

Right to Know / FOIL

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

DRAFT

RESOLUTION NO. 18-17

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

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

WHEREAS, the subject property has received three (3) six-month time extensions by Resolutions 8-16, 17-16 and 1-17, the latest of which expired on September 1, 2017, and

WHEREAS, by a letter dated July 28, 2017 Brad K. Schwartz, Esq. requested the 4th six-month time extension of Preliminary Plat approval in order to perfect the application prior to submitting for final approval.

NOW THEREFORE BE IT RESOLVED, that the request of Brad K. Schwartz, Esq. for the 4th six-month time extension of the above referenced Preliminary Plat is **approved** said extension to expire on March 1, 2018.

TO BE CONSIDERED FOR ADOPTION: SEPTEMBER 5, 2017

ZARIN & STEINMETZ



By Regular Mail and Email

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

- Copies 7 Planning Board
- Town Board
- Zoning Board
- Legal Dept.
- DOTS Director
- C.A.C.
- A.R.C.
- August 3, 2017 Applicant

- David J. Cooper
- Jody T. Cross
- Katelyn E. Ciolino
- Michael J. Cunningham
- Marsha Rubin Goldstein
- Helen Collier Mauch
- Zachary R. Mintz
- Daniel M. Richmond
- Kate Roberts
- Brad K. Schwartz
- Lisa F. Smith
- David S. Steinmetz
- Edward P. Teyber
- Michael D. Zarin

Also admitted in D.C.
Also admitted in CT
Also admitted in NJ

Sent 8/3/17

Re: Kirquel Development, Ltd. (PB No. 13-05)
Request For Additional Extension of Final Plat Approval

Dear Chairman Taylor and Members of the Planning Board:

We represent Kirquel Development, Ltd. in connection with its residential subdivision located at the south end of Mill Court Crossing. The Planning Board granted Final Plat Approval by Resolution No. 10-16, adopted on March 1, 2016.

The Applicant respectfully requests an additional 90-day extension of Final Plat approval. The reason for this request is that the Applicant is continuing to work with its consultants to satisfy the conditions of its Approval. We request placement on your Board's September 2017 agenda.

Please do not hesitate to contact us if you have any questions.

Respectfully submitted,
ZARIN & STEINMETZ

By:
David S. Steinmetz
Brad K. Schwartz

cc: Mr. Michael Sheber
Tim Cronin, III, PE
John J. Klarl, Esq.
Chris Kehoe, AICP
Michael Preziosi, PE

WHEREAS, the application of **Kirquel Development LTD** for Final Plat approval pursuant to Sections 276 and 277 of the New York State Town Law and Chapter 265 (Subdivision Regulations) of the Town of Cortlandt Code for Phase II of the Mill Court Crossing Subdivision, a proposed 14 lot major subdivision (13 building lots and 1 open space parcel) of a 38.28 acre parcel of property located at the south end of Mill Court as shown on an 21 page set of drawings entitled "Site Development and Subdivision for Residences at Mill Court Crossing" prepared by Cronin Engineering, P.E., P.C. latest revision dated January 22, 2016 and on a Plat entitled "Mill Court Crossing Subdivision" prepared by Fehringer Surveying, P.C. latest revision dated October 28, 2015 was approved by the Planning Board by Resolution 10-16 adopted on March 1, 2106, and

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

WHEREAS, by PB Resolutions 18-16, 26-16, 2-17 & 6-17 the Planning Board previously granted four (4), 90-day time extensions, the latest of which expired on August 23, 2017, and

WHEREAS, by a letter dated August 3, 2017 David Steinmetz, Esq. requested the 5th 90-day time extension to satisfy conditions of said approval.

NOW THEREFORE BE IT RESOLVED, that the request of David Steinmetz, Esq. for the 5th 90-day time extension of the above referenced Final Plat is approved said extension to expire on November 21, 2017.

TO BE CONSIDERED FOR ADOPTION: SEPTEMBER 5, 2017

WHEREAS, the Planning Board approved by Resolution 19-16 adopted on September 6, 2016 a request from Joseph Marazino of Get It and Go Inc. for the parking of U-Hauls and rental cars in a defined area as (3CB-4CB) behind the Wal-Mart store at the Cortlandt Town Center as shown on a plan submitted to the Board, and

WHEREAS, by letter dated November 21, 2016 Thomas Eikhof of Acadia Realty Trust, the property owner, requested that during the holiday season the U-Hauls be moved away from area 3CB-4CB in order to lessen congestion in the area behind Wal-Mart and that the trailers be located in an area behind building C, (UA Cinema) and defined as CB11-CB12 and shown on the site plan, and

WHEREAS, the U-Hauls and rental cars had previously been located in this area with no complaints, and

WHEREAS, the Planning Board approved said request by motion on January 3, 2017 however the Board required the applicant to return to the Planning Board in September 2017 for the Board to revisit the location, and

WHEREAS, by letter dated August 17, 2017 Thomas Eikhof stated the property owner has no objection to the U-Hauls and rental cars remaining in the area behind Building C (UA Cinema) defined as CB 11- CB 12, and

WHEREAS, the Department of Technical Services has not received any complaints regarding the parking in this area.

NOW THEREFORE BE IT RESOLVED, that the request of Tom Eikhof for the relocation of the parking of U-Hauls and rental cars to area CB 11-12 behind Building C, as shown on the attached plan, is hereby **approved** subject to the following conditions:

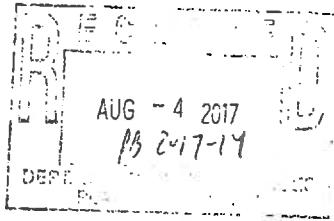
CONDITIONS AND MODIFICATIONS:

- 1) U-Haul parking will only be permitted in the area highlighted on the attached site plan of the Cortlandt Town Center.
- 2) If complaints are received by the Department of Technical Services that the area of parking has expanded beyond the approved location the applicant will be required to return to the Planning Board for review of the site operations.

TO BE CONSIDERED FOR ADOPTION: SEPTEMBER 5, 2017

Date: August 3, 2017

From: William J. Holstein
260 Furnace Dock
Cortlandt Manor, NY 10567



To: Chris Kehoe
Department of Planning
Town of Cortlandt

Sent _____
.....
.....
Applicant.....
.....A.R.C.
.....C.A.C.
.....DOTS Director
.....Legal Dept.
.....Zoning Board
.....Town Board
.....Planning Board

Dear Mr. Kehoe:

We are in the process of selling our home to the Swider Irrevocable Family Trust. Their lawyer is asking us to renew the Certificate of Occupancy for the accessory apartment located inside our home. It expired when Carola Mann sold the house and a subsequent owner, Mara Barkley, never renewed it. We also never renewed it because we were not aware of the language that the CO for the apartment expires when an owner moves on. Plus, we had no intention to ever rent it out.

We purchased the home in 2010 and have made no changes to the apartment, other than upgrading the refrigerator and dishwasher located in its kitchen. All room sizes and entryways remain exactly the same as they were when we bought the house.

I would estimate that it represents one sixth of the area of our 3,200 square feet so it is within your space requirements.

We are scheduled to close on the purchase of a new home by September 15. We need to sell this house before we can close on the purchase because we need to apply the equity in this home to the purchase. We have gone to contract on both our sale and purchase, and our purchase contract specifies that closing date.

I will pick up a copy of your application form tomorrow and get that right back to you fully notarized. I cannot print out a legal sized document. I also will give you a check for \$250 before the cut-off for the September 5 meeting of the Planning Board.

Is there any way to expedite this matter so that we can get closure before the September 5 meeting?

Sincerely,
Bill Holstein
Bill Holstein

Copies 7 Planning Board
..... September 5
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.R.C.
..... Applicant
.....
.....
Sent 8/21/17

7
Copies Planning Board

**TOWN OF CORTLANDT
PLANNING BOARD APPLICATION**

..... Zoning Board

CHECK APPROVAL (S) REQUESTED

- Lot Line Adjustment
- Preliminary Subdivision
- Conventional
- Cluster-open space
- Final Subdivision
- Site Development Plan
- Site Development Plan Amendment
- Special Permit
- Wetlands Permit
- Steep Slopes Permit

..... Legal Dept. For Official Use Only:

..... DOTS Director PB No. 2017-14

..... C.A.C. Date Received 8/9/17

..... A.P.O. Fee Paid \$250.00

..... Applicant

.....

..... 8/21/17

1. Name of Proposed Development RE-APPROVAL OF EXISTING ACCESSORY APARTMENT
2. Name of Applicant SWIDER FAMILY IRREVOCABLE TRUST Phone AS CONTRACT VENDOR
Address 110 NORTH STREET, BROOKLYN NY 11249
Street No. & Name Town State Zip
3. Owner of Record WILLIAM J. HOLSTEIN Phone 914-400-5596
Address 260 FURNACE DOCK, Cortlandt Manor NY 10567
Street No. & Name Town State Zip
4. Engineer/Architect _____ Phone _____
Address _____
Street No. & Name Town State Zip
5. Land Surveyor _____ Phone _____
Address _____
Street No. & Name Town State Zip
6. Attorney MATTHEW METZ Phone 914-243-5563
Address 3535 HILL BLVD. YORKTOWN HEIGHTS NY 10598
Street No. & Name Town State Zip
7. Site Location: On the southern side of Furnace Dock Road
(direction) (street)
_____ feet _____ of _____
(direction) (street)
8. Tax lot designation: Section: 85-12 Block 2 Lot(s) 11
9. Total Area: _____ No. of Lots _____ Sq. Ft. of Building _____
Zoning Dist. _____ Proposed Use _____ No. Of Parking Spaces _____
10. If this application is for a cluster-open space subdivision give date and
Resolution number of Town Board authorization. Date: NR Res. # NA

PLEASE CHECK APPROPRIATE SPACE: I consent to the extension of MARY E. BREINING zoning and review period. See instructions item # 4.

YES MARY E. BREINING Receiver of Taxes, Town of Cortlandt

CONFIRMATION ALL TAXES PAID: Mahette-Lewis Date: AUG 18 2017
Receiver of Taxes

STATE OF NEW YORK;)
COUNTY OF WESTCHESTER:) SS
TOWN OF CORTLANDT)

I, WILLIAM HOLSTEIN hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Mailing Address
260 FURNACE DOCK
Cortlandt Manor, NY
10567

SWORN to before me this
7 day of August, 2017
NOTARY PUBLIC [Signature]

FREDRICK R VANHALL
NOTARY PUBLIC STATE OF NEW YORK
WESTCHESTER COUNTY
LIC. #01VA6132919
COMM. EXP. 05/19/2021

GENERAL INSTRUCTIONS

P L E A S E R E A D

1. Attach hereto a copy of the duly filed deed indicating the current ownership of the subject property. EVENT OF CORPORATION OWNERSHIP: A list of all directors, officers and major stockholders of each corporation must be attached. If applicant is a **contract vendee**, then attach a copy of the duly executed contract of sale.
 2. If the applicant is a **tenant** submit a copy of the lease agreement and have the owner of the property sign and have notarized the statement below.
 3. The applicant shall submit a list of the names and addresses of all **adjoining property owners** and of those property owners directly across all road frontages adjoining the proposed development. The list shall also contain the Town of Cortlandt current Tap Map Section, **Block and Lot** designation for each parcel.
 4. NYS Town Law obligates the Planning Board to conduct a Public Hearing with respect to a preliminary or final subdivision plat, conforming to local requirements, within 62 days following receipt of same by the Planning Board Clerk. Likewise, NYS Town Law requires the Planning Board to approve, disapprove or approve with modifications, a proposed site plan within 62 days after same has been filed with the Planning Board or, if a Public Hearing was held on the plan within 62 days after such hearing. Due to the complexity of many proposals and the numerous technical and procedural requirements of all the applicable laws and regulations, many applications may be found to be incomplete or deficient and, therefore, not ready for Public Hearing nor Planning Board approval. Thus a determination based upon all pertinent facts and circumstances cannot always be rendered by the Planning Board within the 62 days. To do so might result in a disapproval when, with further information or changes, and SEQR compliance, approval or approval with modifications might otherwise occur. In such cases, Planning Board staff will notify the applicant of missing or incomplete items as soon as possible.
- In light of the above, you are asked to indicate, by checking the appropriate box on the front page of this application, whether you consent to the extension of the 62 day public hearing period or review period, for so long as may reasonably be necessary to generate a submission which is complete and in conformity with all pertinent requirements. You may revoke your consent at any time by communicating that fact in writing to the Clerk of the Planning Board whereupon your plat, or site plan or special permit proposal will be scheduled for the next regularly scheduled meeting of the Planning Board.
5. For procedures, design standards, specifications for drawings and other information see the following chapters in the Town of Cortlandt Code; for subdivisions Chapter 265, for site development plans, zoning and special permits Chapter 307, for wetland permits Chapter 179 and for steep slope permits Chapter 259.
 6. Please be advised that the site development plan, subdivision or special permit process often involves engineering, legal and other professional skills. While Planning Board staff will provide guidance and assistance within reasonable limits, the responsibility for the proper presentation of your proposed development plan, is upon you and your professional advisors, and not upon the Planning Board itself or staff.
 7. The applicant shall also submit the following: a completed **environmental assessment form** as required by SEQR for the proposed project; **2 copies of a recent survey**, **14 sets of FOLDED plans**, an **electronic copy of all plans on a CD in .jpg, .tif or .gif format**, a **colored map** of the project showing **wetlands and steep slopes** pursuant to the attached guideline, a **check** to the Town of Cortlandt for the application fee as indicated below.
 8. The applicant shall be responsible for **posting and removing a sign** on their property concerning their application as required by the Planning Board and provided by the Planning Division.

FEE SCHEDULE

LOT LINE ADJUSTMENT-----	\$300
SUBDIVISION -----	Preliminary (major) \$750 + \$750 for each building lot
-----	Preliminary (minor) \$500 + \$500 for each building lot
-----	Final approval - \$1000
SITE PLAN -----	\$150 for each 1000 sq. ft. of proposed floor areas + \$5 for each proposed parking space. Minimum \$500
SITE PLAN AMENDMENT -----	Same as above, minimum fee \$250.
SPECIAL PERMIT-----	\$500

STATE OF NEW YORK;)
COUNTY OF WESTCHESTER:)SS
TOWN OF CORTLANDT)

I William Holzstein understand that as the owner of the subject property I authorize the tenant to make this application and I also understand that I as well as the tenant will be bound with the Planning Boards' Resolution of approval including all conditions of such approval.

Mailing Address
260 Furnace Dock
Cortlandt Manor, NY
10567

SWORN to before me this
7 day of August, 2017

NOTARY PUBLIC

FREDRICK R. VANHALL
NOTARY PUBLIC STATE OF NEW YORK
WESTCHESTER COUNTY
LIC. #01VA6132918
COMM. EXP. 09/19/2017

WHEREAS, an application for a Special Permit for an Accessory Apartment, as per Section 307-45 of the Town Zoning Code, was submitted by the Swider Family Trust, for the property of William Holstein, as described in a letter dated August 3, 2017, and

WHEREAS, the subject property is located at 260 Furnace Dock Road, is zoned R-40, single family residential and is designated on the Town of Cortlandt Tax Maps as Section 55.12, Block 2, Lot 11, and

WHEREAS, the subject request for re-approval of a previously approved special permit, with no changes proposed, is considered a Type II action under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the subject accessory apartment was approved in 1988 by the Zoning Board of Appeals (Decision and Order 66-88), the approving authority at the time, and

WHEREAS, a building permit was issued in 1989 for the construction of the unit as shown on a drawing entitled "Proposed Alterations to Mann Residence" prepared by Papp Architects, P.C. dated May 1, 1988 and the unit was constructed as per the plans and Certificate of Occupancy No. 9756 was issued on June 11, 1990, and

WHEREAS, the accessory apartment is approximately 550 sq. ft. and the area of the principal dwelling unit is approximately 3008 sq. ft. which conforms with the dimensional requirements of the Special Permit for Accessory Apartments of per Section 307-45 of the Town Zoning Code, and

WHEREAS, the Swider Family Trust is purchasing the house at 260 Furnace Dock Road from Mr. William Holstein and as per Section 307-45 the permit for an Accessory Apartment terminates upon the transfer of title and therefore the new owners are applying to retain the Special Permit, and

WHEREAS, the applicant is proposing no changes to the accessory apartment, and

WHEREAS, the Planning Board has reviewed the requirements of the Accessory Apartment as required, and

WHEREAS, a Public Hearing was held pursuant to Chapter 307-41 (c) (Zoning) of the Town of Cortlandt Code on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on September 5, 2017 at 7:00 p.m., and

(continued on page 2)

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 adjacent and across the street property owners as well as additional residents in the apartment complex and the subject property was posted with a sign giving notice of the public hearing.

NOW THEREFORE BE IT RESOLVED, that the request of the Swider Family Trust, for the property of William Holstein, for approval of a Special Permit for an Accessory Apartment as per Section 307-45 of the Town Zoning Code is hereby **approved** subject to the following conditions:

CONDITIONS AND MODIFICATIONS:

- 1) **Prior to the issuance of the Special Permit the property owner shall file on the subject property a declaration of covenants at the Westchester County Clerk’s office, meeting the requirements of Section 307-45. 6 (a & b), to the satisfaction of the Director of Technical Services and the Town Legal Department.**
- 2) **The applicant is advised that if any changes are proposed to the existing accessory apartment a building permit may be required from the Division of Code Administration and Enforcement.**
- 3) **The applicant is advised that the Special Permit for the Accessory Apartment will expire at the time of property transfer and the new owner shall have to apply to the Planning Board for a new Special Permit to continue the accessory apartment.**

TO BE CONSIDERED FOR ADOPTION: SEPTEMBER 5, 2017

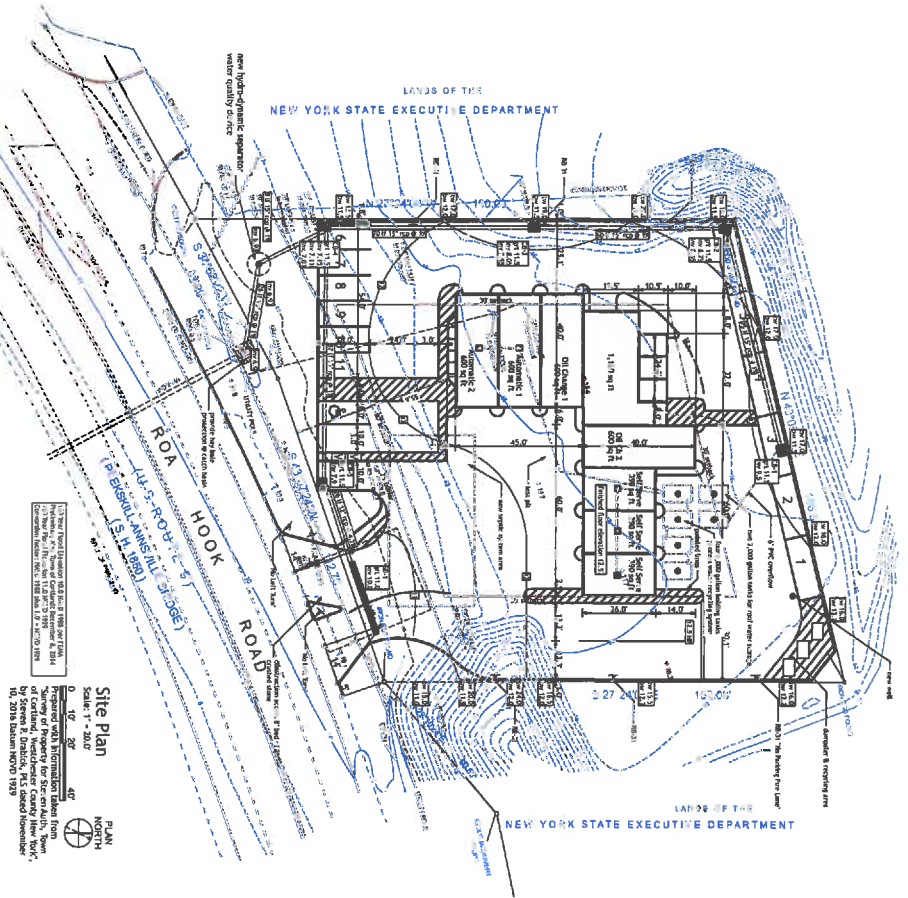
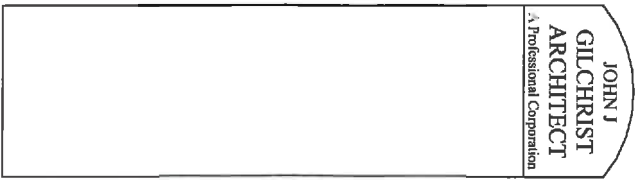
JOHN J
GILCHRIST
ARCHITECT
A Professional Corporation

7-20-17	for review	JIG
4-18-17	for review	JIG
2-16-17	for review	JIG
1-3-17	for review	JIG
12-22-16	for review	JIG
11-22-16	for review	JIG

Site Plan

John J Gilchrist
Architect
A Professional Corporation
210 Summit Avenue
Montvale NJ 07645
Phone 201 573 1877
JGilchristAJA@gmail.com

Scale: 1" = 20.0'
1 of 3



Zoning Plan
Scale: 1" = 20.0'
0" 10' 20'
Required with Information Taken from
Application for a Certificate of Occupancy,
by Steven R. Dastick, P.E., dated November
10, 2016 (Dastick 10/10/16)



Area Map

Zoning Schedule	
JC (Neighborhood District)	Proposed
Minimum Lot Area	20,000
Minimum Lot Width	100
Minimum Height	15.25'
Required Front Yard	2 1/2 x 35'
Required Side Yard	30
Required Rear Yard	30
Maximum Building Coverage	20%
Minimum Landscape Coverage	11.3%
Officer to ROW	25
Building Area	4,779
Landscape Area	7,161
Employees	11
Stalls	4
Stalls	7

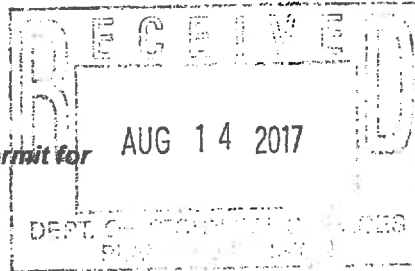
Site Plan
Scale: 1" = 20.0'
0" 10' 20'
Required with Information Taken from
Application for a Certificate of Occupancy,
by Steven R. Dastick, P.E., dated November
10, 2016 (Dastick 10/10/16)

Building Area 4,779
Landscape Area 7,161
Employees 11
Stalls 4
Stalls 7

August 7, 2017

Ms. Linda Puglisi, Supervisor
Town of Cortlandt
Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567

**Re: Site Development Plan & Special Permit for
Mikiko Ino - KinoSaito Art Gallery
115 7th Street
Hamlet of Verplanck
Cortlandt, New York
Tax Map Designation: 54.6-1-69**



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

 Sent 8/23/17

Dear Supervisor Puglisi and Members of the Town Board:

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

1. Ten (10) copies of the "Site Plan", dated May 24, 2017, revised July 19, 2017
2. Ten (10) copies of the "KinoSaito Mission Statement"
3. Ten (10) copies of Town Code 307-49
4. Ten (10) copies of Table 9-1 "Town of Cortlandt's Historic Resources"

You may be aware that an application is currently before the Planning Board seeking Site Development Plan & Special Permit Approval from the Planning Board for a property within the R-G (General Residential) Zoning District located at 115 7th Street in the Hamlet of Verplanck. This location is the former site of St. Patrick's School. The applicant, Ms. Mikiko Ino, is seeking approval for an Art Gallery/Museum.

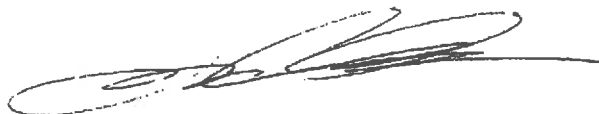
The Property is located between 7th Street and 8th Street, approximately 150 LF northwest of Westchester Avenue. The property is bound to the north and south by the 7th & 8th Street right-of-way's and to the east & west by residential properties. The property measures approximately 40,353 square feet, or 0.926 acres, and is located in the R-G (General Residential) Zoning District. The Property contains an existing single family residential dwelling, a 5,000-square foot (2-story) building and a 2,500-square foot (1-story) building. The 5,000-sf building was utilized as the main school with staff offices and class rooms. The 2,500-sf building was utilized as the gymnasium and cafeteria. It is understood the nuns of St. Patrick's School occupied the existing residential dwelling.

The applicant proposes to utilize the 5,000-sf building space as follows: First Floor – Lobby, Management Office, Store (i.e. postcards, apparel, art books), Galleries (2) (one permanent for Kikuo Saito's art work, one for temporary exhibitions), Framing Studio and Workshop, Classroom (for public classes in pottery, drawing, painting, etc.); Second Floor – Artist-in-Residence in Studio space (2 spaces, each greater than 700 sf), Theater (performance space for theater, dance & music performances). The 2,500-sf building space will be utilized as Gallery space and Art-Storage for Kikou Saito's artwork. Mikiko Ino will live in the single family residence. A Sculpture Garden is also planned for the large open space area that was previously asphalt and utilized as a playground. A significant financial investment was made by Mikiko Ino and her late husband Kikuo Saito by purchasing the property in 2014 and this investment continues to date in the form of building repairs, property maintenance, engineering & planning.

Pursuant to a meeting with Town Staff, the proposed "Artist-in-Residence" aspect of the project requires approval of a Special Permit per Chapter 307-49 "Office, Residential and Certain Commercial Uses of Historic Structure" (see enclosed) to allow for the mixed use. One requirement for approving the Special Permit, specifically "B. Standards and Conditions (1)", requires a structure to be listed on the National Register of Historic Places or "...some other listing or recognition of historic places by New York State, Westchester County or the Town of Cortlandt Town Board." Per Chapter 9, Table 9-1 "Town of Cortlandt's Historic Resources" of the Town of Cortlandt 2016 Sustainable Comprehensive Plan the Verplanck Hamlet is designated as a "Town of Cortlandt Important Historic Place" as is St. Patrick's Church, located at 240 11th Street. Although these two (2) designations seem to infer that the St. Patrick's School building falls under this same categorization, Town Staff has asked that we request the Town Board to specifically recognize the buildings within our project site as being historically significant, which will allow the Planning Board to consider approval of a Special Permit under 307-49 of the Town Code.

We respectfully request this item be placed on the agenda for the August 15, 2017 Town Board to consider our request. Should 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: Loretta Taylor, Chairperson & Members of the Planning Board, w/enclosures
Chris Kehoe, AICP, Director of Planning, Town of Cortlandt, w/enclosures
Michael Preziosi, P.E., Director of Technical Services, Town of Cortlandt, w/enclosures
Martin Rogers, P.E., Director of Code Enforcement, Town of Cortlandt, w/enclosures
Mikiko Ino, Kinosaito, Property Owner/Applicant, w/enclosures
File: Ino-115 7th St-Site Plan-Letter-TB Historic Bldg-20170807.doc

- Copies Planning Board
- Town Board
- Zoning Board
- Legal Dept.
- DOTS Director **August 23, 2017**
- C.A.C.
- A.R.C.

via Email & Hand Delivery

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

..... Applicant
.....
.....
Sent 8/24/17

RECEIVED
AUG 24 2017

DEPT. OF TECHNICAL SERVICES
PLANNING DIVISION

Re: **Site Development Plan & Special Use Permit**
Mikiko Ino
KinoSaito Museum/Art Gallery
1157th Street, Verplanck
PB 2017-5

Dear Ms. Taylor & member of the planning board:

As you know, Cronin Engineering (CE) represents the owner, Mikiko Ino, of this property in an application for approval of a site plan and a special use permit. This project was presented and discussed in some detail with the planning board on June 6, 2017 & at a site inspection on July 30, 2017. This project was referred by the planning board to staff for review and subsequently two memorandums were produced which were for the most part addressed in the previous submission.

Please find enclosed twelve (12) copies of the following items which we submit for your review and discussion:

1. Site Development Plans
2. Floor Plans of the School Building

The following represents our responses to outstanding comments provided in the memorandum prepared by Chris Kehoe, Deputy Director of Planning on June 28, 2017:

3. Based on a review of the above-mentioned drawing and application, the following information as required by Chapter 307-71 of the Town of Cortlandt (Zoning) and other regulations should be submitted for the subject application unless waived by the Planning Board at the applicant's request.
 - b. The subject drawing should show the proposed location, direction, power and time of any existing and proposed outdoor lighting. The applicant shall also submit a photometric plan for the parking lot to ensure that site lighting is adequate and does not spill over to adjacent properties.

(Response): The existing outdoor light locations are now shown on the plan and the existing lights are pointed downward. The lights are existing and there is no spill over to adjacent properties. We do not believe a photometric plan is necessary.

- d. The subject drawing should show the existing and proposed location, height, size and design of all existing and proposed signs.

(Response): The existing building signage ("SAINT PATRICK'S SCHOOL") will be removed. The existing letters will be used to spell out "KINOSAITO" in the same location on the building. The owner will have a conversation with the Catholic Church to discuss if the cross symbol will be removed or remain. Proposed traffic circulation signage has been added to the plan.

- e. Provide a floor plan for the school building and for the concrete block building.

(Response): A floor plan has been provided for the 1st and 2nd floors of the school building. The concrete block building is one (1) open room with a bathroom.

5. The applicant is showing 27 parking spaces with 35 required. The subject drawing should be revised to show required handicapped spaces. The applicant should review Section 307-34.1 of the Zoning Code "Special Permits for Parking" (attached) and determine if the subject property is eligible to apply for a Special Permit to the Planning Board. In the alternative, the applicant should seek a variance from the Zoning Board of Appeals.

(Response): The parking needs of the proposed use are tabulated on the plan. In addition, the parking needs during events will be provided in the following ways:

- a. ***Additional land-banked parking (12 spaces) is shown in the event the site parking does not prove to be sufficient. With the land-banked parking, the minimum parking requirement would be realized. However, the parking spaces shown are expected to be more than adequate for the daily use of the site. In the case of a gallery event, which would occur approximately two (2) times per year, street parking (9 spaces) along 8th Street could be utilized as well as public parking on Broadway. In addition, shuttle service from the local train station could be provided.***

The following represent our responses to the outstanding comments provided in the memorandum prepared by Michael Preziosi, P.E., Director of Technical Services on July 12, 2017:

1. A certification that the existing onsite wastewater treatment system meets the design flows of the proposed uses and is in working condition and acceptable by the WCDOH is required. Furthermore, all separation distances to wastewater sources in accordance with the WCDOH Rules and Regulations shall be met and shown on the site plan.

(Response): The proposed change of use for this site will result in a lower daily flow demand. Previously, the site operated as a school with approximately 120 children and full-time residents. The design for the proposed use anticipates four (4) full-time residents in the house with two (2) artists in residence and two (2) daily staff members in the school building, for a total of eight (8).

- b. Comment as to the acceptability of sharing a single sanitary system for the multiple uses onsite.

(Response): As long as the design flows for the existing subsurface treatment system are not exceeded, sharing the SSTS with on-site multiple uses is acceptable.

7. The Applicant is not providing the required number of parking spaces onsite. It is required that they provided additional documentation supporting their parking calculations and proposed

reduction. In addition, a narrative or description demonstrating adequate on-street parking for a special event should be provided. If 8th Street is to be used, an accessible path will be required.

(Response): The parking needs of the proposed use are tabulated on the plan. Additional land-banked parking (12 spaces) is shown in the event the site parking does not prove to be sufficient. With the land-banked parking, the minimum parking requirement would be realized. However, the parking spaces shown are expected to be more than adequate for the daily use of the site. In the case of a gallery event, which would occur approximately two (2) times per year, street parking (9 spaces) along 8th Street could be utilized as well as public parking on Broadway. In addition, shuttle service from the local train station could be provided.

8. The plans must be revised to show the location of any onsite refuse and a detail of an enclosure must also be provided.

(Response): On-site refuse location and detail are now shown.

The following represent our responses to the comments provided in an email prepared by Martin Rogers, P.E., Director of Code Enforcement on August 01, 2017:

1. Include Street Number in Location.

(Response): Project Plans have been revised accordingly.

2. Verify fire apparatus access (aerial fire apparatus will not be able to access site from 7th Street or Buchner's Alley with current configuration and access would be extremely tight, if not accessible as well).

(Response): The existing access from 7th Street has remained the same for decades. It is our opinion that firefighting apparatus would manage the fire from 7th Street or on site via the 8th Street access.

3. Verify the building exterior wall and openings requirements.

(Response): The Project Architect will address this with the Building Permit Application and building design plans.

4. Show accessible spaces, access aisles and signage.

(Response): The Site Plan now shows the access spaces, aisles and signage.

5. Provide egress path to 8th Street from rear exists.

(Response): Egress path now shown.

6. Verify the gate will remain on 8th Street.

(Response): The gated entrance will remain, but will be widened to 24 feet.

7. Verify the "height" of the wires from 7th Street to the 2 ½ story building for FD access.

(Response): The height of the wires will be measured and presented at the Public Hearing.

8. Show hydrant locations on both 7th and 8th Streets.

(Response): They are now shown on the Site Plan.

9. Show fire lanes on the Site Plan.

(Response): No specific fire lanes have been shown on the Site Plan. Fire lines are the travel ways on site.

In addition, the site plan addresses discussions with the planning board at the site inspection regarding removal of the existing invasive vegetation along the perimeter fencing. The site plan proposes removal of the invasive vegetation and landscape plantings along the same. In areas where there is not enough room for plantings due to parking spaces with car overhang the plantings have been shown on the street side of the fencing.

As discussed with Staff and the Planning Board, in order to comply with the code for implementing the artists in residence in the school building it is necessary to obtain the special permit approval under § 307-49 of the Zoning Code. This required that we submit a letter to the Town Board requesting they deem the Saint Patrick's school building(s) as historically significant. The request was discussed at the August 15, 2017 Town Board meeting and referred to Staff for recommendation. It is my understanding that the request will be granted at the September 2017 meeting.

We look forward to appearing before the planning board on September 5, 2017 to discuss the project further. We respectfully request that a Public Hearing be scheduled for the October meeting. Should you have any questions or require any additional information, please 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: Mikiko Ino, KinoSaito, Property Owner/Applicant (w/enclosures via email)
Sarah Stauss, Project Architect (w/enclosures via email)
William Hines, Project Coordinator (w/enclosures via email)
Michael Preziosi, PE - Town of Cortlandt Director of DOTS (w/enclosures)
Chris Kehoe, AICP - Town of Cortlandt Deputy Director of Planning (w/enclosures)
Martin Rogers, P.E. - Town of Cortlandt Director of Code Enforcement (w/enclosures)
File: *Ino-7th St-Letter-PB Submission-20170719.docx*



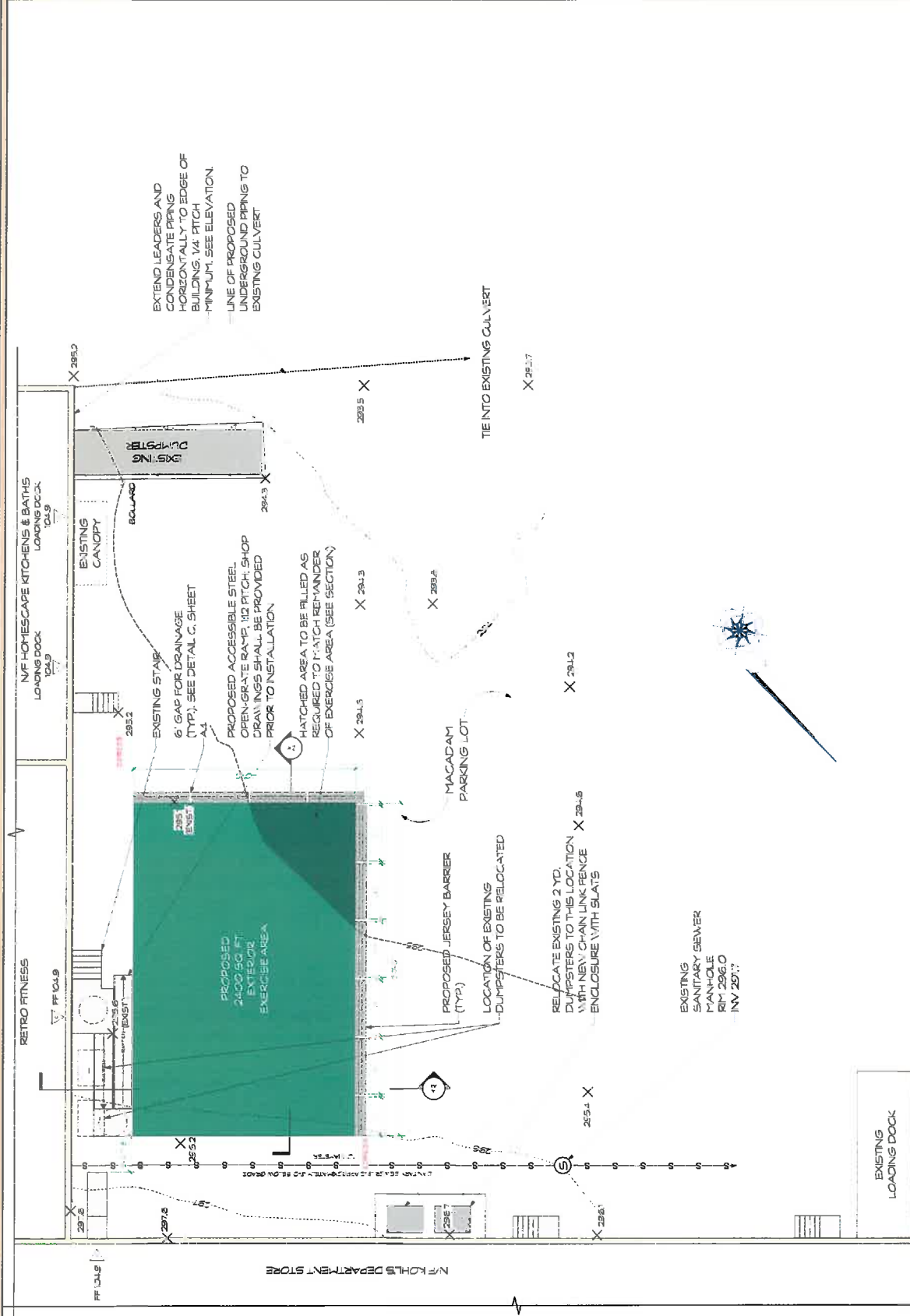
SCALE	1/8" = 1'-0"
DATE	2017-05-18
JOB #	17-024
BY	SC-1
BY	JP-1

PROCESSOR, DRIVING LITERATURE
 RETRO FITNESS - CORTLANDT MANOR
 3005 MAIN STREET, CORTLANDT MANOR, NY, YORK 10987
 SHEET TITLE
 PARTIAL SITE PLAN

REVISIONS	
NO.	DATE

THESE PLANS ARE NOT TO BE CONSIDERED VALID AND COMPLETE CONSTRUCTION DOCUMENTS UNLESS AND UNTIL THEY BEAR THE ARCHITECTURAL SEAL & SIGNATURE OF JONATHAN B. HODOSH.

PROJECT: RETRO FITNESS - CORTLANDT MANOR
 LOCATION: 3005 MAIN STREET, CORTLANDT MANOR, NY 10987
 DATE: 05/18/17
 DRAWN BY: SC-1
 CHECKED BY: JP-1
 PROJECT MANAGER: J. HODOSH
 ARCHITECT: J. HODOSH



WHEREAS, an application for Planning Board approval of an Amended Site Development Plan Approval pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by TSB Fitness, LLC, for the property of Yorkcon Properties Inc., for an approximately 2,400 sq. ft. outdoor exercise area behind the existing Retro Fitness located in the Kohl's Shopping Center as shown on a 6 page set of drawings "Retro Fitness" prepared by Jonathan Hodosh, R.A latest revision dated August 30, 2017, and

WHEREAS, the subject parcel of approximately 3 acres is located at 3006 E. Main Street (Cortlandt Boulevard), is zoned CD, Designed Commercial and is designated on the Town of Cortlandt Tax Maps as Section 24.13, Block 5, Lot 2, 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 1 of the Short Environmental Assessment Form dated August 30, 2017, and

WHEREAS, the applicant is seeking Amended Site Development Plan Approval for the construction of an approximately 2,400 sq. ft. outdoor exercise area behind the existing Retro Fitness, and

WHEREAS, the space is proposed to be used for exercise classes and no outdoor equipment is proposed and the classes will take place during day light hours, and

WHEREAS, the area is proposed to be located in an existing asphalt area behind the existing facility and be enclosed by "jersey barriers" with handicapped access provided to the facility provided by a steel ramp from the back of the existing building, and

WHEREAS, the applicant is proposing drainage improvements and the construction of a dumpster enclosure as shown on the plan set.

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, with conditions imposed by this approving resolution, 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 2016 Town Sustainable 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 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 Jonathan B. Hodosh dated August 30, 2017 and Part II of the Short EAF prepared by the Planning Division dated September 5, 2017 and based on the subject site development 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 TSB Fitness, LLC, for the property of Yorkcon Properties Inc., for Planning Board approval of an Amended Site Development Plan Approval pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code for an approximately 2,400 sq. ft. outdoor exercise area behind the existing Retro Fitness located in the Kohl's Shopping Center as shown on a 6 page set of drawings "Retro Fitness" prepared by Jonathan Hodosh, R.A latest revision dated August 30, 2017 is hereby **approved**, and

FURTHER BE IT RESOLVED that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for a maximum of two (2) additional years, granted in one year intervals, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension**, and

FURTHER BE IT RESOLVED that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing.

If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.

CONDITIONS AND MODIFICATIONS:

1. Obtain the required signatures from the Director of Technical Services and the Director of Environmental Services on a mylar of the subject drawing and submit (4) four prints and the mylar of said drawing to the Planning Office following the Chairman's signature on the site plan mylar.
2. Add the correct signature block to the subject drawing (attached).
3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
4. Posting of a combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code in the amount of \$2,500. Said security to be in effect for a period of not less than two years from the date thereof at which time the applicant can request the release of the security based upon completion of all required improvements, submission of the required as-built survey and an inspection by the Town. Prior to the release of the signed Site Development Plan by the Planning Division said security shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division. Any security or performance collateral required to be posted shall be in accordance with Chapter 237 of the Town Code and as per Town Board Resolution 190-04.
5. Payment of a 5% inspection construction monitoring fee to the town based on the on-site construction costs including grading, soil and erosion controls, site clearing, tree removal, planting and all other improvements pursuant to Resolution 114-00 of the Cortlandt Town Board.
6. The applicant is required to obtain all necessary permits from the Department of Technical Services, Division of Code Administration and Enforcement.

TO BE CONSIDERED FOR ADOPTION: SEPTEMBER 5, 2017

WHEREAS, an application for Planning Board approval of an Amended Site Development Plan and a Change of Use pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code was submitted by Justin Wingenroth, for the property of Pike Plaza Associates, LLC for a proposed dance studio located at 2050 Cortlandt Boulevard (Pike's Plaza) as described in a packet, received by the Planning Division on July 19, 2017, and as shown on proposed floor plan prepared by Sherwood & Truitt, LLC dated May 30, 2017, and

WHEREAS, the subject property of approximately 4.5 acres is located at 2050 E. Main Street (Cortlandt Boulevard), is zoned CD, Designed Commercial and is designated on the Town of Cortlandt Tax Maps as Section 23.20, Block 1, Lot 4, and

WHEREAS, the subject change of use is considered a Type II action under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the applicant is seeking Amended Site Development Plan Approval and a change of use from an office use to an assembly use for a dance studio, and

WHEREAS, the proposed dance studio is located on the first level of the existing building, facing Cortlandt Boulevard, and the existing tenant spaces are Domino's Pizza, a vacant space, the proposed Dance Studio, Cross Fit, another vacant space and a nail salon, and

WHEREAS, the applicant is not proposing any changes to the front elevation of the building but will be making interior renovations to the approximately 3,272 sq. ft. space, and

WHEREAS, according to the applicant the proposed hours of operation of the dance studio are Monday-Friday 4:00 p.m. to 10:00 p.m. with office hours from 12:00 p.m. to 4:00 p.m., Saturdays 8:30 a.m. to 4:30 p.m. and Sundays 12:00 p.m. to 5:00 p.m. as needed, and

WHEREAS, the proposed dance studio is expected to have a total of 10-15 employees with no more than 5 on site at any given time, and

WHEREAS, the last approved Amended Site Plan for the subject property granted for the "Back Nine" by Resolution 38-13, and signed by the Planning Board Chair on September 16, 2013, shows 179 existing parking spaces with 28 spaces to be constructed in the future if deemed necessary by the Planning Board based on future tenants and that requirement is still in effect, and

NOW THEREFORE BE IT RESOLVED that the application of Justin Wingenroth, for the property of Pike Plaza Associates, LLC for a proposed dance studio located at 2050 Cortlandt Boulevard (Pike's Plaza) as described in a packet, received by the Planning Division on July 19, 2017, and as shown on proposed floor plan prepared by Sherwood & Truitt, LLC dated May 30, 2017 is **APPROVED** subject to the conditions listed below, and

FURTHER BE IT RESOLVED that approval of said Amended Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and obtain the required permits from the Town Division of Code Enforcement and Administration. If there is no substantial change in the condition of the site and/or its environs, the Amended Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, **upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.**

CONDITIONS AND MODIFICATIONS:

- 1. The applicant is required to obtain all necessary permits (i.e. building, electrical, sign, etc.) from the Department of Technical Services, Division of Code Administration and Enforcement.**

TO BE CONSIDERED FOR ADOPTION: SEPTEMBER 5, 2017

CIARCIA ENGINEERING, P.C.

Copies Planning Board

360 Underhill Avenue • Yorktown Heights • New York 10598 (914) 245-0125 Fax (914) 245-5670

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

pb 2017-3

Re: V.S. Construction Corp.
Contractors Yard
180 Roa Hook Road
Tax ID 22.18 - 1 - 2

..... Zoning Board

..... Legal Dept.

..... DOTS Director

..... C.A.C.

..... A.R.C.

..... Applicant

..... _____

..... _____

Sent 8/24/17

August 24, 2017

Dear Chairperson Taylor:

A survey of the property located at 180 Roa Hook Road, utilized by V.S. Construction as a contractor's yard, has been completed. The site plan has been revised to include the latest survey data. Enclosed please find 12 copies of the following documents:

1. Plan entitled "180 Roa Hook Road prepared for V.S. Construction Corp., Site Plan" dated April 16, 2017, last revised August 23, 2017.
2. A map entitled "Deed Plot, Roa Hook Road Associates, Inc." prepared by All-Points Land Survey, PLLC, dated August 3, 2017.

Please schedule this matter for your next meeting. Should you have any questions or require any additional information, please call.

Sincerely,

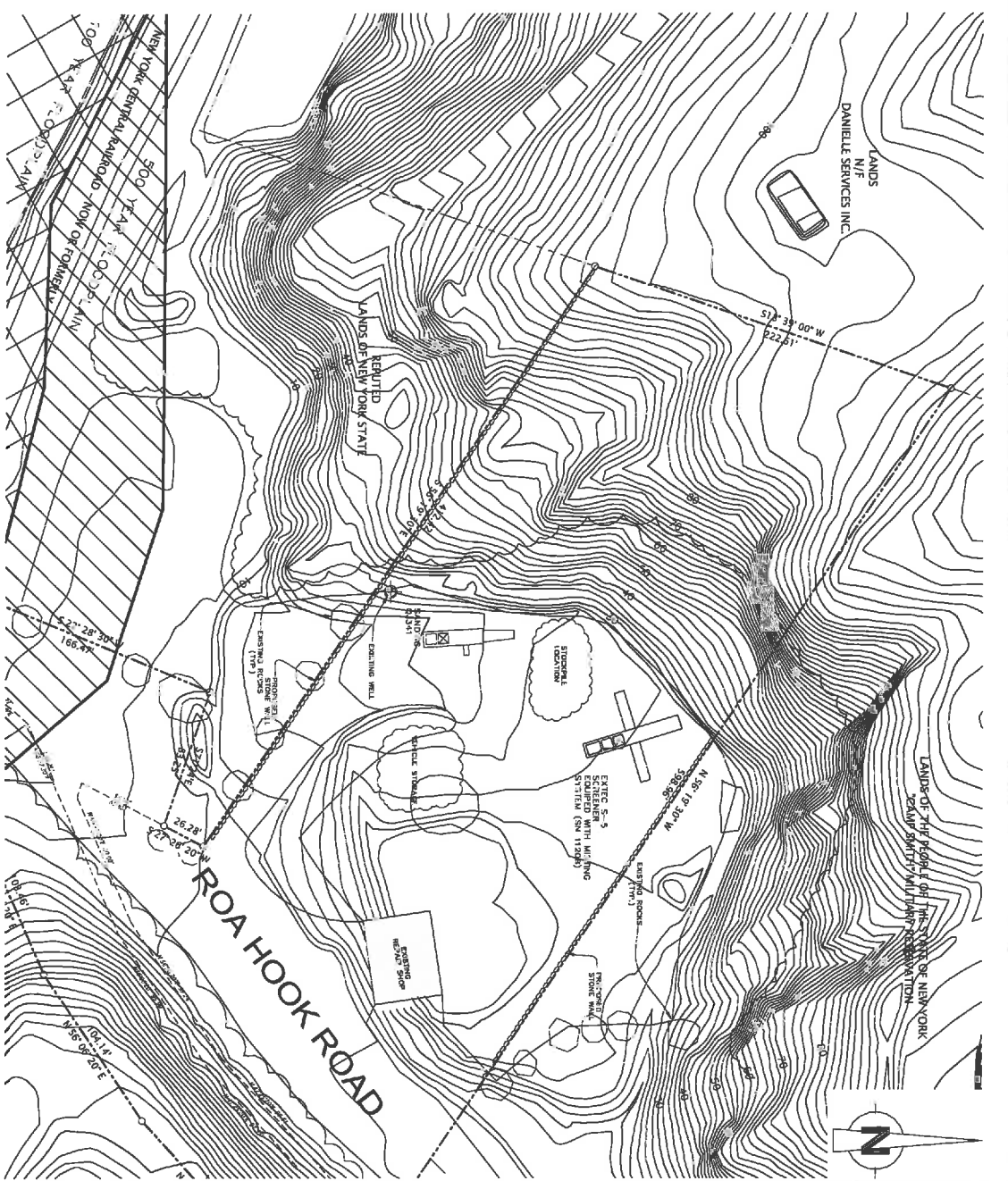


Daniel A. Ciarcia, P.E.

RECEIVED
AUG 24 2017
DEPT. OF TECHNICAL SERVICES
PLANNING DIVISION

DAC: mc
cc: Val Santucci
Kenneth Gunshor, Esq.

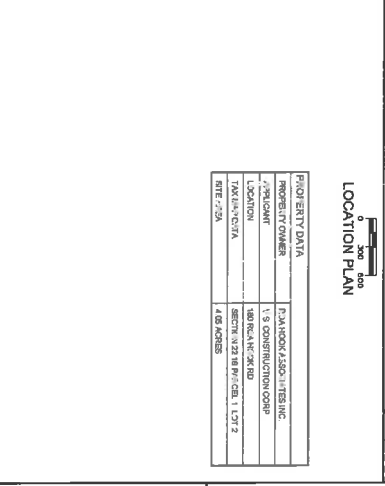
THIS PLAN IS THE PROPERTY OF CIARCIA ENGINEERING, P.C. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CIARCIA ENGINEERING, P.C.



SCALE: 1"=50'

TOWN OF CORTLAND ZONING REQUIREMENTS

EXISTING ZONING	PROPOSED ZONING	REQUIREMENTS	REQUIREMENTS	VARIANCE REQUIRED
RESIDENTIAL	RESIDENTIAL	20' SIDE YARD SETBACK	20' SIDE YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' FRONT YARD SETBACK	10' FRONT YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' REAR YARD SETBACK	10' REAR YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' SIDE YARD SETBACK	10' SIDE YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' FRONT YARD SETBACK	10' FRONT YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' REAR YARD SETBACK	10' REAR YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' SIDE YARD SETBACK	10' SIDE YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' FRONT YARD SETBACK	10' FRONT YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' REAR YARD SETBACK	10' REAR YARD SETBACK	NO
RESIDENTIAL	RESIDENTIAL	10' SIDE YARD SETBACK	10' SIDE YARD SETBACK	NO



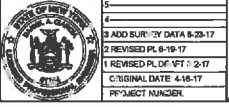
PROPERTY DATA

PROPERTY OWNER	PLAN HOOK ASSOCIATES INC.
PROJECT	1.9 CONSTRUCTION CORP.
LOCATION	180 ROA HOOK RD.
TAX PARCELS	SECTION 22.88 PLOT 1. LOT 2
REF. 22.88	4.66 ACRES

180 ROA HOOK RD.
Prepared For
VS CONSTRUCTION CORP.

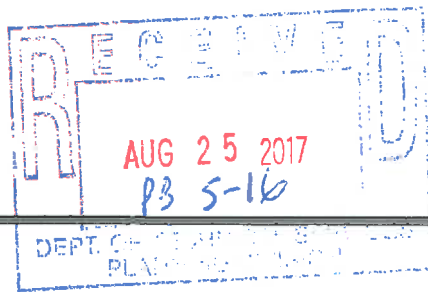
SITE PLAN

CIARCIA ENGINEERING, P.C.
360 UNDERHILL AVENUE
YORKTOWN HEIGHTS, NY 10598
(914) 245-0123



SHEET NUMBER

1	1
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Copies 7
 Planning Board
 Town Board
 Steven J. Basini, Zoning Board
 Legal Dept.
 DOTS Director
 C.A.C.
 A.R.C.
 Applicant

 Sent 8/25/17

August 20, 2017

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

Re: Appian Way Ventures, LLC
260 6th Street, Verplanck, NY
2nd Floor Alteration from Storage to Office

Ms. Taylor,

In June of 2016, this application for site plan approval was presented to your honorable Board along with accompanying information relating to the renovation of the existing 2nd floor. At that time, a 'snapshot' of the existing tenant occupancy was submitted as well as a proposed plan for the conversion of the 2nd floor of the industrial building at the above referenced address from its existing function as storage to the proposed office use.

At that meeting, the Planning Department had requested additional information to move forward with the site plan approval. Those requests were documented in memos dated June 13th and June 14th and that information has been provided in this response.

In addition to a review of the site plan, this office requested that the applicant be granted permission by the Board to apply for a building permit to renovate the existing 2nd floor space while the site plan issues were addressed. Graciously, your board, in agreement with the Department of Technical Services, allowed the permit application based mainly on the fact that the space was to be utilized by an existing tenant with an approved use looking to expand their business. It was also expressed that the application for site approval must also continue in order to finalize the 'snapshot' process. Approvals were required by both the Building Department and the Westchester County Department of Health. The historical records from the Health Department were incomplete and required a lengthy process of proving that the existing on-site sanitary system was sufficient to support the proposed and existing occupancies.

Ultimately, after months of leg work, the Health Department approved the application and the letter of approval is attached herein. Once the building permit was issued, the applicant began construction within the space however the tenant opted not to move forward with their business expansion. Fortunately, another existing tenant with a very reputable track record decided to expand their business within the building. Canine Kindergarten which is located in space #100 on the ground floor, has entered into contract with the Applicant to take over the entire 3,800 sf 2nd floor in an effort to create a private canine rescue and adoption business directly affiliated with the existing business. The occupancy classification according to the 2015 International Building Code does not change, the flow rates according to the DEC manual and Health Department regulations do not

change and the use is allowed within the Cortlandt Zoning Ordinance.

Along with the additional information provided in response to the June 2016 memos from the Department of Technical Services, this office is submitting this document as a request to file a permit revision application to the Building Department in order to continue the renovation for Canine Kindergarten.

In response to the memo dated June 14 issued by Deputy Director Chris Kehoe, this office offers the following:

1. As part of the application for site plan approval, a special permit is requested to grant relief from the parking requirements required by Article VIII. Based on the occupancy, 127 parking spaces are required and 104 spaces are required. The vacant spaces are listed as office which requires 1 space / 400 sf. This is because the applicant is interested only in contracting with future business or office tenants or allowing existing office/business tenants to expand.
2. Addressing the criteria of Section 307.34.1 (B) of the Town Zoning Ordinance for special permit.
 - a. The current parking lot is never completely occupied and in fact there are several tenants whose required spaces far exceed the actual usage. Canine Kindergarten for instance requires 16 spaces based on square footage however they are a drop off business which means a least 50% of their spaces are never occupied. A.N. Industry Source requires 12 spaces however they only have 2 employees and all product is shipped off site so no other spaces are used. Sierra Sunset requires 4 spaces based on their occupancy however they only have 1 employee and an occasional truck to ship product.
 - b. The parking layout on site is very efficiently planned.
 - c. There is no parking or on-site congestion at any time of day.
 - d. There is no through pedestrian traffic however tenants can safely walk the perimeter of the building without crossing into parking spaces.
 - e. All parking spaces are within reasonable walking distance from the building.
 - f. Most of the parking lot is gravel which reduces impervious area.
 - g. The site could be modified to accommodate the required parking spaces however this would require construction of substantial retaining walls at the north and western parts of the site and raising the grade considerably adjacent to neighboring properties.
3. It is understood that the parking areas are laid out according to the most recent survey and that the Board is requesting an updated survey to move forward. The applicant has retained the services of Aristotle Bournazos, PC to update the survey and we are expecting it prior to the October meeting of the Board.
4. A Short Environmental Assessment Form has been completed and is part of this current submission.

In response to the memo dated June 13 issued by Director Michael Preziosi, PE, this office offers the following:

1. The applicant has retained the services of Aristotle Bournazos, PC to update the survey and we are expecting it prior to the October meeting of the Board.

2. The table of tenant uses was submitted to the Westchester County Department of Health and the change in use for the 2nd floor was granted. It was determined that the proposed change of use would not exceed the existing capacity of the OWTS. This letter of approval is attached herein.

Thank you for your consideration in this matter.



SJB ARCHITECTURE + DESIGN
Steven J. Basini, RA, AIA

