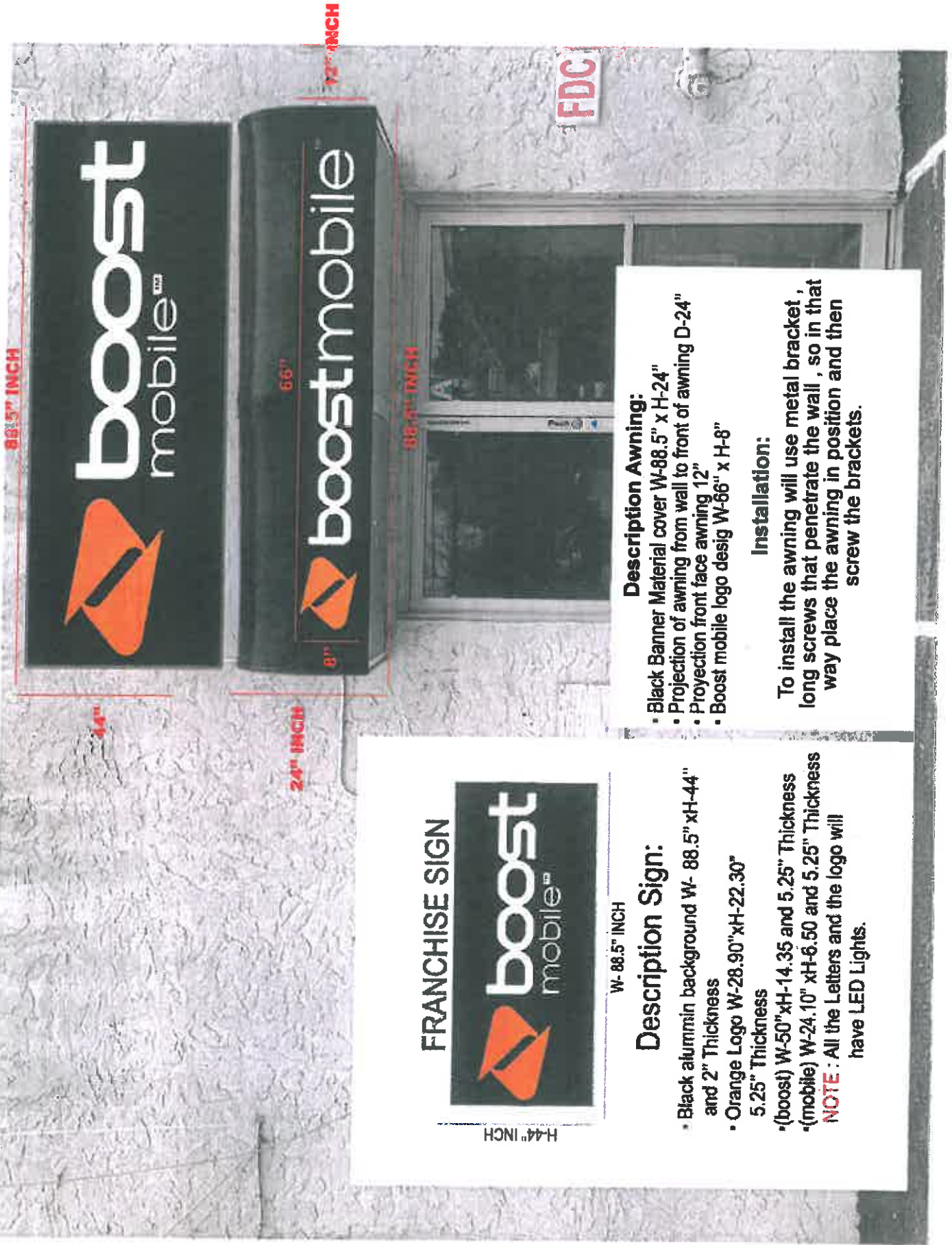
FREE DELIVERY

739-9286

739-9286



# PROPOSAL



## FRANCHISE SIGN



H-44" INCH

W-88.5" INCH

### Description Sign:

- Black aluminum background W- 88.5" xH-44" and 2" Thickness
- Orange Logo W-28.90"xH-22.30" 5.25" Thickness
- (boost) W-50"xH-14.35 and 5.25" Thickness
- (mobile) W-24.10" xH-6.50 and 5.25" Thickness

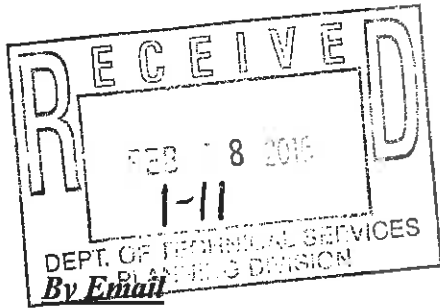
**NOTE :** All the Letters and the logo will have LED Lights.

### Description Awning:

- Black Banner Material cover W-88.5" x H-24"
- Projection of awning from wall to front of awning D-24"
- Projection front face awning 12"
- Boost mobile logo design W-66" x H-8"

### Installation:

To install the awning will use metal bracket , long screws that penetrate the wall , so in that way place the awning in position and then screw the brackets.



7  
 Copies ..... Planning Board  
 ..... Town Board  
 ..... Zoning Board  
 ..... Legal Dept.  
 ..... DOTS Director  
 ..... C.A.C.  
 ..... A.R.C.  
 ..... Applicant  
 .....  
 .....  
 Sent 2/19/16

February 17, 2016

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

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

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

**Re: Hanover Estates**  
**Request for Extension of Preliminary Subdivision Approval**

Dear Chairman Taylor and Members of the Planning Board:

We represent Croton Realty & Development, Inc. in connection with the Hanover Estates Subdivision. The Planning Board granted Preliminary Subdivision Plat Approval by Resolution 13-15, adopted on September 1, 2015.

The Applicant respectfully requests its first extension of Preliminary Subdivision Plat approval. The reason for this request is that the Applicant is continuing to work with its consultants to satisfy the conditions of preliminary approval.

Respectfully submitted,

ZARIN & STEINMETZ

By:   
 Brad K. Schwartz

cc: Mr. Seth Jacobson  
 John J. Klarl, Esq.  
 Chris Kehoe, AICP  
 Michael Preziosi, P.E.  
 Tim Cronin, III, P.E./Keith Staudohar, CPESC CPSWQ

**TOWN OF CORTLANDT  
PLANNING BOARD  
PB 1-11**

**DRAFT**

**RESOLUTION NO. 8-16**

**WHEREAS**, the application of **Croton Realty & Development Inc.** for Preliminary Plat approval pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code and for permits pursuant to Chapter 259 (Steep Slopes), Chapter 179 (Wetlands) and Chapter 283 (Trees) for a proposed 26 lot major subdivision (25 building lots and 1 conservation parcel) of a 35.9 acre parcel of property located on the east side of Croton Avenue, approximately 400 feet north of Furnace Dock Road, as shown on a 6 page set of drawings entitled "Subdivision Plan for Hanover Estates" prepared by Timothy L. Cronin III, P.E. latest revision dated March 17, 2015 was approved by Planning Board Resolution No. 13-15 adopted on September 1, 2015, and

**WHEREAS**, the subject property of approximately 35.9 acres is located on the east side of Croton Avenue, approximately 400 feet north of Furnace Dock Road and is bounded on the west by Croton Avenue, on the north by the Apple Hill Subdivision, on the east by lands of the Lakeland Central School District, and on the south by a residential lot and is designated on the Town of Cortlandt Tax Maps as Section 34.14, Block 2, Lot 28, and

**WHEREAS**, by a letter dated February 17, 2016 Brad K. Schwartz, Esq. requested the 1<sup>st</sup> six-month time extension of Preliminary Plat approval in order to perfect the application prior to submitting for final approval.

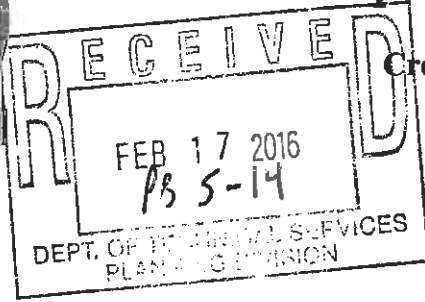
**NOW THEREFORE BE IT RESOLVED**, that the request of Brad K. Schwartz, Esq. for the 1<sup>st</sup> six-month time extension of the above referenced Preliminary Plat is **approved** said extension to expire on September 1, 2016.

**TO BE CONSIDERED FOR ADOPTION: MARCH 1, 2016**



# Hilltop Nursery & Garden Center

2028 Albany Post Road  
Croton-on-Hudson NY 10520  
Phone 914-468-6633  
Fax 914-468-6634



February 17, 2016

- Copies ..... 7 Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... 1 Legal Dept.
- ..... 1 DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 2/17/16

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

RE: Hilltop Nursery & Garden Center  
2028 Albany Post Road, Croton-on-Hudson, NY

Dear Ms. Taylor:

Enclosed please find drawings for a staircase leading from the upper building level of the above-referenced property down to the approved "nursery stock" area located at street level.

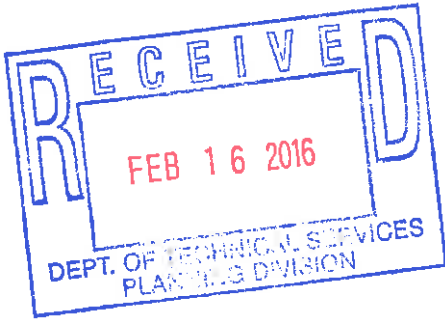
It is our sincere hope that you will approve this staircase because it has become very evident over the last two seasons we have been in business that this very large portion of our property is so difficult, precarious and, more importantly, dangerous to access by the customer due to having to walk on the main entry driveway to get to it, that most customers choose not to venture to this area at all. This, of course, is proving to be a hardship for us because, as with any business, the utilization of every last bit of sales space is crucial to our financial bottom line.

In addition, we believe that the addition of the staircase will greatly boost our "curb appeal" which is a benefit for us and the community alike.

Thank you for your considerations.

Very truly yours,

Glenn Griffin



**PERCY & BARBARA MONTES**

7 Kingston Avenue  
Cortlandt Manor, NY 10567

Copies ..... 7  
..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
February 12, 2016 ..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 2/17/16

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

Ref: PB 5-08 15th 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.

We would like to discuss the circumstances that requires us to continue to request extensions and to request your consideration of a 3year time extension in order to assist us with conditions of the final approval.

We plan on attending your work sesssion on 2/25 and formal meeting on 3/1.

Thank you for kind attention to our requests.

Sincerely,

Percy and Barbara Montes

cc: Linda D. Puglisi, Town Supervisor  
Richard H. Becker, Town Board Liaison  
JoAnn Dyckman, Town Clerk  
John Klarl, Esq., Deputy Town Attorney  
John Delano, P.E.



**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, 9-14, 17-14, 27-14, 31-14, 5-15, 9-15, 14-15 and 20-15 the Planning Board previously granted fourteen (14) 90-day time extensions of the final plat approval, the latest of which expired on February 18, 2016, and

**WHEREAS**, the applicant has stated that they are unable at this time to meet the conditions of Final Plat approval, pay the required fees and securities and file the plat, and

**WHEREAS**, by a letter dated February 12, 2016 Percy & Barbara Montes requested that the Planning Board grant a three (3) year time extension of Final Plat approval to satisfy the conditions of that approval, and

**WHEREAS**, the Planning Board considered the applicant's request for a three (3) time extension of final plat approval and determined that the granting of a two (2) year extension, bringing the total amount of time extensions granted to six (6) years, is appropriate.

**NOW THEREFORE BE IT RESOLVED** that the Planning Board hereby grants a two (2) year time extension of Final Plat approval, said approval shall expire on February 18, 2018, for the applicant to meet the conditions of final plat approval and file the final plat and that no further time extensions shall be granted.

**TO BE CONSIDERED FOR ADOPTION: MARCH 1, 2016**

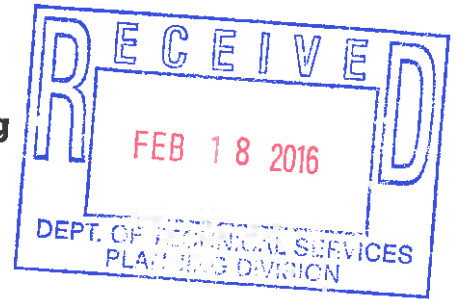
# TOWN OF CORTLANDT



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: Michael Prezioso, Dir. DOTS  
Chris Kehoe, Dep. Dir. DOTS/Planning  
Planning Board Members ✓  
Zoning Board Members



From: Jo-Ann Dyckman  
Town Clerk

Re: Local Law regarding Solar Energy Systems

Date: February 17, 2016

At their regular meeting held February 9, 2016 the Town Board received and filed the enclosed 2016 Memo regarding Local Law for Solar Energy Systems.

Please forward any comments to my attention. The Town Supervisor is expecting this to be placed on the agenda for the next Town Board meeting on March 15, 2016.

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

Enc.  
JAD/cc

Cc: Agenda

7  
Copies ..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
..... \_\_\_\_\_  
..... \_\_\_\_\_  
Sent 2/19/16



**LINDA D. PUGLISI**  
Town Supervisor

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

# TOWN OF CORTLANDT

(WESTCHESTER COUNTY)

OFFICE OF THE TOWN ATTORNEY  
1 HEADY STREET  
CORTLANDT MANOR, NY 10567

Tel: (914) 736-0930  
Fax: (914) 788-9873

**THOMAS F. WOOD**  
Town Attorney  
tfwesq@aol.com

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

## MEMORANDUM

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

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

**RE: SOLAR ENERGY SYSTEMS**

**DATE: AUGUST 20, 2015**

---

As per our discussion at the work session, enclosed herewith please find proposed regulations that would be adopted and inserted into the Town's Zoning Ordinance with respect to Solar Energy Systems.

Please review this and provide me with any comments so that I can finalize a version for public consideration.

I look forward to working with you in this endeavor.

TFW:dp  
Enclosure

cc: Ed Vergano, P.E.  
Michael Preziosi, P.E.  
Chris Kehoe  
Martin Rogers

LOCAL LAW NO. OF 2015  
A LOCAL LAW

SECTION ONE: LEGISLATIVE INTENT

A. Purpose and Objectives. The proliferation of solar energy systems ("SES") as an environmentally friendly and cheaper energy alternative is expected in the coming years, and this equipment and the installation thereof must be reasonably regulated in order to protect the health, safety and welfare of the citizens of the Town of Cortlandt and, to the maximum degree possible, to coordinate and control the same to preserve and protect the aesthetic qualities of the Town. The Town recognizes the demand for SES facilities and the need for the services they provide. This section regulates SES installations to ensure that any such proposed energy system is designed, located, and installed in accordance with sound planning by:

- (1) Promoting the health, safety and welfare of the residents of the Town.
- (2) Minimizing the adverse visual effects of alternative energy systems and protecting the natural features, aesthetics and residential character of the Town through careful planning, design, location, buffering and screening.
- (3) Avoiding potential damage to adjacent properties from falling or flying debris from SES facilities through careful engineering and reasonable siting of energy system structures.

B. The primary purpose of any SES facility shall be to provide power for the principal use of the property whereon the facility is located and not primarily for the generation of power for sale or resale to utilities or commercial users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time from a SES otherwise designed to meet the energy needs of the principal use.

C. No SES shall be located or operated so as to impede the function of any other SES facility or of any radio or microwave communication device.

D. No SES shall be located as to reduce or impede the amount of sunlight that would fall on an adjoining lot absent the SES.

SECTION TWO: SOLAR ENERGY SYSTEMS

(1) Roof-mounted SES facilities shall be permitted without site plan approval provided such facilities meet the following standards:

- (a) SES facilities on a peaked, pitched, gable, hip, or mansard roof shall be mounted parallel to and no more than 18 inches above the roof surface and shall be located no less than three feet from the edge of any part of the

roofline.

- (b) SES facilities on flat roofs having no parapet shall be located no less than three feet from the edge of any part of the roofline nor more than three feet above the height of the roof.
  - (c) SES facilities on flat roofs with a parapet shall be located no less than three feet from the edge of any part of the roofline or parapet nor above the height of the parapet.
  - (d) SES facilities shall use neutral, nonreflective colors and shall, unless proven to be impractical or unnecessary, match the roof or wall color mounted thereon.
  - (e) All utility services and electrical wiring shall be underground or otherwise placed within conduit securely attached to the roof and walls.
- (2) Ground-mounted SES facilities shall be permitted subject to the following standards:
- (a) Except as provided in Subsection E92)(a)[1] below, site plan approval shall be required for each SES facility.
    - [1] For a single-family premises where the installation would comply with each of the standards for an SES as set forth in this chapter, site plan approval is not required.
  - (b) SES facilities shall be located only in a side yard or rear yard and shall meet the minimum setback requirements for a principal structure for the zoning district in which the lot is located.
  - (c) Ground-mounted SES facilities are prohibited in any front yard and, further, shall be located behind the front line of any principal structure.
  - (d) No part of the SES shall exceed 10 feet in height above the finished grade of the site at the SES location.
  - (e) The SES shall be fully screened from adjacent properties by fencing or a combination of fencing, and evergreen and deciduous plantings. Plantings used for screening shall be of such a height and width, at the time of planting, so as to obscure the SES from adjacent properties. Said screening shall be subject to the prior review and approval of the Department of Planning and the Zoning Administrator to ensure compliance with this requirement.

F. If a SES facility ceases to perform its originally intended function for more than 12 consecutive months, the property owner shall remove the facility no later than 90 days after the end of the twelve-month period.

G. If any section, subsection or specific part or provision or standard of this section or the application hereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such section, subsection or specific part or provision or standard shall be deemed a separate, distinct and independent provision and such judgment shall not affect the validity of the remaining portions thereof.

H. To the extent that any provisions of this chapter is inconsistent with the Town Law or any other provision of Article 16 of the Town Law, or of the Energy Law, or of the Real Property Law, or of the General Municipal Law, the provisions of this chapter are expressly intended to and do hereby supersede any such inconsistent provisions under the Town's municipal home rule powers, pursuant to Municipal Home Rule Law § 10(i)(ii)(d)(3); § 10(1)(ii)(a)(14) and § 22 to supersede any inconsistent authority.

**SECTION THREE: 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**



**WHEREAS, Kirquel Development LTD** submitted an application for Final Plat approval pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for Phase II of the Mill Court Crossing Subdivision, a proposed 14 lot major subdivision (13 building lots and 1 open space parcel) of a 38.28 acre parcel of property located at the south end of Mill Court as shown on an 18 page set of drawings entitled "Site Development and Subdivision for Residences at Mill Court Crossing" prepared by Cronin Engineering, P.E., P.C. latest revision dated November 13, 2015 and on a Plat entitled "Mill Court Crossing Subdivision" prepared by Fehringer Surveying, P.C. latest revision dated October 28, 2015, and

**WHEREAS,** the subject property is located at the south end of Mill Court, is zoned R-40, single family residential requiring 40,000 square feet per lot and is designated on the Town of Cortlandt Tax Maps as Section 13.18, Block 2, Lot 2.5, and

**WHEREAS,** pursuant to SEQR regulations the Planning Board acted as lead agency with respect to the coordinated review and referrals of a 16 lot major subdivision, for which the subject application is seeking approval for Phase II, including the adoption of a Positive Declaration, a Scope for a DEIS, all notices of Completion and Public Hearing and the DEIS and FEIS to all known involved agencies and interested parties pursuant to SEQR, including all mandatory referrals to County and State Agencies for the entire 16-lot subdivision which included 3 proposed lots on Lexington Avenue (approved Phase I) and 13 lots proposed at the end of Mill Court (Phase II), and

**WHEREAS,** the technical requirements of Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review (SEQR) of the New York State Environmental Conservation Law have been satisfied, and

**WHEREAS,** by Resolution 52-10 the Planning Board adopted a findings statement and approved the 16-lot subdivision, and

**WHEREAS,** the applicant requested Preliminary and Final Plat approval to phase the project and submitted an application for Phase I, a 4-lot major subdivision with 3 building lots and one open space parcel located along Lexington Avenue, and

**WHEREAS,** a Public Hearing was held as required by Section 265 of the Town Code and Section 276 of the New York State Town Law was held on Phase I on July 1, 2014, and

**WHEREAS**, the Public Hearing Notice was published in the “Journal News” and in the “Gazette” and a “Notice of Public Hearing” sign was posted in front of the subject property, and

**WHEREAS**, pursuant to the Town of Cortlandt Subdivision Regulations (Chapter 265) the Public Hearing Notice was given by the applicant to adjoining property owners and those directly across the street from the subject property as well as all residents on Mill Court and several nearby residents and homeowner groups who had expressed an interest in the subject application, and

**WHEREAS**, the Planning Board by Resolution 24-14 approved Phase I and the applicant met all of the conditions of that approval and filed the Phase I Final Plat with Westchester County (Map Number 28816), and

**WHEREAS**, the Planning Board conducted a thorough review of Phase II of the subject application, 13 lots off of the end of Mill Court, and

**WHEREAS**, minor changes to the road layout were proposed by the applicant and reviewed by the Town’s Planning and Engineering Divisions and the Department of Environmental Services, and

**WHEREAS**, the proposed changes to the layout resulted in decreases in impervious areas, disturbed areas, road length, road right-of-way, and an increase in the size of the open space parcel, and

**WHEREAS**, due to the changes in the road layout and the phasing of the project the Planning Board required a new public hearing on Phase II, and

**WHEREAS**, the Public Hearing as required by Section 265 of the Town Code and Section 276 of the New York State Town Law on Phase II of application was held on February 2, 2016, and

**WHEREAS**, the Public Hearing Notice was published in the “Journal News” and in the “Gazette” and a “Notice of Public Hearing” sign was posted in front of the subject property, and

**WHEREAS**, pursuant to the Town of Cortlandt Subdivision Regulations (Chapter 265) the Public Hearing Notice was given by the applicant to adjoining property owners and those directly across the street from the subject property as well as all residents on Mill Court and several nearby residents and homeowner groups who had expressed an interest in the subject application, and

**WHEREAS**, the environmental impacts of the Phase II application to trees, wetlands and steep slopes were re-investigated by the Planning Board and the Town’s Environmental Consultant, Stephen Coleman, and a letter report dated May 18, 2015 was submitted to the Planning Board.

**NOW THEREFORE BE IT RESOLVED**, that the application of **Kirquel Development LTD** for Final Plat approval for Phase II of the Mill Court Crossing Subdivision, a 14 lot subdivision

comprising 13 building lots and an open space parcel, as shown on an 18 page set of drawings entitled "Site Development and Subdivision for Residences at Mill Court Crossing" prepared by Cronin Engineering, P.E., P.C. latest revision dated November 13, 2015 and on a Plat entitled "Mill Court Crossing Subdivision" prepared by Fehringer Surveying, P.C. latest revision dated October 28, 2015 be **approved** subject to the modifications and conditions listed below, and the Chairman of the Planning Board be authorized to endorse approval of said Final Plat upon compliance by the applicant with such conditions as listed below. However, if such conditions are not complied with within one hundred and eighty (180) days from the date of this Resolution, the Final Plat shall be deemed expired, unless extended by the Planning Board, by timely request by the applicant, for additional periods of ninety (90) days each, and

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

**CONDITIONS AND MODIFICATIONS:**

- 1. Obtain the signature of the Westchester County Department of Health on the mylar of the Final Plat.**
- 2. Submit (a) the mylar transparency and two paper prints of the subdivision plat to the Planning Office following the signatures of the County Health Department, the required Department Heads and the Planning Board Chairman prior to filing the final subdivision plat in the County Clerk's office (b) three (3) paper sets of the improvement drawings and SWPPP (c) electronic copy of the final plat in a shape file, geodatabase or AutoCAD 2006 or newer format (.dwf or .dwg) format and be in New York State Plan coordinates; North American Datum 1983; units, feet.**
- 3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid in compliance with the Town Code.**
- 4. Prior to the Chairperson's signature on the final plat the applicant shall pay the required \$78,000 recreation fee.**
- 5. Provide the Planning Board with an affidavit confirming that title to all of the premises**

**(continued on page 4)**

located within the proposed subdivision remain in the applicant or its successor in interest as to the entire parcel which was the subject of this application.

6. Note on the subject plat that no excavation, tree removal or site work other than that required for preliminary Health Department investigation shall be permitted until the final plat is approved and all applicable conditions of Final Plat Approval are satisfied.

7. Obtain all required approvals and permits for the project from all involved agencies including but not limited to, Federal, New York State, Westchester County and the Town of Cortlandt.

8. Prior to the Planning Board Chairman signing the subdivision final plat the applicant is required to post a combined soil erosion security and maintenance security pursuant to Section 262-12 (A&B) of the Town Code in the amount to be determined by the Director of Technical Services. Prior to the release of the signed final subdivision plat 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.

9. Prior to the Chairperson signing the final plat the applicant shall submit the required Performance Collateral to the satisfaction of the Director of Technical Services as per Chapter 265-9 of the Town of Cortlandt Subdivision Regulations guaranteeing the completion of the improvements and the certified installation of the proposed monuments as shown on said improvement drawings and final plat within three (3) years of the effective date of said security or in the alternative the applicant shall complete said improvements. Prior to the Chairperson signing the subdivision plat said Letter of Credit, Bond 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 submitted to the Planning Division of the Department of Technical Services.

10. 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.**

**11. The applicant shall petition the Town Board to establish both the Mill Court Crossing Drainage District and the Mill Court Crossing Sewer District to the satisfaction of the Director of Technical Services and the Legal Department.**

**12. Payment of a 5% construction monitoring inspection 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 122-03 of the Cortlandt Town Board.**

**13. Submission of a deed for the open space/conservation parcel (Lot 14) to the Town of Cortlandt in recordable form, with insurable title, reserving the rights of access for the Town for the maintenance of the proposed stormwater facilities to the satisfaction of the Director of Technical Services and the Town Legal Department.**

**14. The applicant shall prepare, execute and record an easement agreement between the Board of Managers of the Wild Birch Farms Development and Kirquel Development for the emergency access and utility connections to the satisfaction of the Director of Technical Services and the Legal Department.**

**15. The subject plat and improvement drawings shall be revised to show a 20 foot wide water main easement between proposed Lots 7 & 8 into the common property of the Cortlandt Colony Homeowner's Association property to allow the looping of the proposed water main to Cardozza Avenue to the satisfaction of the Director of Technical Services and the Town Legal Department. The applicant shall prepare, execute and record an easement agreement between the Board of Managers of the Cortlandt Colony Homeowner's Association and Kirquel Development.**

**16. The subject plat and improvement drawing shall be revised to show a post and rail fence delineating the boundaries of the emergency access and utility easement located between proposed Lots 6 & 7 to the satisfaction of the Director of Technical Services and the Town Legal Department.**

**17. The subject improvement drawings shall be revised to show the existing sight distance and suggested improvements to meet AASHTO guidelines for stopping sight distance at the**

(continued on page 6)

**intersection of Red Mill Road and Mill Court Crossing to the satisfaction of the Director of Technical Services.**

**18. The subject plat shall be revised to show additional utility easements and snow storage easements and the note on the proposed Open Space parcel (Lot 14) shall be revised to read "Open Space/Conservation Parcel – No Further Development" to the satisfaction of the Director of Technical Services and the Town Legal Department.**

**19. Execute in the Division of Land Records, Westchester County, a Declaration of Covenants guaranteeing sanitation pick-up, roadway maintenance and snowplowing prior to the acceptance of the road by the Town, as required by Town Board Resolution 181-85.**

**20. The subject improvement drawings shall be modified, as recommend by the Town's Environmental Consultant, to show a permanent barrier along the rear property lines of lots 10, 11, & 12 in the form of a fence, a low stone wall or boulders to create a permanent visual barrier to minimize encroachment into the designated open space parcel (Lot 14) and along lots 1-10 to demarcate the boundary of the conservation easement area on each lot to the satisfaction of the Director of Technical Services and the Town Legal Department.**

**21. For conservation, utility and drainage easements shown on the subject final plat submit easement documents in recordable form to the Director of Technical Services and the Town Legal Department.**

**22. If modular homes are proposed for the site a proposed route for the delivery of the homes shall be submitted to the satisfaction of the Director of Technical Services and the Code Enforcement Division prior to the issuance of the first Building Permit,**

**23. Unless otherwise indicated herein, mitigation requirements for the subject application as stated in the SEQR Findings Statement and conditions as listed in Resolutions 52-10 and 24-14 (Phase I) are hereby incorporated as conditions of this approval.**

**TO BE CONSIDERED FOR ADOPTION: MARCH 1, 2016**



**Chris Kehoe**

---

**From:** Keith Staudohar <keith@croninengineering.net>  
**Sent:** Thursday, February 11, 2016 3:34 PM  
**To:** Chris Kehoe; Michael Preziosi; Martin Rogers; Ken Hoch; Tom Wood [internet]  
**Cc:** george liaskos; Tim Cronin III  
**Subject:** Liaskos - Highland Avenue

Gentlemen,

It has come to our attention that the buses located on the GLPT Land, Inc. site on Highland Avenue have been sold to a third party and are expected to be completely removed from the site by March 15, 2016. It is understood that a few buses per week will be removed until they are all gone. We have been told that a few have already been removed but we have not yet visually confirmed that.

With the above expected in good faith, we would respectfully request that the current application for bus parking be held dormant until such time the Applicant can further consider the proposed use of the site.

Additionally, upon execution of the bus removal from the site, it would be expected that the violation on the property be dismissed.

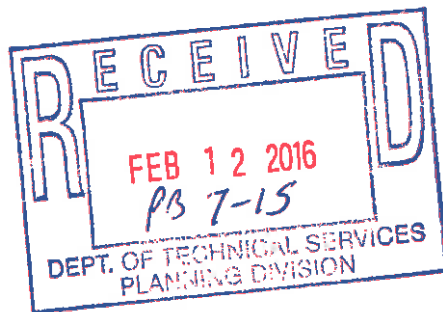
Please advise on how to proceed as we would not expect to return to the Planning Board at this time.

Also, please advise us of the status of the rock crushing operation application.

Thanks,

Keith

Keith Staudohar, CPESC CPSWQ  
Cronin Engineering P.E. P.C.  
39 Arlo Lane  
Cortlandt Manor, NY 10567  
914-736-3664  
[keith@croninengineering.net](mailto:keith@croninengineering.net)

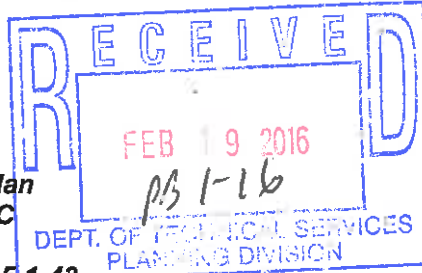


Copies ..... 1  
..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 2/17/16

February 17, 2016

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

Re: **Preliminary Subdivision Plan  
Pomona Development, LLC  
Revolutionary Road  
Tax Map Designation: 23.15-1-43**



7

Copies .....

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

Sent 2/19/16

Dear Chairman Taylor and Members of the Planning Board:

Find enclosed the following information for the above-referenced Project:

1. Application fee of \$5,250 (\$750 + \$750/lot x 6 lots)
2. Planning Board Application
3. Letter of Authorization
4. List of Officers of the Corporation
5. Adjoining Property Owners List
6. Short Environmental Assessment Form
7. Property Deed
8. Fourteen (14) copies of the "Subdivision Plan"
9. Fourteen (14) copies of the "Slopes Map" (color)
10. Fourteen (14) copies of the "Wetland Map" (color)

This office has been retained by the Applicant, Pomona Development, LLC, to seek Subdivision Plan Approval from the Planning Board for the creation of six (6) single family residential lots at the subject property, which is located in the R-20 (Single Family Residential) Zoning District. The proposed residential development would include the construction of stormwater facilities, sanitary sewer collection system, extension of the existing water distribution system, construction of a road within the Revolutionary Road right-of-way, from the intersection of Revolutionary Road & Eton Lane, terminating at a cul de sac just inside the property.

We respectfully request placement of the application on the Planning Board's March 1, 2016 meeting agenda.

**PROJECT NARRATIVE**

The Property is located on the south side of the Revolutionary Road right-of-way, approximately 500 LF south of the Revolutionary Road & Eton Lane intersection. The property is bound to the east by the "Waterbury Manor Subdivision" and by the properties of "Hampton Oaks" and the "City of Peekskill Board of Water Commissioners" to the west. The property is bound by the properties of "Subdivision Plat Prepared for Murray & Margaret Engelson" and "Rowland" to the north and by the property of "Charlie & Julie Hay" to the south. The Property measures approximately 731,184 square feet or 16.78 acres and is located in the R-20 Zoning District and surrounded by the R-10 Zoning District.

This subdivision application proposes to subdivide the property into six (6) single-family residential lots. The lots range in size from 28,502 sf to 534,219 sf. Our office and the applicant met with Town Staff on

several occasions to discuss the projects layout & infrastructure. These meetings yielded a reduction of the number of originally proposed lots from 10 to the current layout of 6. It should be noted that the Town's lot count formula, per section 307-18 (Supplementary Dimensional Regulations), yields a lot count of 21.5.

The property currently contains a 1.5-story frame residential structure, above ground pool, 1.5-story concrete block garage, 2-story frame garage & apartment, 1-story concrete block garage and various sheds. A wetland investigation of the site was conducted by the Town's Consultant, Paul J. Jaehnig Wetlands and Soils Consulting, and a report (including map) was prepared on June 11, 2015. This information (i.e. soil boundaries, wetland boundaries, wetland buffer boundaries, etc.) has been incorporated into the subdivision plans. The wetland report determined five (5) wetland areas within and adjacent to the property. They have been designated as Wetlands "A", "B", "C", "D" & "E". Wetlands "A" and "C" are located in the northwest corner of the property. The wetlands located on the property are fairly small in size as Wetland "A" is approximately 5,061 SF and Wetland "C" is approximately 1,561 SF. Wetlands "B", "D" and "E" are located on the adjacent property ("Engelson") to the north and within the Revolutionary Road right-of-way. We are unable to determine the size of these wetlands as only the boundaries closest to the project site were flagged. Wetland "B" drains through a 12" pipe within the Revolutionary Road right-of-way under the existing gravel driveway from the west to the east where it is then labeled as Wetland "D". Wetland "E" is located on the adjacent property ("Engelson") near the southwest corner of the Eton Lane & Revolutionary Road intersection. The subdivision plan proposes approximately 700 square feet of disturbance to a the portion of Wetland "B" that is located within the Revolutionary Road right-of-way for the purpose of constructing the road. The subdivision plan does not propose any disturbance to Wetland "A" or "C" within the project property limits. However, a portion of the driveway for proposed Lot 6 would traverse the 100-ft. buffer of Wetland "C".

We look forward to appearing before the Planning Board to discuss the project on March 1, 2016. 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,

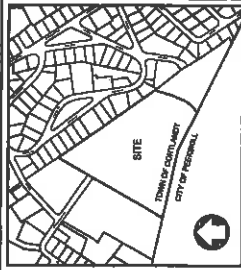


James C. Annicchiarico  
Cronin Engineering, P.E., P.C.

enclosures

cc: Cafo Boga, Pomona Development, LLC w/enclosures  
File: *Boga-Revolutionary Rd-Subdivision-Letter-Initial Submission-20160216.doc*





**Dig Safety**  
 New York  
 800-922-7922  
 1. Digging in New York State  
 2. Digging in New York City  
 3. Digging in New York State  
 4. Digging in New York State

**OWNER/APPLICANT**  
**POMONA DEVELOPMENT, LLC**  
 200 HIGH POINT DRIVE, PH-3  
 HARTSDALE, NEW YORK 10530

**REVISIONS**

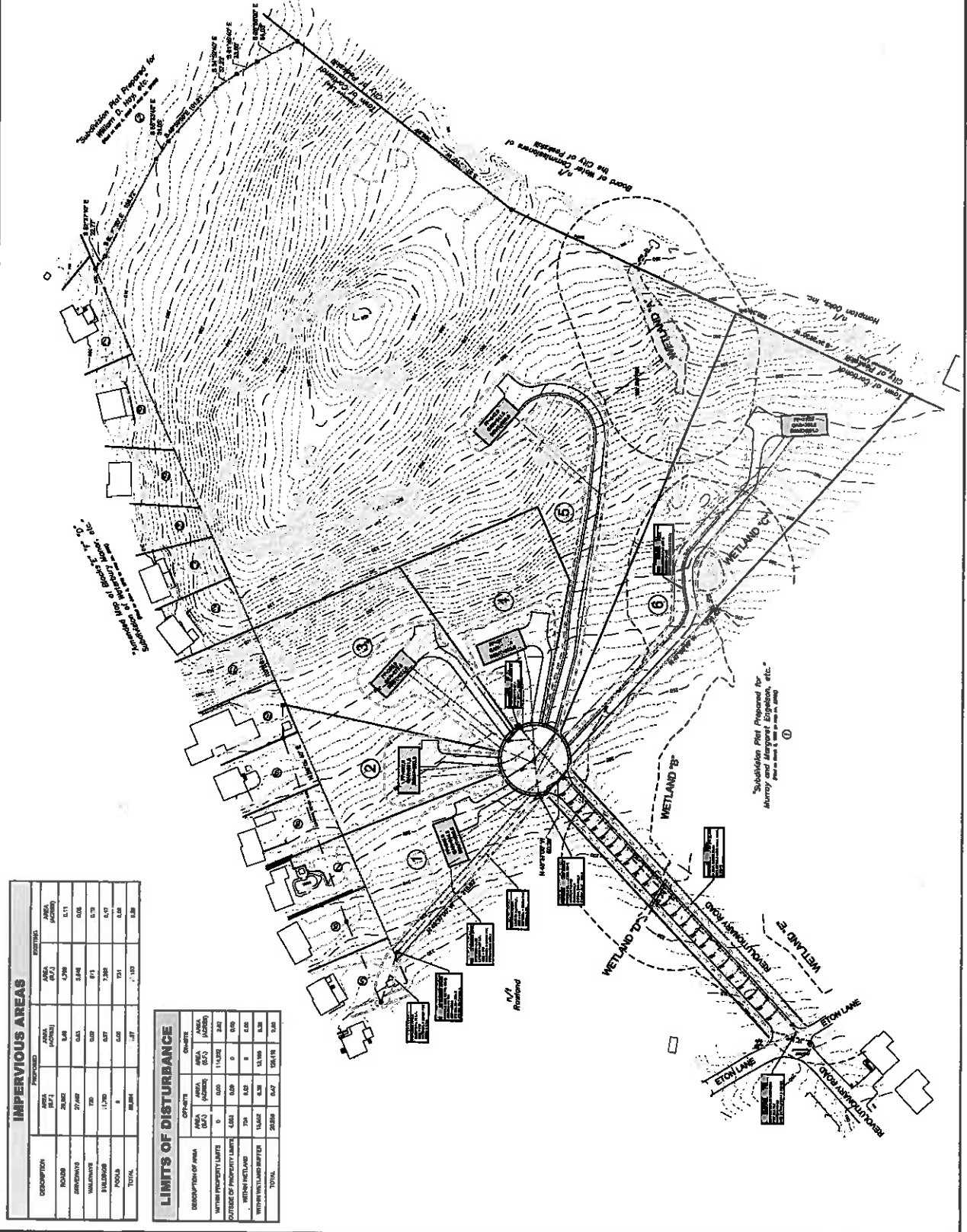
NO.	DATE	DESCRIPTION
1	01/11/11	ISSUED FOR PERMIT
2	01/11/11	ISSUED FOR PERMIT
3	01/11/11	ISSUED FOR PERMIT
4	01/11/11	ISSUED FOR PERMIT
5	01/11/11	ISSUED FOR PERMIT
6	01/11/11	ISSUED FOR PERMIT
7	01/11/11	ISSUED FOR PERMIT
8	01/11/11	ISSUED FOR PERMIT
9	01/11/11	ISSUED FOR PERMIT
10	01/11/11	ISSUED FOR PERMIT
11	01/11/11	ISSUED FOR PERMIT
12	01/11/11	ISSUED FOR PERMIT
13	01/11/11	ISSUED FOR PERMIT
14	01/11/11	ISSUED FOR PERMIT
15	01/11/11	ISSUED FOR PERMIT
16	01/11/11	ISSUED FOR PERMIT
17	01/11/11	ISSUED FOR PERMIT
18	01/11/11	ISSUED FOR PERMIT
19	01/11/11	ISSUED FOR PERMIT
20	01/11/11	ISSUED FOR PERMIT

**CRONIN ENGINEERING**  
 39 Afta Lane  
 Cortlandt Manor, New York 10567  
 (914) 786-3664

**UTILITY & GRADING PLAN**  
**SUBDIVISION PLAN**  
**FOR**  
**POMONA DEVELOPMENT**

LOCATION: REVOLUTIONARY ROAD  
 CORTLANDT MANOR, NEW YORK

SHEET 4 OF 8 UG-4.1



**IMPERVIOUS AREAS**

DESCRIPTION	AREA (ACRES)	AREA (SQ. FT.)	PERCENT
ROADS	0.08	3,456	0.11
DRIVEWAYS	0.02	8,712	0.27
WALKWAYS	0.01	4,356	0.13
POOLS	0.01	4,356	0.13
TOTAL	0.12	50,880	1.54

**LIMITS OF DISTURBANCE**

DESCRIPTION OF AREA	AREA (ACRES)	AREA (SQ. FT.)	PERCENT
WITHIN PROPERTY LIMITS	0.00	0	0.00
OUTSIDE OF PROPERTY LIMITS	0.00	0	0.00
TOTAL	0.00	0	0.00