

Right to Know / FOIL

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WHEREAS, an application for Planning Board approval of a Preliminary and Final Plat pursuant to Sections 274a, 276, 277 and 2878 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code was submitted by **Toll Brothers Inc., as contract vendee for the property of RPA Associates, LLP** for changes to Section III and Section IV of the Valeria Subdivision for an amendment to approved Lots 25-35, 44-49, 97-99, 119-122 and 139-147 (a total of 33 of the 147 approved lots) as shown on a 41 page set of drawings entitled "Valeria" prepared by Joseph Riina, P.E latest revision dated March 2013, a 5 page Final Plat entitled "Revised Subdivision Plat of Valeria Sections III & IV" prepared by Badey & Watson, P.C., dated March 11, 2013 and on a 28 page set of Marketing Plans & Elevations prepared by Toll Brothers, Inc. latest revision dated March 12, 2013, and

WHEREAS, the subject property is located on the east and west side of Furnace Dock Road and on the south side of Sniffen Mountain Road and is designated on the Town of Cortlandt Tax Maps as Section 45.19, Block 1, Lot 1, and

WHEREAS, the technical requirements of Article 8 of the New York State Environmental Conservation Law have been satisfied for the proposed action which is classified as an unlisted action and a completed Part I of the Full Environmental Assessment Form dated December 21, 2012 was submitted by Dan Zalinsky, and

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

WHEREAS, a Public Hearing was held as required by Section 276 of the Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on April 2 2013, 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, all residents of Valeria and property owners directly across the street from the subject property, and

WHEREAS, the subject property is zoned R-40, single-family residential and a cluster open-

space subdivision received Preliminary Plat Approval and the adoption of a SEQRA Findings Statement by Planning Board Resolution 1-05 adopted on January 25, 2005 and Final Plat approval by Planning Board Resolution 27-07 adopted on May 1, 2007, and revised Preliminary & Final Plat approval by Planning Board Resolution 44-10 adopted on September 7, 2010 and the subject map was signed by the Planning Board Chairman and filed in the Office of the Westchester County Clerk, and

WHEREAS, the applicant is requesting revised preliminary and final subdivision approval as shown on the subject drawings for changes to Section III and Section IV of the Valeria Subdivision for an amendment to approved Lots 25-35, 44-49, 97-99, 119-122 and 139-147 in order for several of the units to accommodate first floor master bedrooms which necessitated the changing of several of the lot sizes, and

WHEREAS, the proposed modifications to the previous approval will result in a net decrease in the overall site disturbance of about a third of an acre; a net decrease in the steep slopes disturbance of about a third of an acre; a net decrease in impervious area of about a little over a tenth of an acre; and a net increase in the number of trees protected, and

WHEREAS, the subject application was referred to Town's Architectural Advisory Council, the Fire Advisory Board and the Engineering Division, and

WHEREAS, the applicant is proposing modifications to the previously approved building architecture and is incorporating additional stonework, earth tone colors and the re-introduction of hardie plank siding, and

WHEREAS, the project renderings and floor plans which were presented to the Town's Architectural Advisory Council at a meeting on February 21, 2013, and

WHEREAS, by a memo dated March 5, 2013 the Architectural Advisory Council recommended approval of the revised architecture, and

WHEREAS, the Planning Board considered responses from involved agencies and comments made at the public hearing.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 617.7 of the SEQRA 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:

(continued on page 3)

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 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

(continued on page 4)

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.

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 Dan Zalinsky dated December 21, 2012 and Part II of the Full EAF prepared by the Planning Division dated May 7, 2013 and based on the subject preliminary subdivision 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 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 **Toll Brothers Inc., as contract vendee for the property of RPA Associates, LLP** for Planning Board approval of a Preliminary and Final Plat pursuant to Sections 274a, 276, 277 and 278 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for changes to Section III and Section IV of the Valeria Subdivision for an amendment to approved Lots 25-35, 44-49, 97-99, 119-122 and 139-147 (a total of 33 of the 147 approved lots) as shown on a 41 page set of drawings entitled "Valeria" prepared by Joseph Riina, P.E latest revision dated March 2013, a 5 page Final Plat entitled "Revised Subdivision Plat of Valeria Sections III & IV" prepared by Badey & Watson, P.C., latest revision dated March 11, 2013 and on a 28 page set of Marketing Plans & Elevations prepared by Toll Brothers, Inc. latest revision dated March 12, 2013 be **approved** subject to the modifications and conditions listed below, and

FURTHER BE IT RESOLVED, that 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 which period may be extended by the Planning Board 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 Plat until the listed conditions are accomplished and the Chairman signs the Final Plat.

CONDITIONS AND MODIFICATIONS:

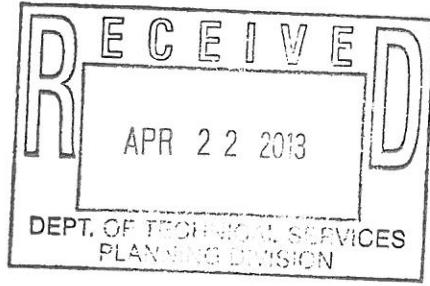
1. Submit (a) a mylar transparency and two prints of the subdivision plat to the Planning Office following the Planning Board Chairman's signature prior to filing the final subdivision plat in the County Clerk's office and (b) electronic copy of the final plat in a shape file, geodatabase or AutoCAD 2006 or newer format (.dwf or .dwg) format and be in New York State Plan coordinates; North American Datum 1983; units, feet.
2. 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.
3. Provide the Planning Board with an affidavit confirming that title to all of the premises located within the proposed subdivision remain in the applicant or its successor in interest as to the entire parcel which was the subject of this application.
4. No further excavation, tree removal or site work shall be permitted until the final plat is approved and all applicable conditions of Final Plat Approval are satisfied to the satisfaction of the Director of Technical Services.
5. The applicant is advised that all notes as required on the previously approved final plat be carried over on the revised final plat.
6. The applicant (and its future successors and assigns) shall enter into and record a Stormwater Management Facilities Maintenance Agreement and a Stormwater Management Inspection and Maintenance Easement subject to the review and approval of the Director of Technical Services and the Town Legal Department.
7. To facilitate adherence to the provisions of the Valeria Box Turtle Protection and Management Plan the following note should be added to the Erosion Controls Plans for Sections III and IV currently Sheets C-106 and C-107 to the satisfaction of the Director of Technical Services:

"Prior to construction activities commencing in Sections III and IV of the subdivision, a permanent exclusionary fence, consisting of Super Silt Fencing and Standard Silt Fence, shall be installed around the perimeter of the construction zone at the established limit of disturbance, per the approved site plans (except where topographic conditions preclude such installation). The exclusionary fencing is designed to inhibit any turtles and other wildlife from entering the active construction zone".

(continued on page 6)

8. The exclusion rock will note on Grading Plan Section IV, (currently sheet C-111) shall be reviewed by the Director of Technical Services and the Town's Bio-Diversity Consultant to ensure consistency with the adopted Box Turtle Protection and Management Plan Amendment dated September 26, 2011.
9. The applicant agrees to endeavor to bring natural gas to the site for the proposed units and will cooperate to the greatest extent possible to provide the possibility of a natural gas connection for the existing units during construction to the satisfaction of the Director of Technical Services.
10. All outstanding conditions contained in Resolution No. 27-07 adopted on May 1, 2007 are incorporated by reference to this resolution. Furthermore, the offsite improvements detailed in Condition 13 of Resolution 27-07 (specifically A, B, C, E, F, G) shall be completed prior to the issuance of the first certificate of occupancy. It should be noted the required improvement in "D" shall occur during construction.
11. As per previous Planning Board Resolution 15-11 the required security for the project shall be increased from the current \$1,000,000 million dollars to \$7,800,000 million dollars upon the sale of the property or sixty (60) days prior to the commencement of any on-site infrastructure work
12. The subject plat shall be revised to change certain incorrect or incomplete language to the satisfaction of the Director of Technical Services and the Town Attorney.
13. The applicant shall contribute \$2,500 for the hiring of the Town's Consulting Arborist to monitor and comment on proposed tree removals and tree protection details.

TO BE CONSIDERED FOR ADOPTION: MAY 7, 2013



- Copies 7 Planning Board
- Town Board
- Zoning Board
- ! Legal Dept. - *ltr. 0117*
- DOTS Director
- C.A.C.
- A.R.C.
- Applicant
- _____
- _____
- Sent 4/22/13 10 originals

April 16, 2013

Loretta Taylor - Chairperson
Planning Board
Town of Cortlandt
1 Heady Street
Cortlandt Manor, New York, 10567

Re: Change of Use – 1 Baltic Place
Encourage Yoga

Dear Ms. Taylor,

As representatives of a tenant, Encourage Yoga LLC, we are petitioning the Planning Board of the Town of Cortlandt for a Change of Use at the existing office complex at 1 Baltic Place (Lot 67.06-3-6, Map #266-07)

We are requesting a Change of Use from 'Professional Office' to 'Physical Fitness Facility', a permitted use within the 'Highway Commercial District' (HC).

Parking regulations, as per Table 307-29 – Required Off-Street Parking Spaces, would remain the same:

Existing Use:	Office -	1 space per 300 sf
Proposed Use:	Personal/business service	1 space per 300 sf

Feel free to contact us directly with any questions or concerns. We can be reached at 845 831 1318 or email at chris@bergflynn.com.

Thank you.

Sincerely,



Christopher E. Berg, RA LEED
Berg + Flynn Architecture PC

**TOWN OF CORTLANDT
PLANNING BOARD**

DRAFT

RESOLUTION NO. 18-13

WHEREAS, a letter request from Christopher E. Berg, R.A dated April 16, 2013 was submitted to the Planning Board for approval of a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code from a professional office to a physical fitness facility for Transformative Zone Yoga LLC to be located in a tenant space (Suite 102) located at One Baltic Place, and

WHEREAS, the subject premises is designated on the Town of Cortlandt Tax Maps as Section 67-06, Block 3, Lot 6, is zoned HC, Highway Commercial and contains a multi-tenant building containing a restaurant, offices and retail uses and a separate building containing a bank, and

WHEREAS, submitted with the letter is a copy of a survey of the subject site entitled "Survey of Property for Amberlands Realty Corp." prepared by James A. Dillin, PLS dated December 14, 2004, and

WHEREAS, Transformation Zone Yoga LLC is proposing to occupy tenant space on the first floor of the southeast corner of the building that formerly contained office space, and

WHEREAS, the applicant is not proposing any changes to the exterior of the building but is required to obtain any necessary building permits for interior renovation to the space, and

WHEREAS, the parking regulations for a physical fitness facility and professional office both require 1 parking space per 300 sq. ft. of floor space therefore the change of use has no impact to required parking and sufficient parking currently exists at the subject site, and

WHEREAS, the application is considered a Type II action pursuant to the Article 8 of the New York State Environmental Conservation Law and Type II actions are not subject to SEQR review and the proposed action will have no significant adverse environmental impact, and

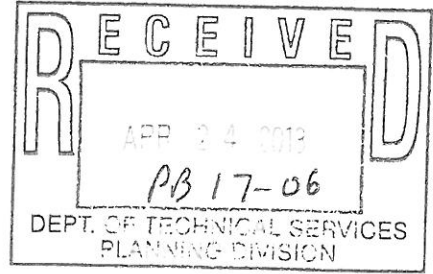
THEREFORE BE IT RESOLVED that the letter application submitted by Christopher E. Berg, R.A. dated April 16, 2013 for approval of a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code from a professional office to a physical fitness facility for Transformative Zone Yoga LLC to be located in a tenant space (Suite 102) located at One Baltic Place is **APPROVED** subject to the conditions listed below, and

(continued on page 2)

CONDITIONS AND MODIFICATIONS:

1. The applicant is advised that any proposed sign will require a sign permit from the Town's Office of Code Enforcement and is subject to the review and comments of the Architectural Advisory Council prior to installation.

TO BE CONSIDERED FOR ADOPTION: MAY 7, 2013



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

April 19, 2013

RE: Home Depot #1251

AmeriGas is proposing to install (4) 18 count propane cylinder exchange cages outside the Home Depot Garden Center located at 313 E. Main Street, Mohegan Lake, NY 10547. Vehicle protection will be installed to protect the cages from any vehicular mishaps, as the proposed location is in a customer loading zone. AmeriGas Cylinder Exchange cages are replaced every 5-7 years depending on the climate of the region the cage is located in; signage will be clean, replaced as necessary and uncluttered with all the safety information displayed on the cage. AmeriGas Propane Cylinder Exchange cages are safe, convenient and attractive and will set standards high for other such similar future uses. AmeriGas adheres to all NFPA 58 and IFC Codes and guidelines in all jurisdictions and will follow any guidelines that are more stringent, as adopted by the Town and State of NY. We also comply with the vehicle protection guidelines in the IFC Section 312.2 and the bollard placement will not impede any ROW's, pathways, or drainage requirements present on the site.

The use of propane cylinder exchange cages will not create a negative impact on the Town, but rather just the opposite. Propane is a clean, green, natural energy resource and any neighborhood that readily supplies the natural energy reserve to its citizens is rendering a hygienic, responsible source of fuel for consumption attracting positive entertainment outcomes. Alternative fuels are in high demand; propane is used 2.9 billion times a year by barbeque enthusiast alone, as well as a heating fuel for homes and businesses.

AmeriGas is asking the Town Planning Board to kindly consider this proposal and we're hoping for a positive outcome in order to be able to build a good working relationship with the Town of Cortlandt.

Respectfully,

Randa Gill
AmeriGas Cylinder Exchange
License and Permit Coordinator

Copies 7 Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant

AmeriGas Cylinder Exchange
11022 North 28th Drive, Suite 155, Phoenix, AZ 85029 | Office: 1.800.434.2323 | Fax: 602.374.1272
www.amerigas.com

Sent 4/25/13

WHEREAS, a letter application and packet dated April 19, 2013 was submitted by Randa Gill for AmeriGas Cylinder Exchange requesting Planning Board approval to install four (4) 18-count propane cylinder exchange cages outside the Home Depot Garden Center located at 3131 East Main Street (Cortlandt Boulevard), and

WHEREAS, the Home Depot Store is located at the Cortlandt Town Center and is designated on the Town of Cortlandt Tax Maps as Section 24.10, Block 1, Lot 1.3, and

WHEREAS, the application is considered a Type II action pursuant to the Article 8 of the New York State Environmental Conservation Law and Type II actions are not subject to SEQRA review and the proposed action will have no significant adverse environmental impact, and

WHEREAS, the Planning Board previously granted Site Development Plan approval for the subject site by PB Resolution 7-07 adopted on February 7, 2007, and

WHEREAS, the subject site plan shows a striped customer loading area on the northwest corner of the building, and

WHEREAS, AmeriGas proposes to install four (4) 18-count propane cylinder exchange cages in this customer loading area as shown on a sketch drawing entitled "Operating Restriction for the Home Depot Store #1251, Cortlandt, NY" , and

WHEREAS, the propane cages are to be protected by a total of six (6) core drilled bollards located three (3) feet in front of the cages, and

WHEREAS, the location of the cylinder exchange cages should not interfere with traffic flow around the store as the area is already delineated as a customer loading area with sufficient area for a vehicle to be able to pull up to the location and be out of the travel way.

THEREFORE BE IT RESOLVED that the letter application and packet dated April 19, 2013 submitted by Randa Gill for AmeriGas Cylinder Exchange requesting Planning Board approval to install four (4) 18-count propane cylinder exchange cages outside the Home Depot Garden Center is **APPROVED** subject to the conditions listed below, and

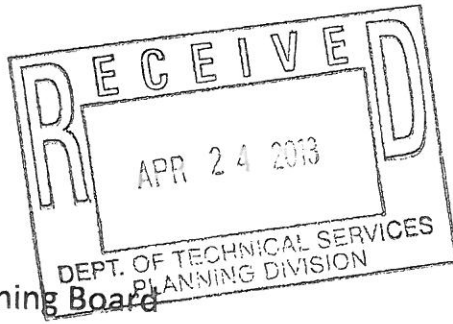
CONDITIONS AND MODIFICATIONS:

- 1. The applicant is advised that they are required to obtain any and all necessary permits for the installation of the cylinder exchange cages from the Department of Technical Services, Code Enforcement Division.**

2. The exact location of the cylinder exchange cages and the number and location of protective bollards shall be to the satisfaction of the Director of Technical Services and the Town Fire Inspector.
3. The cylinder cages shall be kept clean and free of litter and clutter and the cages themselves, and any attached signage, shall be replaced every five years or earlier if in the opinion of the Director of Technical Services and in cooperation with Home Depot and AmeriGas, the cages become unsightly due to damage, rust, etc.

TO BE CONSIDERED FOR ADOPTION: MAY 7, 2013

April 23, 2013



Town Of Cortlandt Planning Board
One Heady Street
Cortlandt Manor, NY 10567

Copies 7
..... Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant
.....
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Sent 4/25/13

Ref: Stackhouse/Delulio/Ben-David Subdivision
Case #PB 21-05
Hillside Estates

Dear chair lady Mrs Taylor and Board Members:

As off are last meeting with the Planning Board in February we are still cleaning up the property halling the wood chips away and old logs that have been lying on the ground for years. We also have been shopping for prices to put the blacktop binder down on road with in the next few weeks.

We almost had a buyer for a home on the site but the taxes scared them away. But hopefully we will find a buyer real soon things are picking up in housing thank goodness. Again I would like to thank the Planning Board for working with us. Therefore we are asking the Planning Board for a twelfth extension thank you.

Jesse Stackhouse/John Delulio

**TOWN OF CORTLANDT
PLANNING BOARD
PB 21-05**

DRAFT

RESOLUTION NO. 20-13

WHEREAS, the application of **Jesse Stackhouse and John DeIulio** for Planning Board approval of a Final Plat pursuant to Sections 276, 277 and 280a of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for a 5 lot major subdivision of a 6.6 acre parcel of land with a lot line adjustment with the adjacent property owned by Shimon and Joyce Bendavid as shown on a final plat entitled "Subdivision Map known as Hillside Estates" latest revision dated October 20, 2008 and a drawing entitled "Improvement & Integrated Plot Plan for Hillside Estates", latest revision dated October 22, 2008 both prepared by Badey & Watson, P.C. was approved by Planning Board Resolution 8-09 adopted on March 3, 2009, and

WHEREAS, the subject property is located on the north side of Locust Avenue, 500 feet east of Gabriel Drive and is designated on the Town of Cortlandt Tax Maps as Section 23.12, Block 1, Lot 8, and

WHEREAS, by Resolutions 40-10, 59-10, 7-11, 12-11, 23-11, 32-11, 7-12, 16-12, 27-12, 34-12 and 9-13 the Planning Board previously granted eleven (11) 90-day time extensions of the final plat approval the latest of which will expire on May 18, 2013, and

WHEREAS, by letter dated April 24, 2013 Jesse Stackhouse requested the 12th 90-day time extension to satisfy the conditions of that approval.

NOW THEREFORE BE IT RESOLVED, that the request of Jesse Stackhouse for the 12th 90-day time extension of the above mentioned Final Plat is hereby granted said time extension to expire on August 16, 2013.

TO BE CONSIDERED FOR ADOPTION: MAY 7, 2013

Copies Planning Board

..... Town Board

..... Zoning Board

..... Legal Dept.

..... DOTS Director

..... C.A.C.

..... A.R.C.

..... Applicant

..... _____

..... _____

Sent 4/26/13

April 25th, 2013



Lenny & Lonna Difroschia
3206 Quinlan Street
Yorktown Heights, N.Y. 10598
(817)798-0414
arthuravekid@yahoo.com

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

Dear Loretta Taylor,

This letter is to formally announce the proposal for a coffee house at the northwest corner of Route 6 and Baker Street.

Property location: tax map no: section 24.06, block 1, lot 20
Approx. 1000 s.f. existing facility with 300 s.f. designated for dining use.

We are presently negotiating a lease agreement with owners Mr. and Mrs. Scott Mendelowitz. The proposed site will transition from a realty office to a coffee house. The existing neighborhood is a mix of residential and commercial properties consisting of bungalows, single and multi-family dwellings, restaurants, beer distributor and a shopping center.

Description of proposed use:

We intend to serve hot and cold beverages, whole bean coffee, micro ground espresso, full leaf teas, hot chocolate, low-cal and sugar free drinks, hot and cold breakfast and lunch sandwiches, baked goods with no corn syrup or artificial ingredients, snacks and salads.

The use of skim milk, and artificial sweeteners, and sugar free syrup flavors for health and cost conscious consumers.

All foods will be prepared off site from local vendors and we are community supported agriculture advocates.

We also advocate using green recycle products to keep refuse at a minimum and China for in house dining.

High quality coffee beans for regular and espresso supported by top rated equipment: slayer expresso machine, bunn commercial brewers, mazzar koni grinders, vita-mix blenders and structural concepts displays.

Music, books, and artwork, along with free wi-fi to make our guest feel right at home, Along with a small array of mugs and tumblers for retail.

Two employees will result from the proposed use.

Hours of operation: 6 a.m. to 8p.m. 7 days a week.

No proposed changes to the property exterior.

Off street parking will be accommodated by the parking lot to the rear of the proposed site with 8 parking lanes.

Access to the property is the baker street exit off Route 6 turning west with a 22 ft. curb cut for both entrance and exit lanes into and out of the parking lot.

We believe the proposed coffee house for Baker Street complements the surrounding neighborhood and businesses with the introduction of a new venue for the area as well as offering a relaxed social environment with a unique selection of food and coffee based beverage

Respectfully,
Mr. and Mrs. Lenny Difroschia

WHEREAS, the Planning Board granted Site Development Plan approval for the application of Ronit & Scott Mendelowitz for the conversion of a former beauty parlor to a travel agency and yarn crafts store at 1 Baker Street and for a parking lot and related site improvements by Planning Board Resolution 7-94 adopted on March 1, 1994 as shown on three drawings entitled “Site Plan”, “Vicinity Map, Ltg. & Tree Removal Plan” and Floor Plan & Elevations” prepared by Joel Greenberg, RA, latest revision dated December 7, 1993, and

WHEREAS, the subject premises of approximately 14,489 sq. ft. is zoned CD, Designed Commercial, is designated on the Town of Cortlandt Tax Maps as Section 24.06, Block 1, Lot 20 and the existing building is currently unoccupied, and

WHEREAS, a letter application was submitted by Mr. & Mrs. Lenny Difroschia dated April 25, 2013 seeking Planning Board Approval for a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code from a business office use to an eating establishment for a coffee house as described in the April 25th letter with no exterior changes to the building proposed, and

WHEREAS, the subject site also includes an existing residence, and

WHEREAS, the subject site plan drawing shows a total of 8 parking spaces and according to the applicant approximately 300 sq. ft. of the 1,000 sq. ft. building will be dedicated to dining area which will require 6 parking spaces and the existing residence requires 2 spaces for a total of 8 parking spaces required and proposed, and

WHEREAS, the current access to the site from Baker Street is proposed to continue and there will be no access to the property from Route 6, and

WHEREAS, the applicant is advised that any signage for the proposed business must be reviewed by the Town’s Architectural Advisory Council and permits for signage may be required from the Town’s Division of Code Enforcement

WHEREAS, the requirements of Chapter 307 (for a change of use) of the Town of Cortlandt Code have been met by said application, and

WHEREAS, the application is considered a Type II action pursuant to the Article 8 of the New York State Environmental Conservation Law and Type II actions are not subject to SEQRA review

(continued on page 2)

and the proposed action will have no significant adverse environmental impact, and

THEREFORE BE IT RESOLVED that the letter application submitted Mr. & Mrs. Lenny Difroschia dated April 25, 2013 seeking Planning Board Approval for a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code from a business office use to an eating establishment for a coffee house for property located at 1 Baker Street is **APPROVED** subject to the conditions listed below, and

CONDITIONS AND MODIFICATIONS:

1. The applicant is advised that any proposed sign will require a sign permit from the Town's Office of Code Enforcement and is subject to the review and comments of the Architectural Advisory Council prior to installation.
2. The parking lot shall be re-striped to the satisfaction of the Director of Technical Services.

TO BE CONSIDERED FOR ADOPTION: MAY 7, 2013

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



Re: Dr. Robert Gold, Montrose Animal Hospital
Section 67.06, Block 2, Lot 4
Town of Cortlandt, New York

- Copies 7 Planning Board
- Town Board
- Zoning Board
- Legal Dept.
- DOTS Director
- C.A.C.
- Applicant

Dear Chris:

Please find enclosed the following information in application for Site Plan Approval and Change of Use:

1. Town of Cortlandt Planning Board Application, dated April 22, 2013,
2. Check #1673, in the amount of \$500.00 for the Application fee,
3. Copy of a letter of authorization from Bruce and Irene Bumstead dated April 8, 2013, granting approval to Dr. Robert Gold, as contract vendee, to make application to the Town,
4. Contract of Sale dated April 16, 2013,
5. List of Adjoining Property Owners for Dr. Robert Gold, dated April 11, 2013,
6. Short Environmental Assessment Form prepared for Dr. Robert Gold, dated April 15, 2013
7. Two (2) copies of the Survey of Property prepared for Bruce W. Bumstead last revised December 31, 1995,
8. Fourteen (14) copies of Renovations for Dental Office by Crowley Dental Design, 4/22/13 - 4/25/13
9. Fourteen (14) signed and sealed copies of the following drawings:
 - a. Site Plan for Robert Gold Dental Office dated April 18, 2013 (Sheet 1 of 2),
 - b. Site Details and Profile for Robert Gold Dental Office dated April 18, 2013 (Sheet 2 of 2),

We represent Dr. Robert Gold, contract vendee to purchase the property known as the Montrose Animal Hospital located at 2018 Albany Post Road.

The above materials represent application for a Site Plan Approval for a change of use from a veterinary office to a dentist office (307-66, A.) and for the addition of 10 new parking spaces (307-67). We have outlined certain considerations, as follows:

Parking: The addition of ten (10) new parking spaces along with the existing five (5) will total fifteen spaces. Dr. Gold's practice consists of one (1) doctor and four (4) employees requiring eight (8) spaces (4/Dr. + 1/employee), hence there are more spaces than the minimum.

Wetlands: The construction of the additional driveway will encroach slightly (250 SF) on the 100-foot wetland buffer in an area that is already disturbed and covered under the original wetland permit for the Animal Hospital. We are requesting a Wetland Permit to construct this 250 square foot disturbance for the additional driveway and the rip-rap swale.

Zoning: The Dental Office is a Permitted Use in the HC Zone. The building was constructed with a ten (10) foot side yard requirement of the C2 zone in 1993. The property was rezoned to HC in 1995 with a requirement for a 30 feet side yard, and as such that side yard is now non-conforming but no extension of the non-conformity is proposed. Hence, no variances are required.

ROW: The extended driveway is permitted as access in the old ROW, however, all the parking is on private property.

Stormwater: The stormwater plan provides a new rip-rap swale to the River, and as such will provide treatment and control flows. The project is below any threshold that requires a SWPPP and there are no Town stormwater regulations that apply. We have earlier shown such a project will have no affect on peak flows in the Furnace Brook due to the distance of the site from the headwaters of the Brook.

Septic system: The parking is to be installed above the small septic disposal system which was planned and constructed years ago for this future purpose. The system is constructed of concrete galleys upon which parking is permitted.

Signs: A new sign is proposed in the same location as the old sign, whose size meets the requirements of the Sign Law,

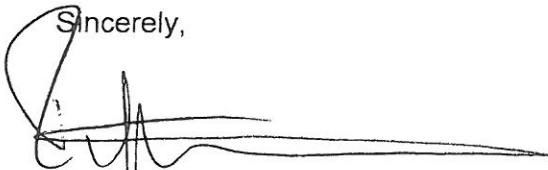
Waiver: We are requesting a waiver from the policy requirement of providing a colored map showing wetlands and steep slopes (with different colors for wetland buffers with and without steep slopes) as there is no development proposed other than the additional parking.

Steep Slopes: There is no development proposed on steep slopes that exceed the 500 square foot threshold in the Code.

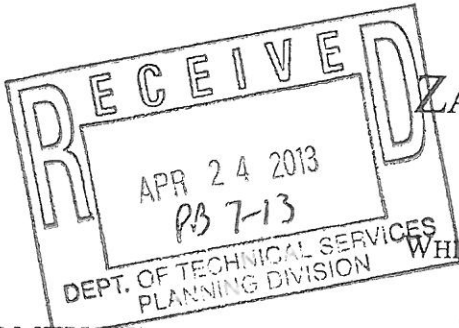
Building: The building remains without any additions. Some new windows will be added and a new rear door. Building elevations have been provided.

We are requesting placement on the agenda of the May 7, 2013 meeting of the Planning Board for consideration of Site Plan Approval and Wetlands Permit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ralph G. Mastromonaco', with a long horizontal flourish extending to the right.

Ralph G. Mastromonaco
Enclosures
cc: Robert Gold



ZARIN & STEINMETZ
ATTORNEYS AT LAW
81 MAIN STREET
SUITE 415
WHITE PLAINS, NEW YORK 10601

Copies 7
..... Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... CAC
..... MEREDITH BLACK*
..... DAVID L. COOPER
..... JODY T. BRUCE*
..... JEREMY E. KOZIN
..... Applicant
..... MARSHA RUBIN GOLDSTEIN
..... HELEN COLLIER MAUCH*
..... LISA F. SMITH
..... OF COUNSEL
Sent 4/25/13

DAVID S. STEINMETZ*
MICHAEL D. ZARIN
DANIEL M. RICHMOND
BRAD K. SCHWARTZ

TELEPHONE: (914) 682-7800
FACSIMILE: (914) 683-5490
WEBSITE: WWW.ZARIN-STEINMETZ.NET

* ALSO ADMITTED IN D.C.
* ALSO ADMITTED IN CT
* ALSO ADMITTED IN NJ

April 24, 2013

By Hand Delivery

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: Frontier Development
Application for Site Development Plan Approval
Section 24.09, Block 4, Lot 3 (the "Property")**

Dear Chairman Taylor and Members of the Planning Board:

We represent Frontier Development in connection with its Application for Site Development Plan Approval to redevelop the Property as a new retail center, consisting of two buildings totaling approximately 11,460 square feet, together with associated parking, landscaping, stormwater, and other site improvements.

The 1.84-acre Property is located in a Highway Commercial Zoning District on East Main Street, adjacent to the Cortlandt Town Center and across from Westbrook Drive. As the Board likely knows, the Property currently consists of a vacant car dealership, including a single building containing approximately 6,400 square feet. The Applicant is the contract-vendee of the Property, which is owned by GEIS Toyota Inc., and is authorized under its contract to submit this Application. The Applicant seeks to redevelop and restore the Property to active and productive retail use along Cortlandt Boulevard.

Please note that Frontier Development has met with representatives of Acadia, the owner of the Cortlandt Town Center, to discuss and reach agreement concerning connecting to the private roadway that is owned and controlled by Acadia adjacent to and west of the Property. In addition, Frontier and its traffic engineer have been working with the Town's staff and traffic

Hon. Loretta Taylor and Members of Planning Board
April 24, 2013
Page 2

consultant to study several important traffic and circulation issues in advance of this submission. We look forward to presenting that information to your Board.

We respectfully request that this Application be placed on the Planning Board's May 7, 2013 agenda for an initial presentation and discussion, and to commence the SEQRA process. Enclosed please find Site Plan Approval Drawings, Full Environmental Assessment Form, Stormwater Pollution Prevention Plan, and an Application for Site Development Plan Approval (including the required fees), all prepared by John Meyer Consulting, PC.

The Applicant looks forward to processing this Application before your Board. Please do not hesitate to contact us should you have any questions.

Respectfully submitted,

ZARIN & STEINMETZ

By: _____
David S. Steinmetz
Brad K. Schwartz

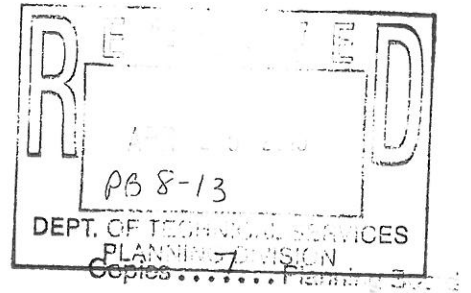
Encls.

cc: John J. Klarl, Esq.
Edward Vergano, P.E.
Chris Kehoe, AICP
Joseph P. Modafferi, Jr., RLA
James Leach, Frontier Development
Richard Pearson, P.E.



Building On Excellence

April 25, 2013



Mr. Ed Vergano, P.E.
Director, Dept. of Technical Services
Planning Division
Town of Cortlandt
One Heady Street
Cortlandt Manor, NY 10567

- Town Board
- Zoning Board
- Legal Dept.
- DOTG Director
- C.A.C.
- A.P.C.
- Applicant
- _____
- _____

Dear Mr. Vergano:

As requested, attached is the application packet containing the following

1. The application fee in the amount of 650.00 dollars
2. A single page drawing of the site plan as prepared by the Chazen Companies, dated 4/11/13 (10 copies).
3. A single page floor plan of proposed addition as prepared by Pallante design, dated 4/11/13 (10 copies).
4. A single page drawing showing the elevations of addition as prepared by Pallante design, dated 4/11/13 (10 copies).
5. The Planning Board application form.

Sent 4/26/13

If there is anything else you need please contact me at 914.734.3531. Thank you.

John Lopez
Project Manager

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