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CONSERVATION ADVISORY COUNCIL (CAC)  
TOWN OF CORTLANDT  
TOWN HALL, 1 HEADY STREET  
CORTLANDT MANOR, NY 10567

- ..... Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director

JOHN E. MILMORE, CHAIRMAN

- MEMBERS:
- PAUL BUCKHOUT
  - VIKI GOLDBERG
  - BRENDAN MURPHY

PHONE: (914) 730-1002  
CORTLANDTCAC@GMAIL.COM

..... A.R.C.  
TOWN BOARD LIASON  
ANN BINDA, Applicant

PLANNING DEPT LIASON David Skumetz, A/E

CHRIS KEHOE  
..... Tim Curran

Sent April 2, 2012

Memo To: Planning Board, Town of Cortlandt  
CC: Supervisor Linda D. Puglisi  
Date: April 1<sup>st</sup> 2012  
Re: PB 1 - 11 Hanover Estates

All of the CAC members including the chairman participated in today's site walk through Hanover Estates. As you know, this is a very important 35.9 acre property that has steep slopes, wetlands, and significant wooded areas.

A Biodiversity and Natural Resource Assessment was presented to the Town by Steven W. Coleman Environmental Consulting in December 2011. Although this report does not reference the alternative layouts, we assume that Mr. Coleman based his observations on what is now called alternative 1. The following statement appears on page 14 of this report:

*The proposed subdivision plans as presented, essentially develop 100 % of the buildable areas of the property. The subdivision will require extensive removal of existing trees and essentially eliminates any remaining habitat for resident wildlife species. Consideration should be given to reducing the density to a more reasonable level and changing the design to preserve more of the character of the remaining forested areas.*

We agree wholeheartedly, and a walk through the woodlands on the northern portion of the property made us more aware of precious resources that need to be protected. Furthermore, Mr. Coleman states (p 13) that: *The construction of a dog park immediately adjacent to a wetland will create additional impacts to the functions of the wetland. The increase in pet wastes will introduce additional pathogens to resident wildlife species that utilize the wetland area.*

Another major issue that needs to be addressed is *traffic*. Alternative 9 includes a proposal for a *soccer field with parking to accommodate 89 vehicles*. The Town's Traffic Safety Advisory Committee has already gone on record stating that traffic resulting from a new soccer field in this location will be "a disaster." Please recall that Croton Avenue represents the *only* means of access for several developments, including Apple Hill, Cortlandt Ridge, Lynwood Gardens, and Peachwood. This road is already burdened with heavy traffic including a large number of school buses, especially when there is a sporting event at one of the three athletic fields at adjacent Walter Panas High School. Please note that the Mohegan Fire House would be sandwiched between Panas and the entranceway of the proposed soccer field, so that a queue of cars from the fields could delay the dispatching of emergency vehicles.

Based on these considerations, the CAC concluded that none of the proposed alternatives are acceptable without major modifications. We will be discussing this matter at our meeting on Thursday, April 5<sup>th</sup>, after which we will be able to provide additional recommendations.



March 30, 2012

\* Possible Addition to Agenda \*

MR. Thomas Bianchi,  
Acting chair,  
Town of Cortlandt Planning Board

Dear Sir,

I am the owner of Lou's Corner Deli. Recently as you know I have completely renovated the deli. Lot of customer's are asking to put tables outside. I would like to put two tables outside on the right hand corner facing the deli next to Ice Box. Also I will like to Donate one for the park in front of store. Please find attached 2 pages with table size, color and material.

I hope it will be convenient to customers  
And also liked by the board

Thank's

Sincerely yours

VED PARKASH  
32 Tea House LN  
Brooklyn N.Y 10509

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

Ph. 845 - 225 - 7775

FAX 845 225 - 1392

April 2, 2012

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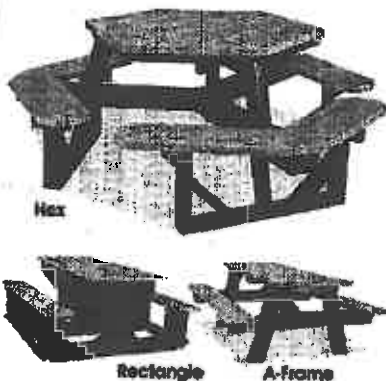
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Home > Facilities Maintenance > Outdoor Furniture > Recycled Plastic Picnic Tables

## Recycled Plastic Picnic Tables

Virtually maintenance free! Recommended for warehouse patios, campgrounds, schools and parks.

- 100% recycled UV protected plastic won't rot, splinter or crack. Withstands harsh weather.
- Natural-looking wood material never needs sanding, sealing, painting or staining.
- Durable 2" thick planks predrilled for easy assembly.
- **Rectangle** - Walk-through design for easy access.
- Coordinating **Benches** and **Receptacles** available.



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2 YEAR WARRANTY

MODEL NO.	DESCRIPTION	SIZE L x W x H	WEIGHT (LBS.)	PRICE EACH		ADD TO CART	
				1	3+	1	ADD
H-2560	Hex	72" Diam. x 30" H	250	\$710	\$680	1	ADD
H-2561	6' Rectangle	72 x 81 x 30"	410	690	640	1	ADD
H-2562	8' Rectangle	96 x 61 x 30"	450	835	785	1	ADD
H-2563	6' A-Frame	72 x 61 x 30"	280	725	675	1	ADD
H-2564	8' A-Frame	96 x 61 x 30"	450	900	850	1	ADD

DROP SHIPS IN 1 DAY FROM KS UNASSEMBLED VIA MOTOR FREIGHT

### MOUNTING HARDWARE

MODEL NO.	DESCRIPTION	FITS	PRICE EACH	ADD TO CART
H-2565	Recycled Table and Bench Mounting Hardware	Hex, Rectangle, A-Frame and Benches	\$20	1 ADD

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## Metal Picnic Tables



Uline loves these! Attractive, rugged and built to last. Give your corporate office patio an upscale look.

- Thermoplastic coating withstands heat, cold and all weather elements.
- High gloss, smooth surface allows for easy spray paint and graffiti removal.
- 9 gauge expanded metal with 2" black steel frame.
- Rounded corners for added safety.
- ADA Picnic Tables – Wheelchair access. Round and square tables have one less bench. Rectangle table has shorter benches.
- Coordinating Umbrella and Base, Benches, and Receptacles available.

[Larger Text](#)

### STANDARD METAL PICNIC TABLES



MODEL NO.	DESCRIPTION	SIZE L x W x H	WEIGHT (LBS.)	PRICE EACH		ADD TO CART
				1	3+	
H-2126	46" Square	80 x 80 x 30 1/2"	265	\$720	\$670	<a href="#">Specify Color</a>
H-2127	46" Round	81 x 81 x 30 1/2"	255	740	690	<a href="#">Specify Color</a>
H-2128	6' Rectangle	72 x 69 x 30 1/2"	210	650	600	<a href="#">Specify Color</a>
H-2129	8' Rectangle	96 x 69 x 30 1/2"	280	700	650	<a href="#">Specify Color</a>

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### METAL ADA PICNIC TABLES

MODEL NO.	DESCRIPTION	SIZE L x W x H	WEIGHT (LBS.)	PRICE EACH		ADD TO CART
				1	3+	
H-2671	46" ADA Square	80 x 80 x 30 1/2"	230	\$700	\$650	<a href="#">Specify Color</a>
H-2672	46" ADA Round	81 x 81 x 30 1/2"	220	720	670	<a href="#">Specify Color</a>
H-2673	8' ADA Rectangle	96 x 69 x 30 1/2"	270	680	630	<a href="#">Specify Color</a>

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### MOUNTING HARDWARE

MODEL NO.	DESCRIPTION	FITS	PRICE EACH	ADD TO CART
H-2300	46" Mounting Hardware	Square or Round Tables	\$30	<input type="text" value="1"/> <input type="button" value="ADD"/>
H-2301	6' and 8' Mounting Hardware	Rectangle Table and Benches		<input type="text" value="1"/> <input type="button" value="ADD"/>

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# gemmola & associates

Architects/planners

317 elwood avenue hawthorne, n.y. 10532 914-862-0202 fax 914-862-0204

DEPT. OF TECHNICAL SERVICES  
PLANNING DIVISION

21 March, 2012

Town of Cortlandt  
Code of Enforcement  
111 Oregon Road  
Cortlandt Manor, NY 10567

*pb 12-07*

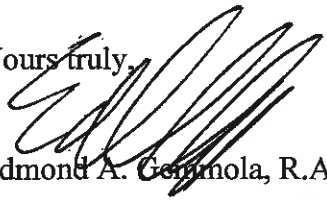
Att: Edward Vergano, P.E.

Re: Hilltop Nursery Temporary Greenhouse

Dear Edward:

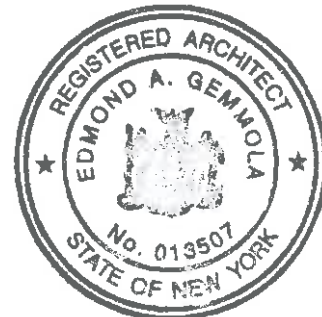
Please be informed that this office inspected the Greenhouse manufactured by "Poly-Tex Greenhouse & Display Systems". To the best of our knowledge, the Greenhouse conforms to the New York State Building Code chapter 31, special construction as applies to temporary membrane structures, and installed as per manufacturer's specifications.

Yours truly,



Edmond A. Gemmola, R.A. A.I.A.

Copies ..... <sup>9</sup> Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept.  
..... DOTS Director  
..... C.A.C.  
..... A.R.C.  
..... Applicant  
..... \_\_\_\_\_  
..... \_\_\_\_\_  
Sent 3/23/12







Hill Top Nurseries LLC  
190 Furnace Dock Rd.  
Cortlandt Manor, NY 10567  
(914) 943-7052

March 21, 2012

*PB 12-07*

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

Dear Ms. Taylor

I am seeking a building permit for greenhouses that have already been erected. These are temporary structures and at a later date will be removed to make room for permanent barn and greenhouse structures. Unfortunately, I assumed that since they are temporary, there was no need for a permit. These structures will be used to protect plant material and act as covered shopping area for customers.

Furthermore, I am seeking approval for property elevation adjustments to allow for installation of landscape buffer screen along the route 9 southbound ramp. The elevation in a portion of this area has been adjusted.

Lastly, I am seeking adjustment to parking plan for commercial and residential property.

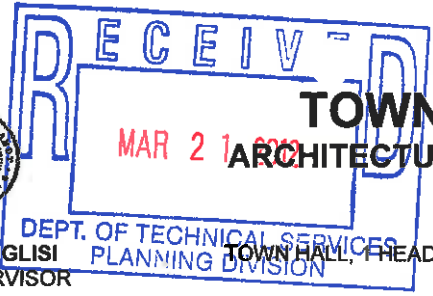
It would be appreciated if The Planning Board could expedite solution for greenhouses. This is a critical time of the year for the garden center industry and my business will need to use the property with or without the greenhouses. These greenhouses were built to conform to the New York State building code.

I look forward to working with you and members to resolve these issues.

Sincerely,

Brian R. Panessa

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..... A.R.C.  
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Sent 3/23/12



# TOWN OF CORTLANDT ARCHITECTURAL ADVISORY COMMITTEE

LINDA D. PUGLISI  
TOWN SUPERVISOR

TOWN HALL, HEADY STREET, CORTLANDT MANOR, NY 10567

914-734-1080  
FAX 914-788-0294

[www.townofcortlandt.com](http://www.townofcortlandt.com)  
Planning Staff e-mail:  
chris@townofcortlandt.com

Arthur Clements, AIA  
Chairman

**TOWN BOARD MEMBERS**

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Francis X. Farrell  
Ann Lindau  
John E. Sloan

Members:  
Christopher Borchardt, AIA  
Michael Lenihan  
Kimberly Miller, AIA  
Daniel Shure

Memorandum To: Chris Kehoe  
From: Art Clements  
Subject: CRP Sanitation Building  
Date: March 21, 2012

*pb 11-11*

The drawings for this Project including: the Site Plan dated 3/16/2012 (Rev. Date) by Cronin Engineering and; the Building Floor Plan and Elevations dated 3/15/20102 by Gemolla & Associates have been reviewed.

It is our opinion that the building, as proposed, is appropriate for the proposed use and location.

*7*

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- ..... A.R.C.
- ..... Applicant
- ..... *Tom Gunn, III, P.E.*
- .....
- .....

Sent 3/21/12



FRANK S McCULLOUGH, 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  
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**McCULLOUGH, GOLDBERGER & STAUDT, LLP**  
ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 840  
WHITE PLAINS, NEW YORK  
10605

(914) 949-8400

FAX (914) 949-2510

WWW.McCULLOUGHGOLDBERGER.COM

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..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 3/21/12

March 21, 2012

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. In January you granted a first 90 day extension of the conditional approval.

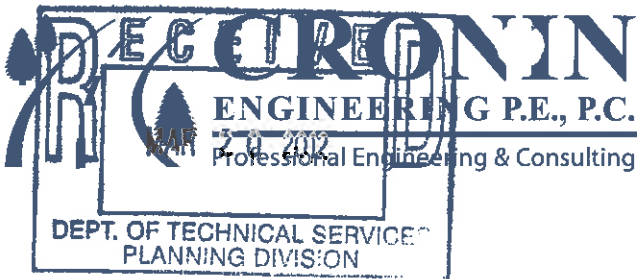
We hereby request a second ninety (90) day extension of the final plat approval and the time to satisfy the conditions of the approval. Among other things, we are still working out the details for the performance bond with the Town.

We would appreciate if this extension request could be placed on the agenda for your April 3, 2012 meeting. Thank you for your consideration

Very truly yours,

Linda B. Whitehead

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



39 Arlo Lane  
Cortlandt Manor, NY 10567

T: (914) 736-3664 F: (914) 736-3693

March 14, 2012

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- ..... Town Board
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- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant

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. 26-11**  
**4<sup>th</sup> Time Extension**  
**Maple Avenue Subdivision**

Sent 3/20/12


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 2-11. At this time, we are requesting a 4<sup>th</sup> ninety (90) day time extension from the 3<sup>rd</sup> ninety (90) day time extension which was issued at the January 4, 2012 Planning Board meeting.

The applicant continues working on the completion of the conditions of the Subdivision Plat approval. Most of the currently outstanding conditions are legal, and we believe that the conditions will be satisfied in the very near future.

I would kindly request that this item be placed on the Tuesday April 3, 2012 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.

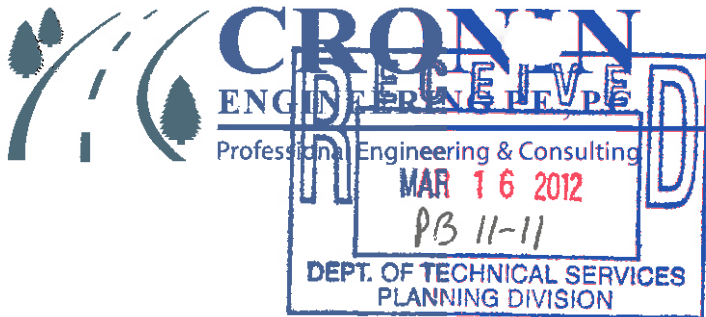
Respectfully submitted,



James W. Teed, Jr.  
Project Designer

cc: Joe Picciano

Planning Board-Picciano-Maple Ave-Sub-Time Ext-JWT-20120314.doc



39 Arlo Lane  
Cortlandt Manor, NY 10567

T: (914) 736-3664 F: (914) 736-3693

March 16, 2012

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

Re: **Amended Site Plan Approval for  
CRP Sanitation, Inc.  
2 Bayview Road  
Cortlandt, New York  
Tax Map Designation: 22.19-1-1**

Copies ..... 7  
..... Planning Board  
..... Town Board  
..... Zoning Board  
..... Legal Dept. (with drawing)  
..... DOTS Director  
..... C.A.C. via email  
..... A.R.C.  
..... Applicant  
.....  
.....  
Sent 3/19/12

Dear Chairperson Taylor and the Members of the Planning Board:

Attached please find the following items regarding the above referenced project:

- EX-1.1 - Existing Conditions, dated 11-22-2011, revised 03-16-2012
- SP-2.1 - Amended Site Plan, dated 11-22-2011, revised 03-16-2012

It should be noted that once the architectural floor plan was completed it was necessary to shift the proposed steel building to the southeast 14-feet to accommodate three (3)-garage bays on the front side of the building. The proposed building as staked out for the site inspection on March 4<sup>th</sup> reflected this change. The three (3) garage bays will also require the elimination of four (4) existing parking spaces and removal of the existing concrete sidewalk located on the side of the office area. The number of parking spaces in the proposed condition still exceeds the number of required parking spaces. The plan proposes additional bollards at the existing diesel fuel tank as noted at the site inspection. Bollards are also proposed at each garage bay and other miscellaneous locations where necessary.

Building elevations are complete and have been submitted with the proposed/existing floor plan drawing under separate cover by Gemmola & Associates, Architects.

We look forward to discussing the project further at the Public Hearing on April 3, 2012. If you have any questions or require additional information please do not hesitate to contact me at the above number. Thank you for your time and consideration in this matter.

Respectfully submitted,

James C. Annicchiarico  
Project Engineer

enclosures

cc: Edward J. Vergano, P.E., Director, Department of Technical Services  
Christopher Kehoe, AICP, Deputy Director, Planning Division  
CRP Sanitation, Inc.  
File: CRP Sanitation-2 Bayview Rd-ASDP-Planning Board-Letter-JCA-20120316.doc



RALPH G. MASTROMONACO, P.E., P.C.  
Consulting Engineers  
13 Dove Court, Croton-on-Hudson, New York 10520  
Tel: (914) 271-4762 Fax: (914) 271-2820

Civil / Environmental  
www.rgmpepc.com

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

March 8, 2012

Hand Delivered

*pb 21-08*

Re: Proposed Subdivision for Nida Associates, Inc.  
Section 67.06, Block 3, Lots 7, 8, 9 & 10  
Town of Cortlandt, New York

Dear Chris:

Please find enclosed the following information in application for Final Subdivision Plat approval.

1. Fourteen (14) copies of the Subdivision Plat prepared for Nida Associates, Inc dated June 7, 2011 revised December 3, 2011 (11" x 17") and approved by the Westchester County Department of Health on March 2, 2012,
2. Previously, we submitted the following information:
  - a. Town of Cortlandt Planning Board Application, dated December 12, 2011,
  - b. Check in the amount of \$1,000.00 for Subdivision Final Approval fee,
  - c. Declaration of Easements (access and utility),

The above materials represent application for a subdivision of property that received Preliminary Approval by Resolution No. 1-11.

The Declaration of Easement was submitted directly to the Town Legal Department. We have obtained the Westchester County Department of Health approval of the Plat.

We are requesting placement on the agenda of the April 3, 2012 meeting of the Planning Board for consideration of Final Subdivision Approval.

Please call me if you have any questions.

Sincerely,

Ralph Mastromonaco  
Enclosures  
cc: Heino Bastys

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- ..... Zoning Board
- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Sent 3/9/12



**TOWN OF CORTLANDT  
PLANNING BOARD  
PB 20-06**

**DRAFT**

**RESOLUTION NO. 10-12**

**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 the Planning Board previously granted three (3) 90-day time extensions the latest of which expired on March 31, 2012, and

**WHEREAS**, by a letter dated March 14, 2012 James W. Teed, Jr. requested the 4<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 4<sup>th</sup> 90-day time extension of the above mentioned Final Plat is **APPROVED** said extension to expire June 29, 2012.

**TO BE CONSIDERED FOR ADOPTION: APRIL 3, 2012**

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

**DRAFT**

**RESOLUTION NO. 11-12**

**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 Resolution 3-12 the Planning Board previously granted the 1<sup>st</sup> 90-day time which expires on April 3, 2012

**WHEREAS**, by a letter dated March 21, 2012 Linda Whitehead, Esq. requested the 2<sup>nd</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 2<sup>nd</sup> 90-day time extension of the above mentioned Final Plat is **APPROVED** said extension to expire July 2, 2012.

**TO BE CONSIDERED FOR ADOPTION: APRIL 3, 2012**

**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) was submitted by **Michael Ryan** 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, 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**, the technical requirements of Article 8 of the New York State Environmental Conservation Law were satisfied for the proposed action which is classified as an unlisted action and Parts I & II of the Full Environmental Assessment form were completed for this application and a negative declaration was adopted by the Planning Board on November 5, 2008, 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 on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on July 1, 2008, which was adjourned to August 5, 2008, September 3, 2008 and October 7, 2008, 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**, on November 5, 2008 by Resolution 57-08 the Planning Board granted conditional Preliminary Plat Approval to the subject application, and

**WHEREAS**, said plat contains the approval of the Westchester County Department of Health, and

**WHEREAS**, the Planning Board reviewed the record of this application and of preliminary plat approval and deems the subject final plat to be in substantial agreement with the approved preliminary plat, therefore no final public hearing is required for this application.

**NOW THEREFORE BE IT RESOLVED**, that 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) of the Town of Cortlandt Code 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 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. 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 (b) an electronic AutoCAD file or a CD of the final plat.**
- 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 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**
- 5. File a declaration in recordable form to require regular and proper maintenance of on site stormwater facilities in accordance with the manufacturer's requirements to the satisfaction of the Town Legal Department and the Director of Technical Services.**

- 6. Prior to the Chairperson signing the final plat the applicant shall prepare and submit a restoration plan for the wetland to remove invasive plants and plant native wetland vegetation and shall fund, in the amount of \$1,000, the review of the plan by the Town's wetland consultant.**
- 7. Payment to the Town of Cortlandt of a \$12,000 recreation fee.**

**TO BE CONSIDERED FOR ADOPTION: APRIL 3, 2012**

**TOWN OF CORTLANDT  
PLANNING BOARD  
PB 10-11**

**DRAFT**

**RESOLUTION NO. 8-12**

**WHEREAS**, an application for Planning Board approval of the renewal of a Special Permit for a Licensed Nursery/Day Care Center as per Section 307-65.4 of the Town of Cortlandt Zoning Ordinance was submitted by **Percy & Barbara Montes** to allow the continued operation of an existing Day Care Center as shown on a drawing entitled "Site Plan" prepared by Theodore Strauss, R.A. latest revision dated June 11, 2007.

**WHEREAS**, the subject is located at 18 Radio Terrace and is designated on the Town of Cortlandt Tax Maps as Section 23.05, Block 4, Lot 1, and

**WHEREAS**, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part I of the Short Environmental Assessment Form dated February 14, 2012, and

**WHEREAS**, a Public Hearing was held pursuant to Chapter 307-41 (Zoning) of the Town of Cortlandt Code on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York at 7:00 p.m. on March 6, 2012, and

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

**WHEREAS**, the subject Public Hearing Notice was mailed to property owners within approximately 1,000 feet from the subject property and the subject property was posted with a sign giving notice of the public hearing, and

**WHEREAS**, the subject application was referred to the Conservation Advisory Council (CAC), the Department of Technical Services Code Enforcement Division and the Fire Advisory Board, and

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

**WHEREAS**, the Planning Board considered this renewal of a Special Permit for a Licensed Nursery/Day Care Center pursuant to the requirements, conditions and standards contained in Sections 307-40, 307-41, 307-42 and 307-65.4 of the Town of Cortlandt Zoning Ordinance, and

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WHEREAS, the Planning Board originally approved a Site Plan and Special Permit for the day care center by Planning Board Resolution 22-07 adopted on April 11, 2007, and

WHEREAS, the Planning Board conducted a site inspection of the subject premises.

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

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

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existing uses

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

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

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

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

**FURTHER BE IT RESOLVED** that the Planning Board as lead agency in this matter finds that based on Part 1 of the Short Environmental Assessment Form (EAF) prepared by Barbara Montes dated, February 14, 2012 and Part II of the Short EAF prepared by the Planning Division dated April 3, 2012 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 Percy and Barbara Montes for the renewal of a Special Permit for a Licensed Nursery/Day Care Center as per Section 307-65.4 of the Town of Cortlandt Zoning Ordinance to allow the continued operation of the existing day care center is **approved** for a period of five (5) 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

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and will not change the character thereof or otherwise be detrimental to the public welfare.

**CONDITIONS AND MODIFICATIONS:**

- 1. The applicant is to re-apply for the renewal of said special permit by October 3, 2016 (six months prior to April 3, 2017) which is the expiration date of the Special Permit issued by this Resolution.**
- 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. The applicant shall maintain the property in compliance with all laws, regulations and ordinances of the Town of Cortlandt as determined by the Division of Code Enforcement and Administration and all other governmental agencies having jurisdiction.**

**TO BE CONSIDERED FOR ADOPTION: APRIL 3, 2012**