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■ Main Office  
445 Hamilton Avenue  
White Plains, NY 10601  
Phone 914.946.4777  
Fax 914.946.6868  
■ Mid-Hudson Office  
200 Westage Business Center  
Fishkill, NY 12524  
Phone 845.896.0120

September 13, 2013

*Via First-Class Mail*

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

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..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
..... \_\_\_\_\_  
..... \_\_\_\_\_  
Sent 9/16/13

RICHARD L. O'ROURKE  
Principal Member  
ro'rourke@kblaw.com

Re: Valeria Subdivision – Extension of Resolution for  
Conditional Preliminary and Final Subdivision Plat Approval

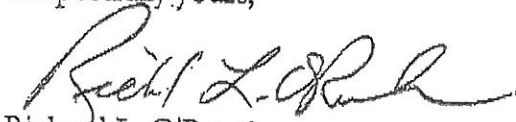
Dear Chairperson Taylor and Members of the Cortlandt Planning Board:

As you know, the Town of Cortlandt Planning Board granted, by resolution dated May 7, 2013 (the "Resolution"), amended conditional preliminary and final plat approval to the project known as the Valeria Subdivision. In accordance with the Resolution, conditional approval of the final plat expires one hundred eighty (180) days after the date of the Resolution. As the applicant continues to work in good faith to complete all conditions necessary, a 90 day extension of the approval is hereby requested pursuant to the terms of the Resolution.

I respectfully request that this matter be placed on the next available Planning Board Agenda.

Thank you for your consideration in this matter.

Respectfully yours,

  
Richard L. O'Rourke

RLO/mq

cc: James Fitzpatrick, Toll Brothers, Inc.  
Mail and (Email [jfitzpatrick@tollbrothersinc.com](mailto:jfitzpatrick@tollbrothersinc.com))  
John J. Klarl, Esq., Wood & Klarl  
Maile and (Email [jjklarl@aol.com](mailto:jjklarl@aol.com))

1373/07/451825v1 9/13/13

September 16, 2013

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

Sent via email [ChrisK@townofcortlandt.com](mailto:ChrisK@townofcortlandt.com)

Re: **PB 20-06, Joseph Picciano**  
**Resolution No. 13-13**  
**10<sup>th</sup> Time Extension**  
**Maple Avenue Subdivision**

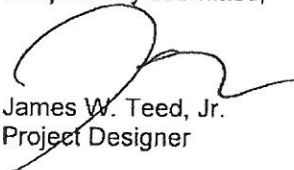
Dear Madam Taylor and Members of the Planning Board:

The above referenced project received Final Plat Approval from your board on January 5, 2011 via Resolution number 26-11. At this time, we are requesting an 10<sup>th</sup> ninety (90) day time extension from the 9<sup>th</sup> ninety (90) day time extension which was issued at the July 2, 2013 Planning Board meeting by resolution number 25-13.

The applicant continues working on the completion of the conditions of the Subdivision Plat approval. Most of the currently outstanding conditions are legal and are being reviewed by the town's legal department. We believe that the conditions will be satisfied in the near future.

I would kindly request that this item be placed on the October 1, 2013 Planning Board agenda for consideration. If you have any questions or require additional information please contact me at the above number. Thank you for your time and assistance in this matter.

Respectfully submitted,

  
James W. Teed, Jr.  
Project Designer

cc: Joe Picciano

Planning Board-Picciano-Maple Ave-Sub-10th Time Ext-JWT-20130916.doc

Copies ..... <sup>7</sup> Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 9/16/13

WHEREAS, an application for Planning Board approval of a Final Plat pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code was submitted by **Joseph Picciano** for a 4 lot major subdivision of a 16.55 acre parcel of property as shown on a Final Plat entitled "Four Lot Subdivision prepared for Joseph Picciano" prepared by Donald D. Coleman, P.L.S. dated June 21, 2010 and on a 4 page set of drawings entitled "Integrated Plot Plan for Joseph V. Picciano" prepared by Cronin Engineering, P.E., P.C. latest revision dated October 13, 2010 was approved by Planning Board Resolution 2-11 adopted on January 5, 2011, and

WHEREAS, the subject property is located on the south side of Maple Avenue at the intersection with Furnace Woods Road and is designated on the Town of Cortlandt Tax Maps as Section 44.08, Block 6, Lot 9, and

WHEREAS, by Resolutions 16-11, 26-11, 2-12, 10-12, 19-12, 28-12, 3-13, 13-13 & 25-13 the Planning Board previously granted nine (9) 90-day time extensions the latest of which expired on September 22, 2013, and

WHEREAS, by a letter dated September 16, 2013 James W. Teed, Jr. requested the 10<sup>th</sup> 90-day time extension of Final Plat Approval to satisfy conditions of said approval.

**NOW THEREFORE BE IT RESOLVED**, that the request of James W. Teed, Jr. for the 10<sup>th</sup> 90-day time extension of the above mentioned Final Plat is **APPROVED** said extension to expire December 21, 2013.

**TO BE CONSIDERED FOR ADOPTION: OCTOBER 1, 2013**

RECEIVED  
SEP 17 2013  
DEPT. OF TECHNICAL SERVICES  
PLANNING DIVISION

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

MCGULLOUGH, GOLDBERGER & STAUDT, LLP  
ATTORNEYS AT LAW  
1311 MAMARONECK AVENUE, SUITE 340  
WHITE PLAINS, NEW YORK  
10605  
(914) 949-6400  
FAX (914) 949-2510  
WWW.MCGULLOUGHGOLDBERGER.COM

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FRANK S. MCGULLOUGH (1905-1998)  
EVANS V. BREWSTER (1920-2005)  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 9/18/13  
MGS#2224.03

September 17, 2013  
PB 9-99

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

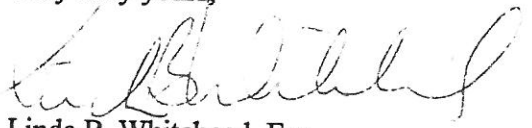
Re: Application of Beaver Brook Cortlandt, LLC (formerly Furnace Dock, Inc.),  
16 lot cluster subdivision, Furnace Dock Road

Dear Chairperson Taylor and Members of the Planning Board:

As you will recall, by Resolution No. 17-11 dated July 6, 2011, the Planning Board granted conditional final plat approval for the above referenced application. You have previously granted seven (7) ninety (90) day extensions of the conditional approval.

We hereby request an eighth (8<sup>th</sup>) ninety (90) day extension of the final plat approval and the time to satisfy the conditions of the approval. I have been advised that some additional changes were requested to the plans by the Town. We are hopeful this may be the last required extension.

We would appreciate if this extension request could be placed on the agenda for your October 1, 2013 meeting. Thank you for your consideration

Very truly yours,  
  
Linda B. Whitehead, Esq.

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

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

**DRAFT**

**RESOLUTION NO. 42-13**

**WHEREAS**, an application for Planning Board approval of a Final Plat pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code submitted by **Beaver Brook Cortlandt, LLC** for a 16 lot cluster subdivision of a 42.43 acre parcel of property as shown on a Final Plat entitled "Subdivision Plat for Furnace Dock, Inc" latest revision dated April 11, 2011 prepared by Scott B. Gray, L.S and on a 12 page set of improvement drawings entitled "Furnace Dock Subdivision" prepared by Dan Ciarcia PE, latest revision dated April 14, 2011 was approved by Planning Board Resolution 17-11 adopted on July 6, 2011, and

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

**WHEREAS**, by Resolutions 3-12, 11-12, 21-12, 29-12, 4-13, 15-13 & 28-13 the Planning Board previously granted seven (7) 90-day time extensions the latest of which expired on September 29, 2013, and

**WHEREAS**, by a letter dated September 17, 2013 Linda Whitehead, Esq. requested the 8<sup>th</sup> 90-day time extension of Final Plat Approval to satisfy conditions of said approval.

**NOW THEREFORE BE IT RESOLVED**, that the request of Linda Whitehead, Esq. for the 8<sup>th</sup> 90-day time extension of the above mentioned Final Plat is **APPROVED** said extension to expire December 29, 2013.

**TO BE CONSIDERED FOR ADOPTION: OCTOBER 1, 2013**



39 Arlo Lane  
Cortlandt Manor, NY 10567

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

September 18, 2013

- ..... Town Board
- ..... Zoning Board
- ..... / Legal Dept.
- ..... / DOTS Director
- ..... / C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 9/19/13

DEPT. OF TECHNICAL SERVICES  
PLANNING DIVISION  
Loretta Taylor, Chairperson  
Town of Cortlandt Planning Board  
Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567

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

Dear Ms. Taylor and Members of the Planning Board:

This letter is written to request a fifth ninety day time extension of the Final Subdivision Plat approval granted by the Planning Board on April 4, 2012 via Resolution No. 9-12. Four ninety day time extensions of Final Plat approval have already been granted to this project on October 2, 2012 in Resolution No. 30-12, on January 9, 2013 in Resolution No. 2-13, on April 2, 2013 in Resolution No. 14-13 and on July 3, 2013 in Resolution No. 26-13.

We have a plat prepared with the Health Department endorsement and we have the majority of the conditions of the original Plat approval resolved. The outstanding work to be completed involves providing declarations for maintenance of the stormwater facilities to the satisfaction of the Town's Legal Department and the Director of Technical Services. Once this is completed, the appropriate fees will be paid to satisfy the approving resolution. The applicant has been working toward satisfying this condition and hopes to have it completed in the very near future.

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

Respectfully submitted,

Ronald Wegner, P.E.  
Project Engineer

Cc: Michael Ryan via e-mail  
File

**WHEREAS**, the application of **Michael Ryan** for Planning Board approval of a Final Plat pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) for a 3 lot major subdivision of a 4.33 acre parcel of property as shown on a final plat entitled "Subdivision Map prepared for Michael Ryan" prepared by William J. Simmons, L.S. latest revision dated February 9, 2012 and on a 4 page set of drawings entitled "Integrated Plot Plan" prepared by Timothy L. Cronin, III, P.E. latest revision dated December 21, 2011 was approved by Planning Board Resolution 9-12 adopted on April 3, 2012, and

**WHEREAS**, the subject property is located on the west side of Watch Hill Road at the intersection of John Alexander Drive and is designated on the Town of Cortlandt Tax Maps as Section 55.10, Block 3, Lot 8, and

**WHEREAS**, by Resolutions 30-12, 2-13, 14-13 & 25-13 the Planning Board previously granted four (4) 90-day time extensions of the final plat approval the latest of which expired on September 29, 2013, and

**WHEREAS**, by a letter dated September 18, 2013 Ronald Wegner, P.E. requested the 5<sup>th</sup> 90-day time extension to satisfy the conditions of that approval.

**NOW THEREFORE BE IT RESOLVED** that the request of Ronald Wegner, P.E. for the 5<sup>th</sup> 90-day time extension for the above mentioned Final Plat is hereby granted said time extension to expire on December 29, 2013.

**TO BE CONSIDERED FOR ADOPTION: OCTOBER 1, 2013**



WHEREAS, an application for Planning Board approval for the renewal of a Junkyard Special Permit pursuant to Chapter 307-61 of the Town of Cortlandt Zoning Ordinance was submitted by Brookfield Resource Management Inc., for the property of 2114 APR, LLC, for the renewal of a Junkyard Special Permit as shown on a drawing entitled "Brookfield Resource Management Site Plan" prepared by Nosek Engineering dated October 22, 2010, and

WHEREAS, the subject property of approximately 8.7 acres is located on the east side of New York and Albany Post Road, 300 feet north of Dutch Street and is designated on the Town of Cortlandt Tax Maps as Section 54.08, Block 2, Lots 29 and 30, and

WHEREAS, pursuant to Part 617 of the implementing regulations of Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law the subject application is a Type II action, and

WHEREAS, the Planning Board held a public hearing on the subject application as required by Section 307-41 of the Town Code at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on September 3, 2013 at 7:00 P.M., notice of which was published in the official newspaper of the Town, "The Croton-Cortlandt Gazette" and was also published in "The Journal News" and

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

WHEREAS, the subject application was referred to the Town of Cortlandt Conservation Advisory Council (CAC), the Westchester County Planning Board and the Town Engineering Division, and

WHEREAS, responses to the above mentioned referrals were considered by the Planning Board as well as comments made at the public hearing, and

WHEREAS, the front part of the subject property is zoned HC/9A, Highway Commercial/Multi Family to a depth of 200 feet and the remainder of the property is zoned M-1, Light Industrial, and

WHEREAS, the Planning Board considered this renewal of a Junkyard Special Permit pursuant to the requirements, conditions and standards contained in Sections 307-40, 307-41, 307-42 and 307-61 of the Town of Cortlandt Zoning Ordinance, and

WHEREAS, pursuant to Section 307.61 of the Zoning Ordinance the Planning Board previously granted several three year renewals for a junkyard special permit to the prior owner of the property Michael Kaufman, and

WHEREAS, the subject premises was acquired by Brookfield Resource Management Inc. and the Planning Board conducted a thorough review of a new Site Plan and Junkyard Special Permit application by PB Case No. 9-09 and issued Site Development Plan approval and a Junkyard Special permit by PB Resolution 56-10 adopted on December 7, 2010, and

WHEREAS, the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

**NOW THEREFORE BE IT RESOLVED** that the Planning Board as lead agency in this matter finds 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

**FURTHER BE IT RESOLVED**, that the application of **Brookfield Resource Management** for the property of 2114 APR, LLC for the renewal of the Junkyard Special Permit pursuant to Section 307-61 of the Town of Cortlandt Zoning Ordinance to allow the continued operation of Brookfield Resource Management is **approved** for a period of three years subject to the conditions listed below, and

**FURTHER BE IT RESOLVED**, that the granting of this special permit is in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood and will not change the character thereof, or otherwise be detrimental to the public welfare.

**CONDITIONS & MODIFICATIONS:**

1. **The applicant is to reapply for renewal of said permit three months prior to December 7, 2016 which is the expiration date of the Special Permit issued by this Resolution.**
2. **The applicant shall maintain his property in compliance with all laws, regulations and ordinances of the Town of Cortlandt as determined by the Division of Code Administration and Enforcement and all other governmental agencies having jurisdiction.**
3. **The applicant shall continue to provide quarterly traffic reports to the satisfaction of the Director of Technical Services and the Planning Board.**

(continued on page 3)

4. The applicant is advised that the Town's Environmental Consultant will conduct a site visit as part of the required site landscaping monitoring protocol for the landscaping both along the property frontage on Route 9A and within the water quality basins as per condition #10 of Planning Board Resolution 56-10.

TO BE CONSIDERED FOR ADOPTION: OCTOBER 1, 2013



**TOWN OF CORTLANDT**  
**DEPARTMENT OF TECHNICAL SERVICES**  
**CODE ENFORCEMENT DIVISION**

**LINDA D. PUGLISI**  
 TOWN SUPERVISOR  
**TOWN BOARD**

JOSEPH D. CERRETO  
 FRANCIS X. FARRELL  
 ANN LINDAU  
 JOHN E. SLOAN

TOWN HALL, 1 HEADY STREET, CORTLANDT MANOR, NY 10567  
 (914)-734-1010  
 FAX (914)-734-1025  
<http://www.townofcortlandt.com>  
 e-mail: [code@townofcortlandt.com](mailto:code@townofcortlandt.com)

**EDWARD VERGANO, P.E.**  
 Director

**KEN HOCH**  
 Assistant to the Director

**TO: CHRIS KEHOE**  
**DEPUTY DIRECTOR, PLANNING**

**FROM: KEN HOCH**  
**ASSISTANT TO THE DIRECTOR, DOTS**  
**CODE ENFORCEMENT**

**RE: FRONTIER DEVELOPMENT**  
**3025 E Main St.**  
**PB #7-13**  
**ZBA Case #2013-22**

**DATE: Sept. 23, 2010**

Copies ..... 7 Planning Board  
 ..... Town Board  
 ..... Zoning Board  
 ..... Legal Dept.  
 ..... DOTS Director  
 ..... C.A.C.  
 ..... A.R.C.  
 ..... Applicant  
 ..... David Skornitz, E.g.  
 .....  
 Sent 9/24/13

At the Sept. 18<sup>th</sup> meeting, the Zoning Board indicated they would be in favor of granting the requested variances for the side yard setback, front yard parking setback, parking area landscaping requirement, number of parking spaces and variances for the size of the wall signage. The Board is not in favor of granting sign variances for the East and West building facades (buildings that face each other). A final ZBA Decision and Order will be issued upon completion of the Planning Board review.

*KA*