

TOWN OF CORTLANDT PLANNING BOARD

Steven Kessler Chairperson

Thomas A. Bianchi *Vice-Chairperson*

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Planning Staff email: chrisk@townofcortlandt.com

Town Supervisor Richard H. Becker, MD

Town Board

James F. Creighton Cristin Jacoby Robert Mayes Joyce C. White

TO JOIN THE MEETING REMOTELY USE THE ZOOM LINK BELOW:

https://us02web.zoom.us/i/85607318651?pwd=6g5fJ8saiiPPOEDWo7xI7iDLPY1kbB.1

WORK SESSION......APRIL 1, 2025 6:00 PM

1. Discuss April 1, 2025 Regular Planning Board Meeting Agenda.

MEETING AGENDA......<u>PLANNING BOARD</u>

TOWN OF CORTLANDT

6:30 TUESDAY EVENING*

APRIL 1, 2025

- 1. PLEDGE TO THE FLAG
- 2. ROLL CALL
- 3. CHANGES TO THE AGENDA BY MAJORITY VOTE
- 4. ADOPTION OF THE MINUTES OF THE MEETING OF FEBRUARY 4, 2025
- 5. CORRESPONDENCE
- **PB 1-16 a.** Letter dated February 10, 2025 from James Annicchiarico requesting the 3rd, six-month time extension of Preliminary Plat approval for the <u>Pomona Development, LLC (Boga)</u> subdivision located on the south side of Revolutionary Rd., south of Eton Lane.
 - 6. **RESOLUTIONS**
- Application of <u>Briga Enterprises Inc. & Bilotta Realty of Westchester Inc.</u> for Amended Site Plan approval for a 2,400 sq. ft. storage building located at 2099 Albany Post Rd. Drawings latest revised February 18, 2025. (see prior PBs 29-95, 15-99, 8-03)
- PB 2025-4 b. Application of Zachary Kamm, P.E. on behalf of Kitzbuehel Realty, LLC for Amended Site Plan approval to convert the former ShopRite store to a Floor & Décor store for property located at 2094 E. Main Street. Drawings latest revised March 20, 2025. (see prior PB 25-92)

7. PUBLIC HEARING (NEW)

PB 2024-2 a. Application of George McCombe for Preliminary & Final Approval for a 2-lot minor subdivision of a 2-acre parcel of property located at 107 Mountain View Road. Improvement drawings latest revised February 20, 2025. Plat dated August 7, 2024.

8. ADJOURNMENT

Next Regular Meeting; TUESDAY, MAY 6, 2025 at 6:30 PM Agenda information is also available at www.townofcortlandt.com

^{*} Regular meeting will begin at the conclusion of the work session

DRAFT

TOWN OF CORTLANDT PLANNING BOARD

PB 1-16

RESOLUTION NO. 7-25

WHEREAS, the application of Pomona Development, LLC 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 179 (Wetlands), 259 (Steep Slopes) and Chapter

283 (Trees) for a proposed 3 lot major subdivision of a 16.78 acre parcel of property as shown on a 13 page

set of drawings entitled "Subdivision Plan for Pomona Development" prepared by Cronin Engineering, P.E.,

P.C. latest revision dated April 26, 2023 was approved on September 5, 2023 by Resolution 9-23, and

WHEREAS, the subject property of 16.78 acres is zoned R-20, single family residential, is located on the

southeast end of Revolutionary Road, approximately 500 feet southeast of Eton Lane and is designated on the

Town of Cortlandt Tax Maps as Section 23.15, Block 1, Lot 43, and

WHEREAS, by Resolutions 3-24 and 8-24 the Planning Board previously granted two, six-month time

extensions of Preliminary Plat approval, and

WHEREAS, by letter a dated February 10, 2025 James Annicchiarico requested the 3rd, 6-month time

extension of Preliminary Plat approval in order to continue to meet the conditions of said approval, and

WHEREAS, by Resolution 5-25 adopted on March 4, 2025 the Planning Board granted a 1-month time

extension, and

WHEREAS, the applicant has resolved the outstanding issues that lead to the granting of the 1-month time

extension.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby APPROVES a 5-month time

extension of Preliminary Plat approval said extension to expire on September 5, 2025.

TO BE CONSIDERED FOR ADOPTION: APRIL 1, 2025

TOWN OF CORTLANDT PLANNING BOARD PB 2024-3

WHEREAS, an application was submitted by Briga Enterprises Inc. & Bilotta Realty of Westchester Inc. for Amended Site Plan approval for a 2,400 sq. ft. storage building as shown on a 3-page set of drawings entitled "Dakota Supply Corp.- Tenant Change in Existing Building" dated February 18, 2025 prepared by Steven J. Basini, R.A. and on drawings entitled "Site Plan for 2099 Albany Post Rd.-Proposed 40' by 60' Metal Storage Building" latest revision dated February 28, 2025 and "Foundation Plan" dated December 18, 2023 both prepared by George Mottarella, P.E., and WHEREAS, the entire subject property is approximately 9.7 acres is located at 2099 Albany Post Rd. and is split zoned with the front portion to a depth of approximately 200' zoned HC/9A and the remainder of the site zoned M-1, Light Industrial, and is designated on the Town of Cortlandt Tax Maps as Section 55.09, Block 1, Lot 3 and

WHEREAS, the Planning Board is considering this application a Type 2 action under 6 CRR NY 617.5 as construction of a nonresidential structure or facility involving less than 4,000 sq. ft. of gross floor area, and

WHEREAS, the subject of this Amended Site Plan application is the approval of the existing 2,400 sq. ft. storage building that is associated with the existing Dakota Masonry & Landscaping Supply retail operation located in the front, HC/9A portion of the property, and

WHEREAS, the subject 2,400 sq. ft. building was previously approved by motion by the Planning Board on February 6, 2024 and a building permit was issued and the building constructed but no Certificate of Occupancy has been issued, and

WHEREAS, the remainder of the site consisting of construction-related uses <u>is not the subject of</u> this application and no portion of the remainder of the site is receiving any approvals via this <u>resolution</u>, and

WHEREAS, the 2,400 sq. ft. building and required associated site improvements including stormwater improvements, handicapped parking spaces, a garbage enclosure, etc. were reviewed by the Town Engineer and the Planning Board consulting engineer, and

WHEREAS, the subject drawings and application materials were referred to the Westchester County Planning Board, and

WHEREAS, a Public Hearing was held pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code and pursuant to Chapter 274-a of the New York State Town Law on said application at the Cortlandt Town Hall, 1 Heady Street, Cortlandt Manor, New York on October 1, 2024 adjourned to November 7, 2024 December 3, 2024, January 7, 2025, February 4, 2025 and March 4, 2025, and WHEREAS, the Public Hearing Notice for this application was duly published in the "Gazette", and

WHEREAS, the subject Public Hearing Notice was mailed to adjacent and across the street property owners and the subject property was posted with a sign giving notice of the Public Hearing, and WHEREAS, written and verbal comments made in response to the subject application were considered by the Planning Board.

NOW THEREFORE BE IT RESOLVED that the application of <u>Briga Enterprises Inc. & Bilotta</u>

Realty of Westchester Inc. for Amended Site Plan approval for an existing 2,400 sq. ft. storage building as shown on a 3-page set of drawings entitled "Dakota Supply Corp.-Tenant Change in Existing Building" prepared by Steven J. Basini, R.A. latest revision dated February 18, 2025 and on

drawings entitled "Site Plan for 2099 Albany Post Road – Proposed 40' by 60' Metal Storage Building" latest revision dated February 28, 2025 and "Foundation Plan" dated December 18, 2023 both prepared by George Mottarella, P.E are 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 Chairperson 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.

CONDITIONS AND MODIFICATIONS:

- 1. Revise the drawing entitled "Site Plan for 2099 Albany Post Road Proposed 40' by 60' Metal Storage Building" to a standard full sized drawing and (a) Add the current signature block to the cover page and (b) Obtain the required signatures from the Planning Director, the Planning Board Engineer, the Director of Environmental Services and the Planning Board Chairperson on the subject drawing(s) and (c) following the receipt of the required signatures submit four paper copies of said signed drawing set to the Planning Office (d) following all of the signatures e-mail a .pdf scan of the drawing set to the Planning office (e) submit an as-built survey in AutoCAD file in digital format at the completion of the project.
- 2. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
- 3. The subject drawing shall be clearly delineated via a "cloud/bubble" around the front

portion of the site enclosing the retail operation to the satisfaction of the Department of Technical Services/Planning Department/Legal Department and a note shall be added to the plan that states that "Only activities and materials associated with the masonry supply yard, as outlined on this plan, are approved as part of this application. Operations outside the area outlined are not under consideration or approved as part of this application".

- 4. Applicant shall revise the subject site plan to address the January 27, 2025 Department of Technical Services memorandum and the March 7, 2025 LaBella memorandum.
- 5. The subject drawing shall be revised to include an updated zoning table, clearly identify what is stored outside, demonstrate compliant parking requirements and the removal of material storage from the front yard and relocation to the storage yard and the moving of site parking to this area to the satisfaction of the Director of Technical Services and the Planning Department.
- 6. The Property Owner / Tenant / Contract Vendee shall file application to the Planning Board by the May 22nd deadline for presentation at the June 3, 2025 meeting for an amended site plan for the activities in the M1-A zone consistent with the previous 2005 site approval granted via correspondence as outlined within the October 17, 2005 letter prepared by George Mottarella, P.E. The Property Owner/Tenant/Contract Vendee shall be required to diligently process and obtain amended site plan approval for the activities in the M1-A zone. Consistent with all other applications, the Planning Board does not impose a time period by when the Applicant must obtain amended site plan approval.
- 7. Within 60-days of this approving resolution, Applicant shall complete and close out all requirements of Building Permit Application A-23-842.

- 8. This approval grants operational status of the masonry retail center as well as the resale of screened topsoil, meeting 6 NYCRR Part 360 only.
- 9. No onsite fuel storage other than those fuel storage tanks necessary to support the masonry building (e.g. propane) are permitted for storage in the HC-9A portion of the site.
- 10. Note on the subject site plan that the 1-story storage building shall only be used for masonry supply and similar material storage. Its use for vehicle storage, automotive or small engineer repair and similar mechanical storage is not permitted as part of this application.
- 11. Prior to the signing of this plat, the Applicant shall file for a backflow prevention application with the Department of Technical Services, for the existing water service feeding the masonry yard and office.
- 12. Prior to the signing of this plat, the Applicant shall submit to the Department of Technical Services, that the existing onsite wastewater treatment system has been inspected by a licensed professional engineer and serviced by a licensed sanitary hauler.
- 13. Posting of a combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code in the amount of \$5,000. Said security to be in effect for a period of not less than two years from the date thereof. 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.
- 14. The applicant shall obtain all required building permits from the Department of Technical

Services - Code Administration and F	Enforcement Division	prior to beginning	g any site work
within one-year of the date of this res	olution.		

TO BE CONSIDERED FOR ADOPTION: APRIL 1, 2025

TOWN OF CORTLANDT PLANNING BOARD PB 2025-4

WHEREAS, an application was submitted by Zachary Kamm, P.E. on behalf of Kitzbuehel Realty, LLC for Amended Site Plan approval to convert the former ShopRite store to a Floor & Décor store as shown on a 14-page set of drawings entitled "Preliminary & Final Site Plan" prepared by Zachary A. Kamm, P.E. latest revised March 20, 2025 and on an elevation drawing entitled "Shell Elevations" prepared by SBLM Architects latest revision dated February 13, 2025, and WHEREAS, the subject property of approximately 11.49 acres is located at 2094 East Main is

WHEREAS, the subject property of approximately 11.49 acres is located at 2094 East Main is zoned CD, designed commercial and is designated on the Town of Cortlandt Tax Maps as Section 24.13, Block 2, Lot 4,5,6, 9,11 & 12, and

WHEREAS, the subject application is considered a Type 2 action under 6 CRR NY 617.5 as a replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, and WHEREAS, the applicant is proposing to convert the former ShopRite store to a Floor and Decor store with areas of grading and new pavement for a redesigned handicapped parking area, milling and overlay of the parking lot, additional perimeter landscaping, lighting upgrades, a complete building façade renovation and new signage, and

WHEREAS, alternative concepts have been analyzed for the ADA accessible parking layout on the site including moving the ADA spaces parallel to the existing building, similar to the existing layout and relocating the ADA parking spaces on the lower side of the landscape island however these layouts caused significantly more disturbance and fill or required a much longer path of travel requiring ADA pedestrians to traverse up a ramp to access the building, and

WHEREAS, the layout shown on the subject site plan minimizes disturbance to the existing parking lot and provides the shortest accessible route to the building, and

WHEREAS, the subject proposal was reviewed by the Department of Planning and Community Development, the Town's Consulting Engineer, the Town Engineering Division and the Code Enforcement Division, and

WHEREAS, the elevation drawings were referred to the Town Architectural Review Council for their review and comment and they recommend approval, and

WHEREAS, the subject drawings and application materials were referred to the Westchester County

Planning Board and the New York State Department of Transportation, and

WHEREAS, written and verbal comments made in response to the subject application were considered by the Planning Board.

NOW THEREFORE BE IT RESOLVED that the application Zachary Kamm, P.E. on behalf of Kitzbuehel Realty, LLC for Amended Site Plan approval of is hereby as shown on a 14-page set of drawings entitled "Preliminary & Final Site Plan" prepared by Zachary A. Kamm, P.E. latest revised February 20, 2025 and on an elevation drawing entitled "Shell Elevations" prepared by SBLM Architects latest revision dated February 13, 2025, 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 Chairperson 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 Chairperson's signature shall be valid for a period of twelve (12) months from the date of signing during which time the applicant shall receive a building permit. If there is no substantial change in the condition of the site and\or its environs, said 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 in obtaining the building which require the granting of a time extension.

CONDITIONS AND MODIFICATIONS:

- 1. Add the current signature block to the cover page of the drawing set and (a) Obtain the required signature from the Planning Director, the Planning Board Engineer, the Director of Environmental Services and the Planning Board Chairperson on the subject drawing(s) and (b) following the receipt of the required signatures submit four paper copies of said signed drawing set to the Planning Office (c) following all of the signatures e-mail a .pdf scan of the drawing set to the Planning office (d) submit an as-built survey in AutoCAD file in digital format at the completion of the project.
- 2. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
- 3. The applicant shall obtain all required building permits from the Department of Technical Services Code Administration and Enforcement Division prior to beginning any site work within one-year of the date of this resolution.
- 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 \$10,000. Said security to be in effect for a period of not

less than two years from the date thereof. 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. Final details of the proposed landscape plan to be revised to the satisfaction of the

Department of Planning & Community Development prior to the Chairperson signing the

subject site plans.

6. Payment to the Town of an inspection fee in the amount of 5% of the construction costs based

on an itemized breakdown of all site work, exclusive of interior building renovation work,

submitted by the applicant and approved by the Director of Technical Services for all labor and

materials for all on-site construction work.

7. The applicant shall address the March 12, 2025 Review Memo (attached) to the satisfaction

of the Director of Technical Services.

8. The applicant is advised that all building and site signage shall be in conformance with the

Town sign ordinance or an application to the Zoning Board of Appeals is required. The final

sign package shall be referred to the Architectural Review Council for their review and

comment.

TO BE CONSIDERED FOR ADOPTION: APRIL 1, 2025

4 | P a g e

Dynamic Engineering Consultants, PC

50 Park Place, Suite 901 Newark, NJ 07102 T. 973-755-7200

March 20, 2025 Via Online Portal (OpenGov)

Town of Cortlandt 1 Heady Street Cortlandt Manor, NY 10567

Attn: Mr. Chris Kehoe, AICP, Director

Department of Planning & Community Development

And Members of the Planning Board

RE: Floor & Decor

Proposed Floor & Décor Site Plan Amendment

PB 2025-4

2094 East Main Street Tax ID 24.13-2-9 Town of Cortlandt

Westchester County, NY DEC# 5079 24-04330

Dear Mr. Kehoe and Members of the Planning Board,

Enclosed please find the following items constituting our submission to the Town regarding the above-referenced project submitted via the Town of Cortlandt OpenGov Portal:

- Signed Response Letter (this document) prepared by our office, dated March 20, 2025;
 and
- Signed and sealed copy of the Preliminary and Final Site Plan prepared by our office dated January 23, 2025, last revised March 20, 2025.

Below are sequential responses to the comment letters prepared by and received from the Town Professionals as they relate to the Site Plan Amendment:

<u>Memorandum prepared by Martin G. Rogers, P.E. of Town of Cortlandt, Department of Technical Services, Code Enforcement Division, dated March 10, 2025:</u>

Site Drawings

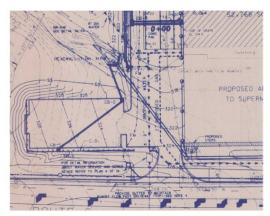
12. Include Detail for Fire Lane Sign and show locations on the Site Plan. FCNYS 503.3 and Appendix D, D103.6. Town of Cortlandt requires No Parking, No Stopping, No Standing"

Fire Lane Signs including No Parking, No Stopping, and No Standing have been added to the Construction Details of the Site Drawings in accordance with FCYNYC 503.3 and Appendix D103.6.

<u>Memorandum prepared by Michael Preziosi, P.E. of Town of Cortlandt, Department of Technical Services, dated March 12, 2025:</u>

Sanitary Sewer Comments:

1. Cleary identify the location of the existing sanitary pump chamber, its size, capacity and note any repair that may be required. Inspect all existing sanitary lines for inflow and infiltration and eliminate as necessary. Provide report of findings. Provide rims and inverts at connection points to Town's sanitary infrastructure.



Kindly note, that Department of Health review of sanitary sewer lateral connections is required if daily flow exceed 2500 gallons per day. Verify daily flow by utilizing the NYSDEC Intermediate Wastewater Design Manual to estimate flow. Place calculation directly on the plan.

It is recommended that the entire sanitary line be flushed. Furthermore, any onsite grease traps or holding tanks no longer necessary shall be properly decommissioned, abandoned and/or removed from the site, disposed of in a lawful matter. Note the same on plan revisions.

Proposed internal grease traps shall be noted on the MEP drawings and designed in accordance with the NYS Sanitary Code and NYS Plumbing Code to service any staff break rooms.

Existing sanitary pump station is shown on C-106, with a note stating that assessment of existing station to be performed. No objection, existing gravity

sanitary sewer lines will be inspected to confirm integrity and replaced if deemed necessary, prior to occupancy. A report of findings will be provided at a later date once complete.

A sanitary calculation has been added C-106. The calculation accounts for maximum employee count occurring typically on a Saturday plus additional square footage for the office area. This totals 1,453 GPD and does not exceed the Department of Health's 2,500 GPD threshold.

As noted in the Plumbing Demolition Plan as part of the Building Permit Application, notation to clean sanitary system is noted on sheet P101. Notation has been added to sheet PD101 for decommissioning of existing grease traps and grease system.

As indicated in the Plumbing Drawings for the Building Permit, no new internal grease traps are proposed.

Low pressure testing shall be in accordance with NYS Plumbing Code. Hydrostatic testing may also be performed at 1.25 times the working pressure of the lateral.

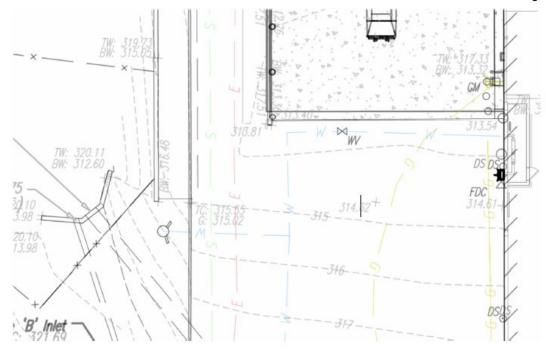
If any alterations to the existing system are proposed, provide layout, profile and details of the same. All separation distances to water shall be maintained (18" vertical, 10-ft horizontal). Note:

Advisory Comment: This parcel is located in the Cortlandt Boulevard West Sewer Improvement Area and is subject to an annual benefit unit assessment. As this facility becomes operational, the annual assessment will increase based on water use. The 2025 assessment roll adopted a per benefit unit of \$306.92. A benefit unit is 330 gpd of metered water consumption.

Acknowledged, low pressure testing shall be in accordance with NYS Plumbing Code. If any alterations to the existing sanitary system are proposed, layout profile and details will be provided, and separation distances to water will be maintained.

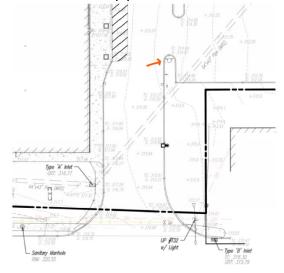
Water Distribution Comments:

1. Indicate the size and type of the onsite water main (assumed 8" DIP CI-52) servicing the site. The hydrant and main shown below is beyond the meter pit for the site and is considered private.



The approximate location of the existing 8" diameter DIP onsite water main is noted on the Utility Plan. Contractor to further verify size and material in field.

2. Show the location and size of the existing water main and hydrant arm servicing the site. We believe there is an 8-inch main that runs parallel with Route 6 in front of the addition and between the sidewalk and arch pipe culvert. Refer to 1994 site plan and utilities.



The approximate location of the existing 8" diameter onsite water main servicing the hydrant is noted on the Utility Plan. Contractor to verify location, size and depth in field.

a. Verify all onsite hydrants have been tested are functioning and being maintained. Engineer shall certify such.

The sprinkler contractor retained by Floor & Décor will test the hydrant during construction and will make any necessary repairs before construction sign-off.

b. Verify there is adequate operating pressure to service the proposed onsite fire suppression system. This may be completed simultaneously with the fire sprinkler plans. Ensure pressure reducing valve and existing/proposed backflow allows for adequate flow and operating pressure.

The sprinkler contractor retained by Floor & Décor will test the operating pressure during construction and make any necessary repairs and replacements before construction sign-off.

c. Coordinate inspection of the existing bulk meter located adjacent to NYS Route 6 with DES – Water, Fred Bleakley or Ken Celli. The meter shall be replaced to the current Town of Cortlandt standard which can be obtained from Rio Supply. Contact Yasmin at 914- 879-8522.

Floor & Décor will replace the meter, as required, during construction.

d. Normally all commercial construction requires a separate tap for potable and fire supply from the Town's infrastructure. Since this is a re-use of the existing building and that the Town's water infrastructure is across the NYSDOT right-of-way, the Town will allow the existing 8" DIP service lateral to be tapped for a potable kcopper service.

As stated, this is a re-use of the existing building. As reflected in the Plumbing and Civil Plans, no external modifications are proposed to the existing water line.

- e. The Town requires all backflow prevention devices for potable and fire supply to be inspected, tested and certified annually, with results uploaded to an online management system (BSI) and made accessible to the authorities having approving jurisdiction. This is also required for sanitary grease traps. Currently, 3 non-compliant devices are listed as follows:
 - i. 6" Ames 2000SS DCDA in the existing sprinkler room.
 - ii. 6" Febco 870 in a hot box.
 - iii. 2" Watts 909 in the sprinkler room.

MEP shall evaluate the current backflow devices, verify they are compliant with NYS and County Sanitary Code. If any device is relocated or altered in any way, or a new device is proposed, make application under separate permit through OpenGov. Said application(s) will be considered deferred design and can be progressed independently of this permit. All backflow devices must be installed, tested and certified prior to the issuance of a certificate of occupancy.

Fire protection devices to be evaluated by others. MEP has evaluated the existing water service backflow preventer and confirmed the existing to

remain and will not be relocated. This device is compliant with NYS Code. Please see the revised MEP drawings for the Building Permit application.

Flood Prevention, Storm Drainage and Wetland Comments:

1. There are regulated FEMA flood ways onsite. Revise the site plan to locate the 100-year flood plain and 500-year flood plain. Reference and indicate FIRM Panels and any noted base flood elevations.

It is understood that the current proposal has no impacts to the Flood Plain. However, this shall be noted by completing a Flood Damage Prevention Findings Statement as outlined within Town Code Ch. 175 (https://ecode360.com/7692720). You may add the certification to the plans directly or submit under separate cover.

As noted in the Existing Conditions Plan, and the Survey, the FEMA Floodway Area is noted on Lots 5 and 6 of the subject site. The proposed ADA improvements are approximately 500 feet away from the southern edge of Lot 6.

A note has been added to the Site Plan stating "BASED ON FEMA FIRM MAP, MAP NUMBER 36119C0017F, EFFECTIVE DATE SEPTEMBER 28, 2007 AND AS REFLECTED ON THE REFERENCED PROJECT SURVEY, AND EXISTING CONDITIONS PLAN, PORTIONS ARE LOTS 5 AND 6 ARE WITHIN ZONE AE AND ZONE X. THE FLOOD ELEVATION FOR THESE LOTS IS APPROXIMATELY ELEV. 298.5. AS NOTED IN THE GRADING PLAN, THE EXISTING FINISHED FLOOR OF THE BUILDING IS APPROXIMATELY ELEV. 317.5."

There are wetlands onsite. While not directly proposed for disturbance work will occur
within 100-ft buffer. Since currently there is no proposed disturbance beyond the existing
impervious surfaces, the Applicant's Engineer shall simply verify and delineate the wetland
boundaries and note on the revised site plan.

A wetlands findings statement shall be provided in accordance with Chapter 179 of the Town of Cortlandt Town Code, since work will occur within a regulated buffer. Address all requirements of 179-6 (https://ecode360.com/7692948) in question/answer format. This response can be added directly to the plan set or submitted under separate cover by a Professional Engineer.

The requirements and responses to §179-6.B. Wetlands Findings are reflected on the Site Plan. The proposed site improvements will not extend past an existing, previously developed area. The proposed project is the interior renovation of an existing commercial structure with minimized site disturbance to facilitate ADA accessibility compliance and building operations.

3. The Town would like to make the Applicant aware that there is an existing stormwater filtration basin onsite. While no new impervious surface is being created, we would encourage the Applicant to coordinate with the property owner opportunities to improve and enhance stormwater management onsite. Reference is made to the NYSDEC Storm Water Design Manual, Chapter 9, Re-development Activities.

As part of this application, the Applicant will be required to inspect all catch basins post

construction within the proposed limits of disturbance and as demonstrated on your erosion and sedimentation control plans. Any accumulated sedimentation shall be removed from all catch basins and all outfalls shall be photo documented to demonstrate no blockage or accumulated sedimentation.

The proposed project involves disturbance of less than 1-acre and is not subject to NYSDEC stormwater management requirements. The project will also decrease impervious areas compared to existing conditions which will in turn reduce stormwater runoff from the site.

No objection, catch basins will be inspected post construction. Any accumulated sedimentation shall be removed from catch basins and outfalls shall be photo documented to demonstrate no blockage or accumulated sedimentation. This is noted on the Soil Erosion and Sediment Control Plan.

General Comments:

- 1. Applicant is referred to Chapter 33 of the NYS Building Code, Safeguards During Construction. Requirements shall be incorporated into the submitted plan set.
 - a. Show location of dumpsters, temporary debris areas, contractor parking and similar staging needs.

Due to the project scope, exterior site improvements are limited to pavement and curb work. The proposed improvements are limited and most of the construction will be for interior renovations to convert to the Floor and Décor use. The existing parking lot and building interior will be utilized as needed for Contractor means and methods for the proposed construction.

b. Add a note to lawfully dispose of all material off-site.

A note stating same has been added to the Demolition Plan.

c. Provide a general construction sequence plan.

A sequence of construction is provided on the Soil Erosion Plan.

2. Add appropriate signage that restricts left turns from the site onto Route 6 / Cortlandt Boulevard. Provide details of the same.

An existing "No Left Turn" sign is indicated on the Site Plan.

3. Show the limits of the existing onsite filtration and detention basin. Coordinate with the property owner if any repair is necessary to restore original functionality. The Owner, Applicant and Town can discuss ongoing MS4 Stormwater Maintenance for the site independent of this application.

The proposed re-development will be decreasing impervious coverage on-site, and no disturbance is proposed within the area of the existing basin. Stormwater Maintenance for existing infrastructure can be discussed independently of this application between the Owner, Applicant and Town.

4. Effort shall be made to restore plantings site wide where past disturbance and encroachment into planting areas has occurred. Revised planting plans shall be incorporated into the Planning Board approving resolution.

Landscape Plan has been revised to incorporate additional, supplemental perimeter plantings as discussed previously with the Town and Professional Staff.

5. In 2022, BL Companies on behalf of a previous applicant submitted a "Culvert Inspection Report," which evaluated the 3'x10' concrete box culvert that links the parking lot to the adjoining property for vehicle access to Route 6 opposite Jerome Drive. This culvert and driveway are an exit from the site.

All recommendations and repairs outlined in the report or proposed by the Applicant's design professional shall be made prior to the release of a certificate of occupancy. The Town recommends coordinating with the Property Owner to discuss the best course of action and timeframe for completion.

The site plan shall also be revised to reference the easement across this culvert and through the adjoining property, since this allows for left turn vehicles on Route 6, opposite Jerome Drive.

Acknowledged. Confirmation to be provided by Property Owner regarding the Culvert Inspection Report.

6. The erosion and sedimentation control plan shall be revised to protect the trench drain across the loading dock(s), include controls along the perimeter of the existing filtration basin, and note requirements for inspection of catch basins and sweeping.

No earthwork or disturbance is proposed within the vicinity of the loading dock area. Additionally, no earthwork is proposed within the vicinity of the existing filtration basin. A note has been added to the Soil Erosion and Sediment Plan stating that all catch basins will be inspected post construction, and any accumulated sedimentation shall be removed, and outfalls shall be photo documented.

Clarify why the construction entrance is right at Route 6? Can this not be installed interior to the site to allow for a bit of runout? Also note that the loading dock entrance will not be used for site access during construction. Otherwise, an additional construction entrance will be required.

Construction entrance has been revised to be further away from Route 6. No earthwork disturbance is proposed near the loading dock entrance. As the site disturbance is limited to the northern side of the site, the loading dock entrance will not be used for site access during construction of the site improvements.

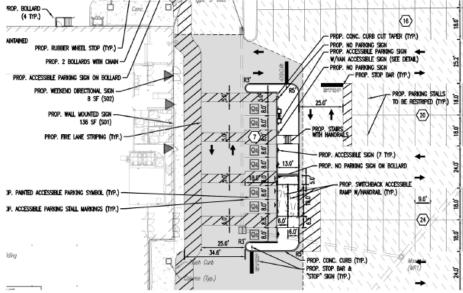
Is a typical stone construction entrance suitable for this site? Perhaps an alternative track out control is warranted since soil disturbance is extremely limited.

Soil disturbance is very limited as part of the redevelopment. A typical stone construction entrance is proposed as recognized in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, "Bluebook".

7. <u>Advisory Comment:</u> It is strongly encouraged that efforts be undertaken when resurfacing the parking lot to coordinate areas of milling and filling to improve the pavements cross slope.

Acknowledged.

8. Planning Staff and the Board has already commented about the location of the proposed ADA accessible spaces. Since these are to remain, provide a cross section through and verify that no retaining structure is proposed or required to achieve the proposed grades.



Essentially, we are confirming that based on the design of the proposed grade and slope between the front of proposed ADA spaces and existing parking does not require to be retained and that the steps and switch back ramp are not functioning as such. Otherwise verify they have been designed as retaining structures.

The ramp has been removed and a staircase remains that ties into existing grade. No additional retaining structures are needed to facilitate the grade change as that will be handled within the landscape island area.

Show location of any proposed above ground storage tanks, generators, dumpsters and similar enclosures. Currently, the compactor is proposed to be located near the loading docks unscreened.

Dumpsters shall be provided for recyclables and garbage. All shall be located in a screened enclosure per the requirements of Ch. 154 – Dumpsters https://ecode360.com/33332848.

As previously stated, this is the re-use of an existing building. The loading dock area (which will contain the new compactor) is screened from the neighboring residential parcels to the northwest of the site. The existing loading dock aligns with the curb cut entrance to East Main Street and is therefore only visible in the portion of the curb cut. The rest of the site's frontage along East Main Street is screened. The existing loading dock and proposed compactor is approximately 200 feet away from East Main Street and approximately 13 feet below the elevation of East Main Street.

Add a note to the plan that all garbage and recycling services shall be from private carting companies. The Town of Cortlandt will not serve the site.

A note has been added to the Site Plan stating same.

- 10. Add the following notes to the plan sets.
 - a. All structures shall be tested for lead, asbestos and other hazardous materials in accordance with the NYS Uniform Fire Prevention and Building Code and NYCRRR by a licensed and certified tester. All hazardous materials shall be properly abated and lawfully disposed of offsite. No removals shall occur until such time as these reports are submitted to the Town of Cortlandt.

Note has been added to the Demolition Plan.

b. All asphalt pavement removed shall be lawfully disposed of off-site and not mixed with other construction debris. This includes millings.

Note has been added to the Demolition Plan.

c. All existing utilities (water services, sanitary, telecommunications, power, etc...) to be abandoned shall be excavated and removed from the site.

Note has been added to the Demolition Plan.

- d. All backflow devices must be installed, tested and certified prior to the issuance of a certificate of occupancy.
 - i. It shall be the responsibility of building and premises owners to perform required testing and to maintain all backflow preventers and vacuum breakers within the building or on the premises in good working order and to make no piping or other arrangements for the purpose of bypassing backflow devices.

Acknowledged. A note has been added to the Utility Plan.

ii. Reduced-pressure-principle backflow preventers. Annual testing and inspection schedules shall be established by the district for all reduced-pressure-type backflow preventers. Testing shall be conducted by a licensed plumber, and the device shall bear an inspection certificate tag indicating the date of the latest inspection and the name and address of the plumber who conducted the test. The plumber shall file with the district on

approved forms a report indicating the completion of the test and any repairs that were made. The testing procedure shall be in accordance with the device manufacturer's instructions. All devices shall be tested after their initial installation to assure that they have been installed properly and that debris resulting from the installation has not interfered with the proper functioning of the device

Acknowledged. A note has been added to the Utility Plan.

iii. Results shall be uploaded to an online management system (BSI) and made accessible to the authorities having approving jurisdiction. This is also required for sanitary grease traps.

Acknowledged. A note has been added to the Utility Plan.

iv. All commercial meters, backflow devices and appurtenances are purchased and maintained by the facility owners.

Acknowledged. A note has been added to the Utility Plan.

e. The Applicant is made aware that the entire site must be 100% stabilized prior to the issuance of a certificate of occupancy. Disturbed areas shall be restored and stabilized appropriately and in a timely manner.

Acknowledged and noted on the Soil Erosion Plan.

f. Prior to the issuance of a certificate of occupancy, an "as-built" survey prepared by a licensed professional land surveyor of the property shall be submitted to the Department of Technical Services.

Understood. Prior to a Certificate of Occupancy, an "as-built" survey shall be provided by a licensed professional land surveyor, noted on the Site Plan.

g. Prior to the issuance of a Certificate of Occupancy, the Engineer/Architect shall submit a certification addressed to "The Town of Cortlandt Department of Technical Services" that the site work has been completed in accordance with the approved plans on file with the Town and that there are no adverse impacts to adjacent and adjoining neighbors as it pertains to drainage and runoff.

Understood. Prior to a Certificate of Occupancy, the Engineer/Architect shall submit a certification to the Town of Cortlandt Department of Technical Services, noted on the Site Plan.

h. Prior to the issuance of a Certificate of Occupancy, all repairs as outlined in the "Culvert Inspection Report" prepared by BL Companies dated February 2022 and any additional improvements as required by the Applicant's licensed professional engineer as accepted by the Town shall be completed with certification provided.

Acknowledged. Confirmation to be provided by Property Owner regarding the Culvert Inspection Report.

Please review the enclosed information and should you have any questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

Dynamic Engineering Consultants, PC

Zachary A. Kamm, PE Senior Project Manager

Enclosures:

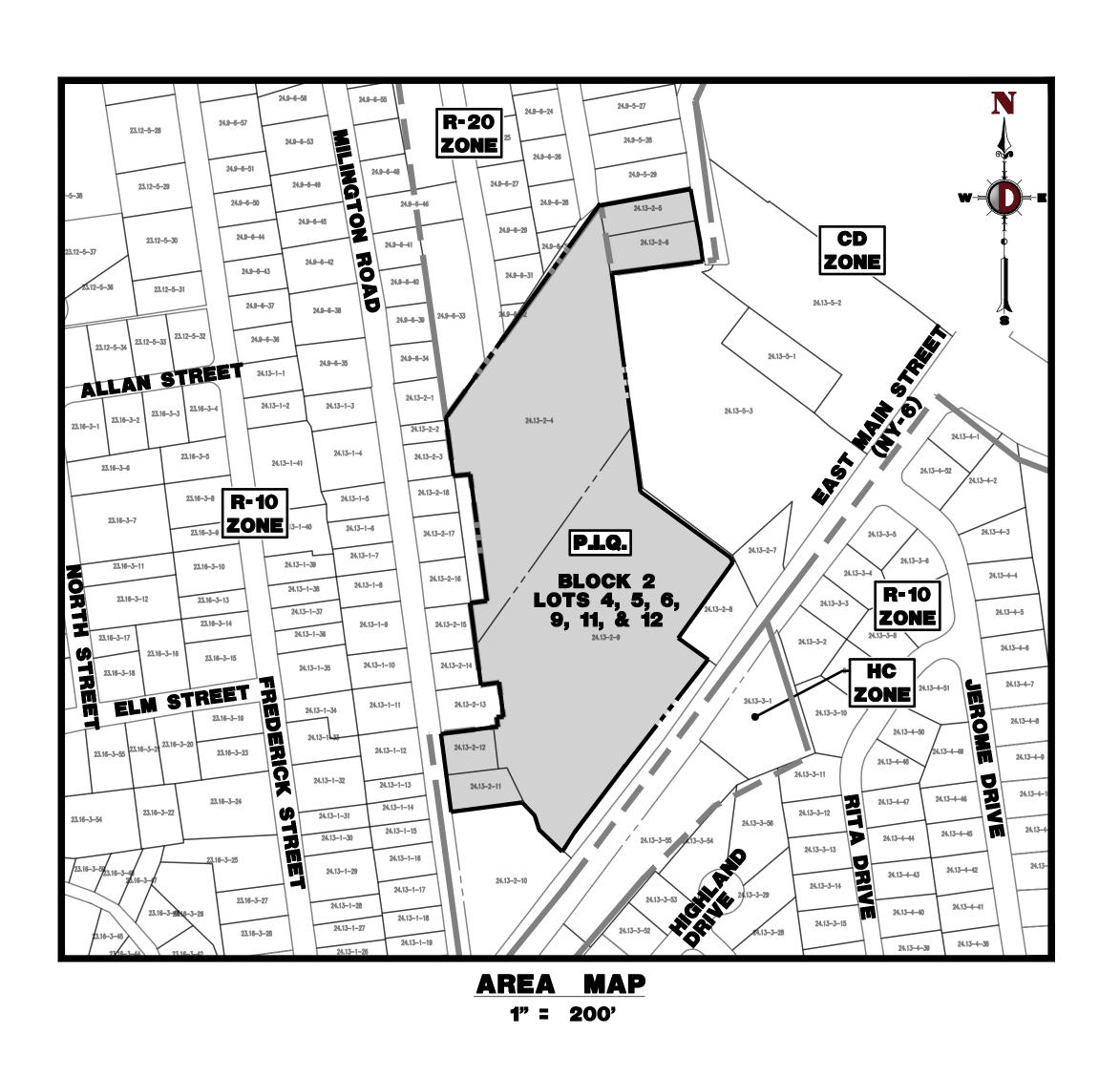
Erin Witt - Floor & Décor

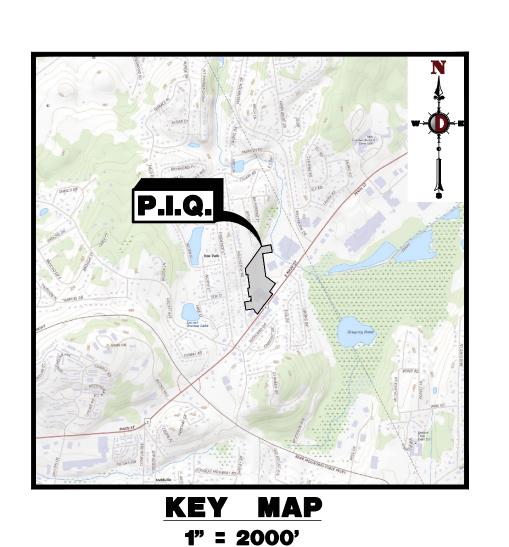
PRELIMINARY AND FINAL SITE PLAN

FLOOR & DÉCOR OUTLETS OF AMERICA INC. PROPOSED FLOOR & DÉCOR

SECTION: 24.13 BLOCK 2, LOTS 4, 5, 6, 9, 11, & 12; TAX MAP SHEET 24.13 - LATEST REV. DATED 10/2015 2094 EAST MAIN STREET (NY-6)

TOWN OF CORTLANDT
WESTCHESTER COUNTY, NEW YORK





DRAWING INDEX		
COVER SHEET	1 of 14	
AERIAL MAP	2 of 14	
EXISTING CONDITIONS PLAN	3 of 14	
DEMOLITION PLAN	4 of 14	
SITE PLAN	5 of 14	
GRADING DRAINAGE & UTILITY PLAN	6 of 14	
LANDSCAPE PLAN	7 of 14	
LIGHTING PLAN	8 of 14	
SOIL EROSION & SEDIMENT CONTROL PLAN	9 of 14	
SOIL EROSION & SEDIMENT CONTROL DETAILS	10 of 14	
CONSTRUCTION DETAILS	11 - 13 of 14	
VEHICLE CIRCULATION PLAN	14 of 14	

PREPARED BY

DYNAMIC ENGINEERING CONSULTANTS, P.C.

50 PARK PLACE - SUITE 901

NEWARK, NJ 07102

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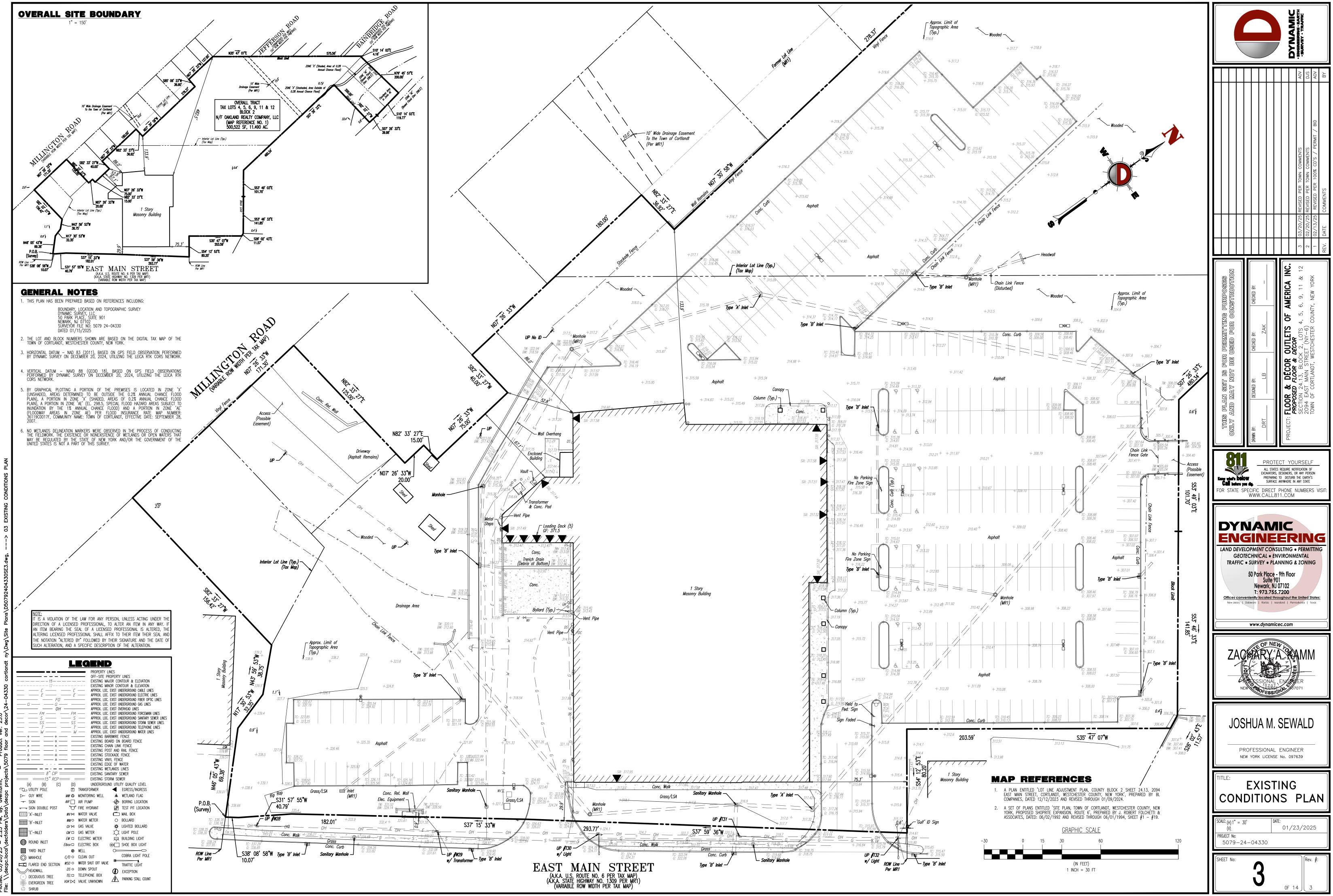
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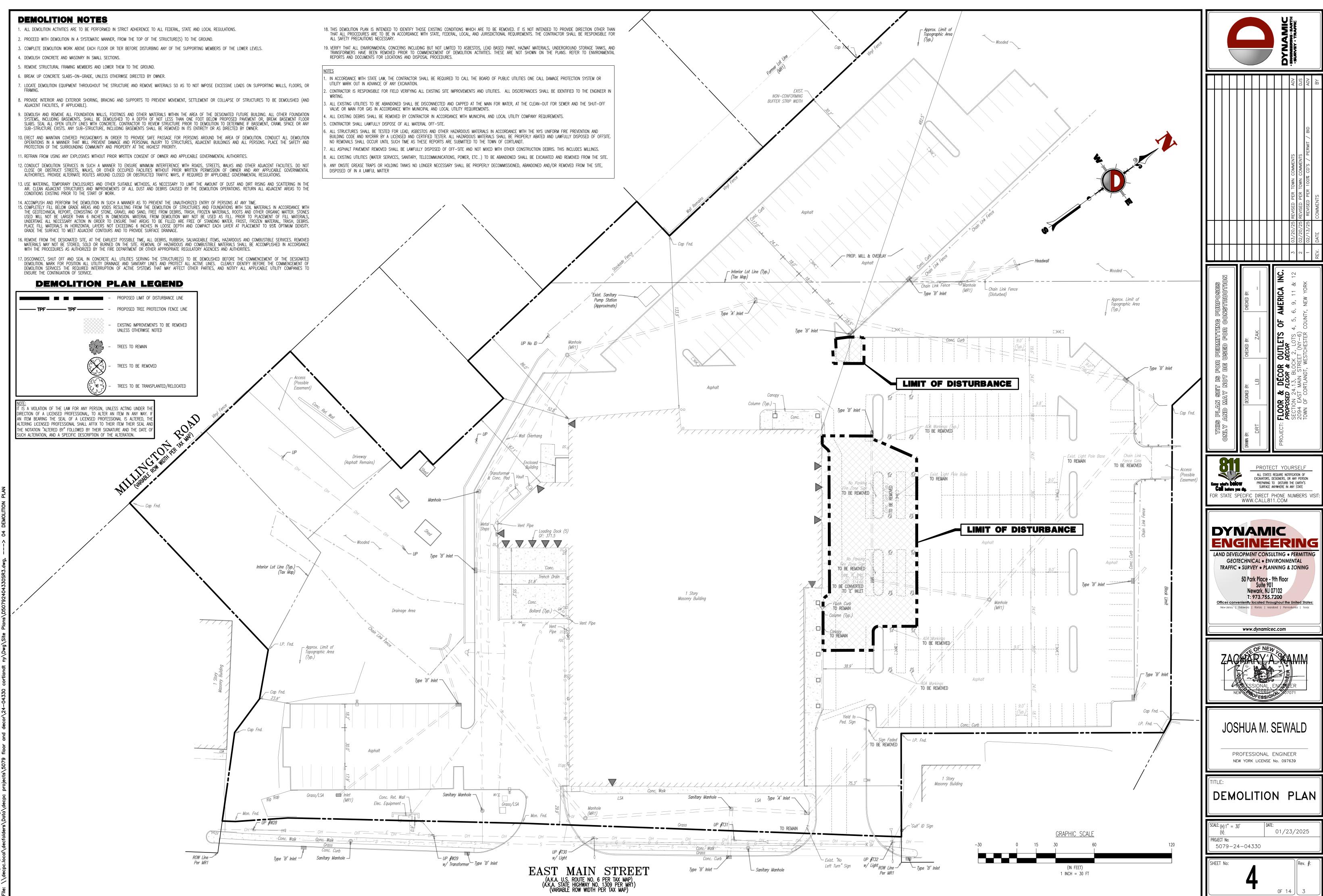
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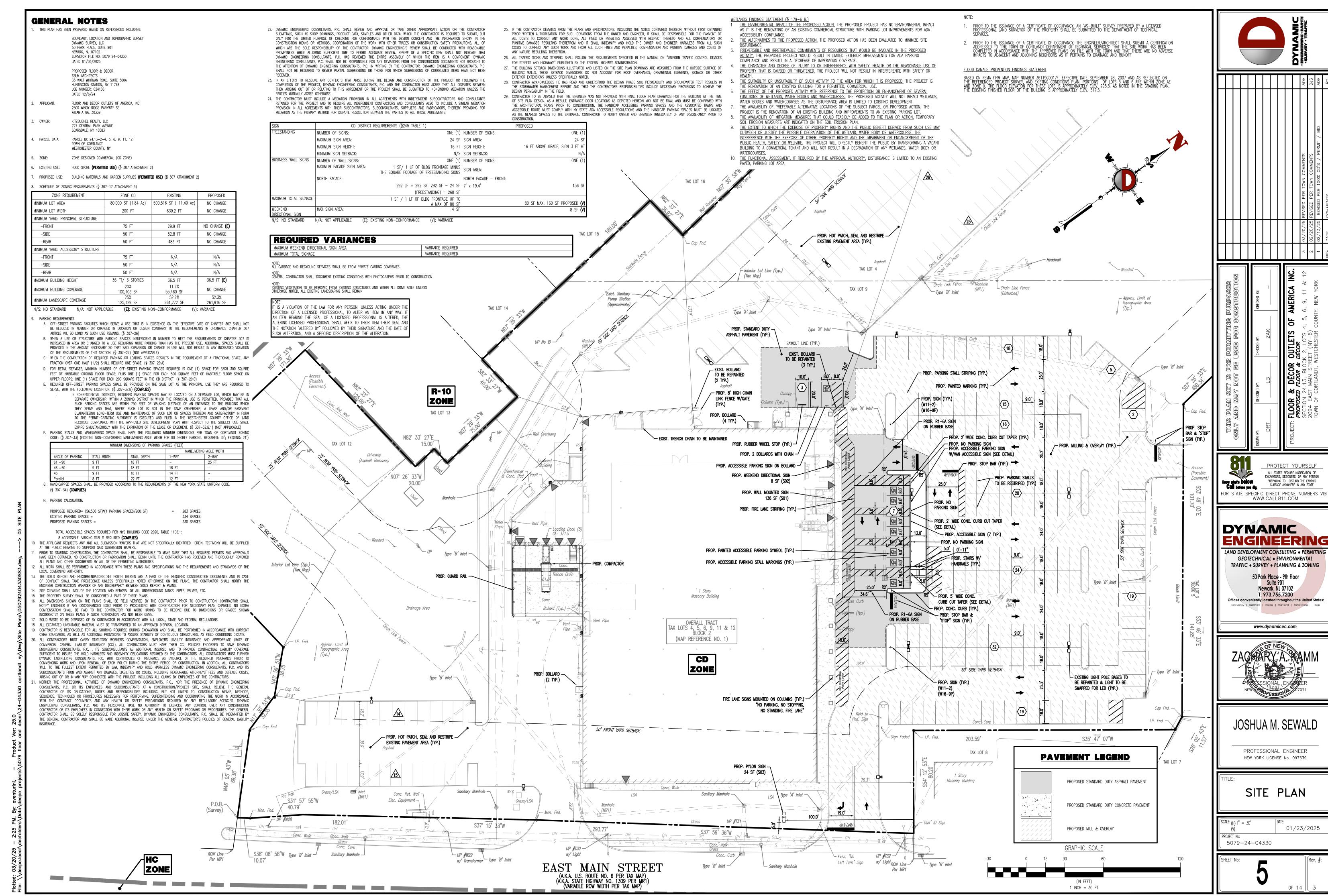
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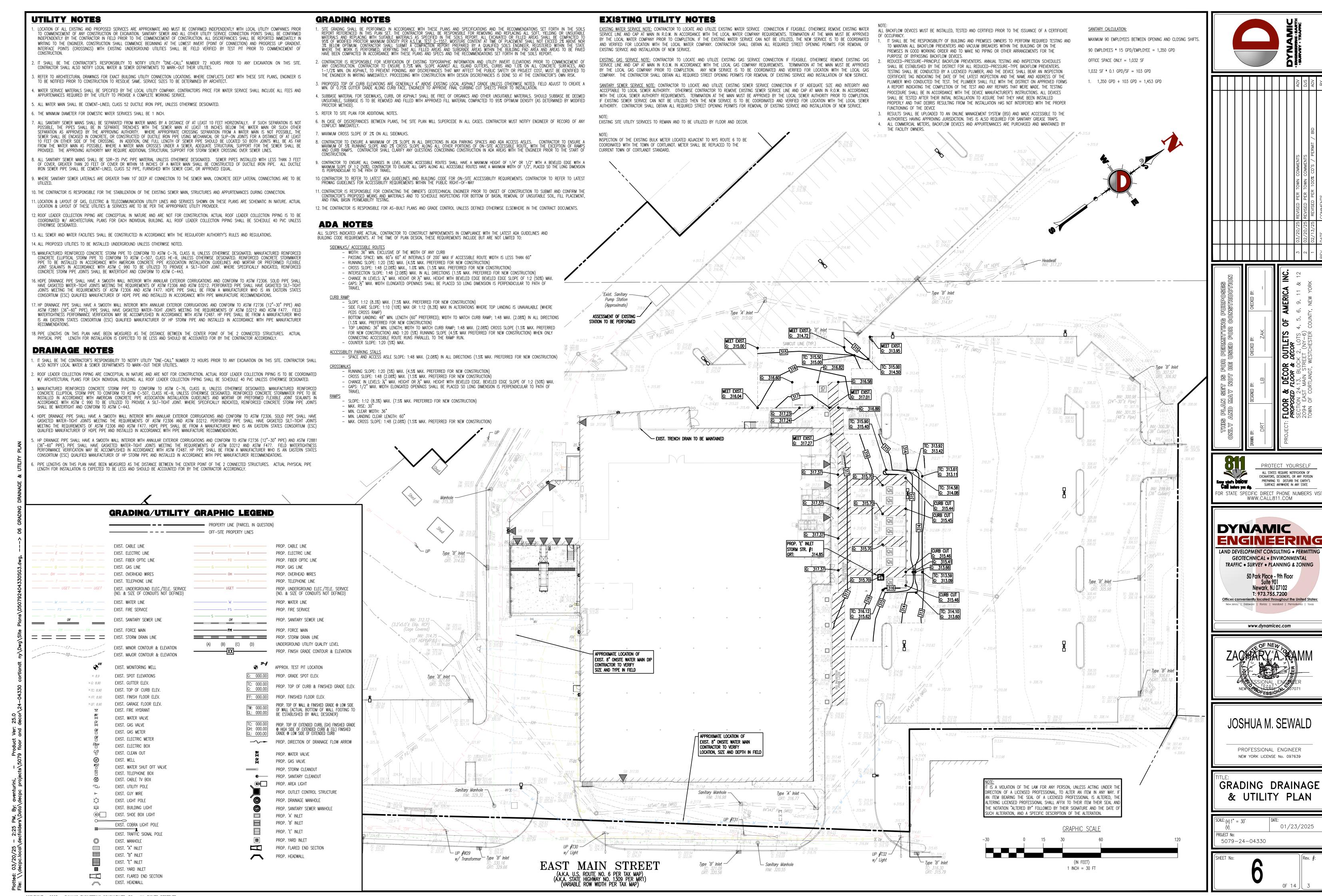
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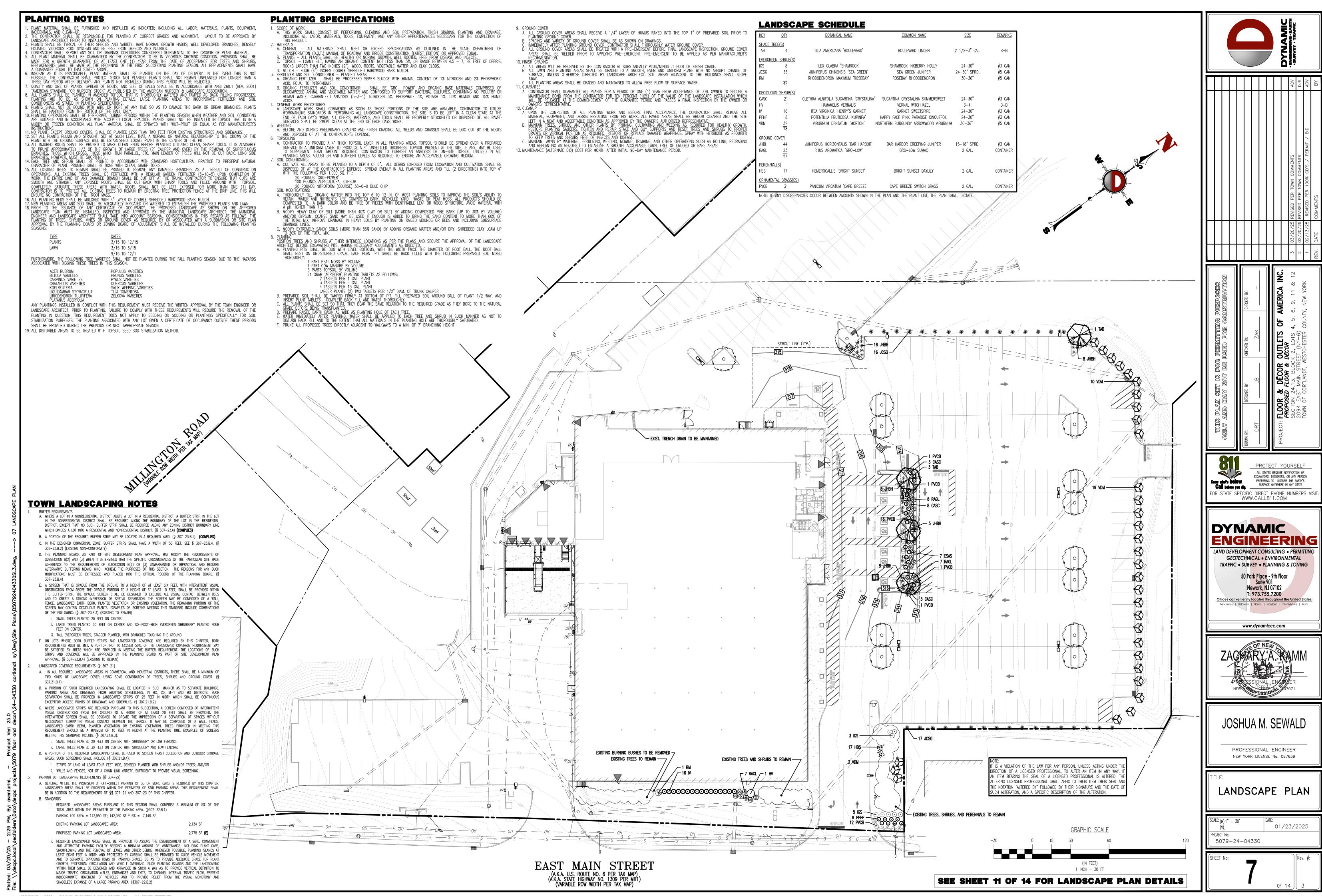


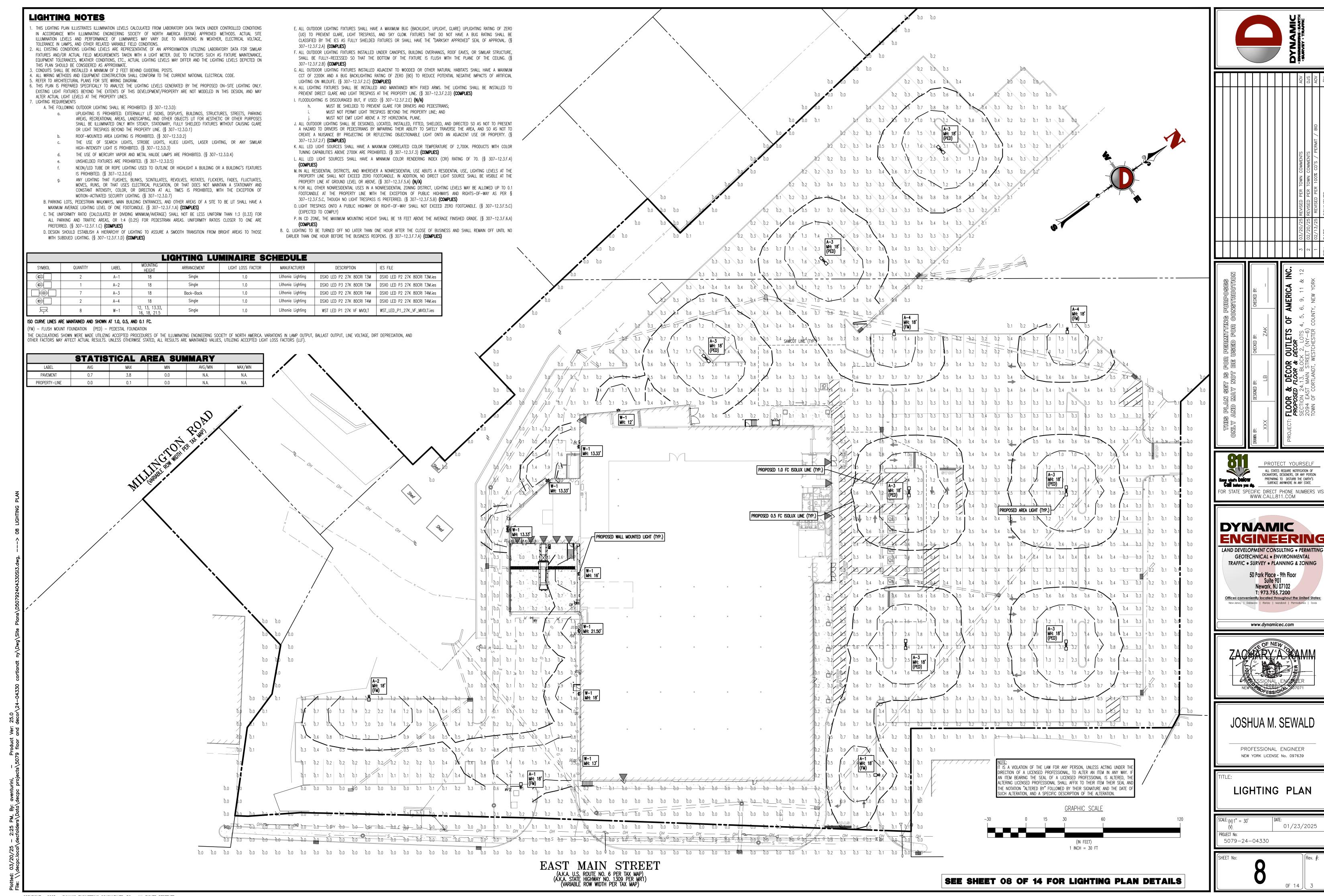


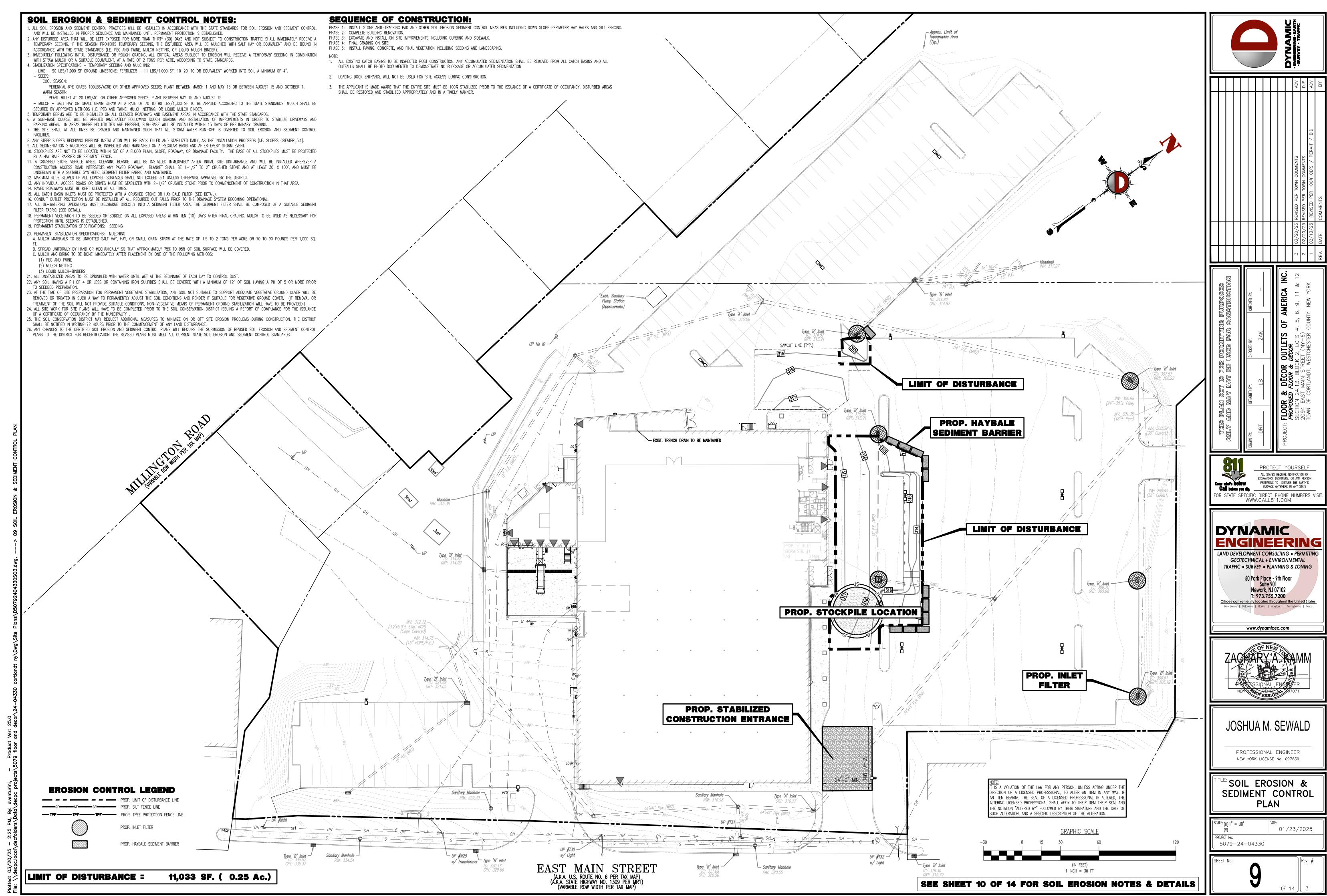


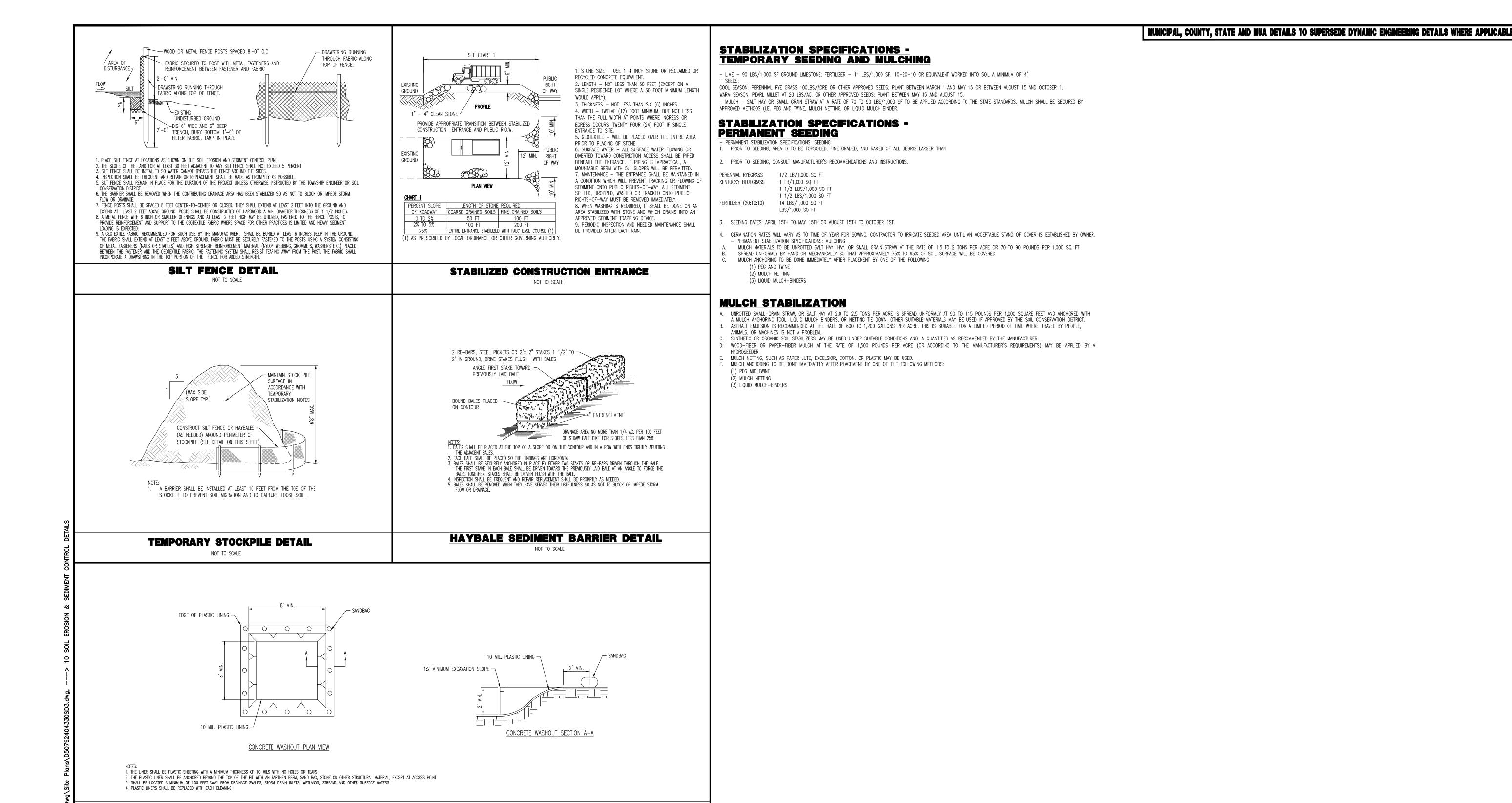




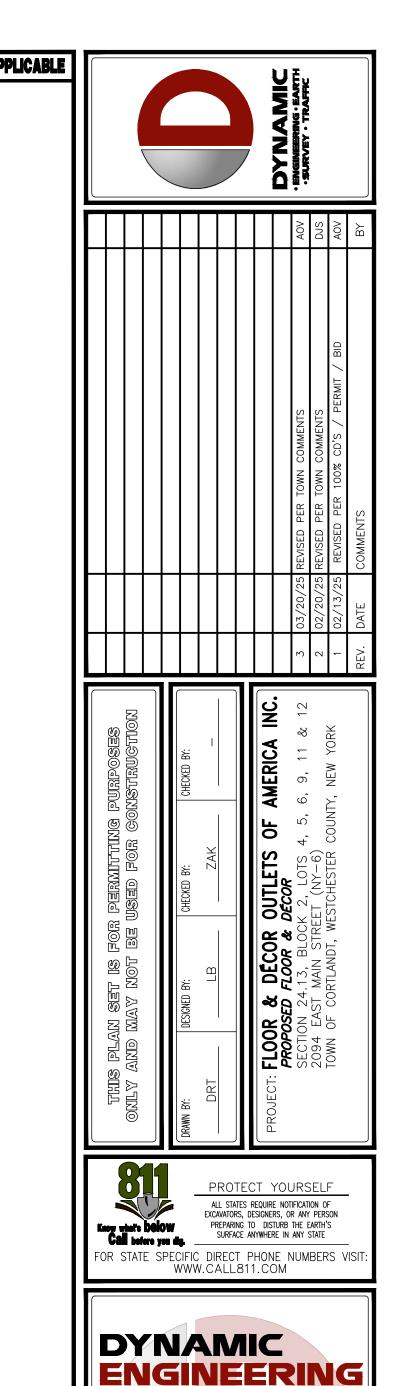




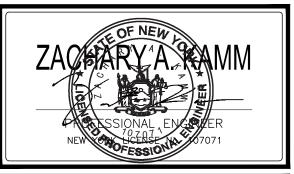




IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER T DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY. AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL IS ALTERED, T ALTERING LICENSED PROFESSIONAL SHALL AFFIX TO THEIR ITEM THEIR SEAL A THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.







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NEW YORK LICENSE No. 097639

SOIL EROSION & SEDIMENT CONTROL **DETAILS**

01/23/2025 (V) SHOWN PROJECT No: 5079-24-04330

3/4" CLEAN STONE TO SEAL

(TYP.) (AS REQUIRED)

PLAN VIEW

FILLED WITH 3/4" CLEAN STONE

NOTES:

1. GEOTEXTILE TO BE WOVEN POLYPROPYLENE PRODUCT 117F, BY SYNTHETIC INDUSTRIES INC., OR TERRATEX SC, BY WEBTEC INC., OR APPROVED EQUAL.

2. 3/4" CLEAN STONE CORE SHALL BE COMPLETELY CONTAINED WITHIN GEOTEXTILE. SEAMS SHALL BE SEWN OR CLOSED BY SUITABLE MECHANICAL MEANS TO PREVENT LEAKAGE OF STONE.

3. WHERE NO CURB IS PRESENT, BARRIER SHALL COMPLETELY ENCIRCLE THE DRAIN INLET.

4. INLET GRATE OPENING IS TO BE KEPT CLEAR OF OBSTRUCTIONS AT ALL TIMES.

5. THE PROTECTION DEVICE WILL BE DESIGNED TO CAPTURE OR FILTER RUNOFF FROM THE 1 YEAR, 24 HOUR STORM EVENT AND SHALL SAFELY COMMEY HIGHER FLOWS DIPPORTLY HINTO THE STORM SEWER SYSTEM.

5. OTHER METHODS THAT ACCOMPLISH THE PURPOSE OF STORM SEWER INLET PROTECTION MAY BE USED IF APPROVED

of the soil conservation district. 7. Inspections shall be frequent. Maintenance, repair, and replacement shall be made promptly, as Needed. The Barrier shall be removed when the area draining towards the inlet has been stabilized.

EVENT AND SHALL SAFELY CONVEY HIGHER FLOWS DIRECTLY INTO THE STORM SEWER SYSTEM.

INLET FILTER, TYPE 1

GEOTEXTILE TUBE AND/OR BAGS

PAVEMENT

CONCRETE WASHOUT DETAIL NOT TO SCALE

INLET FILTER COMBINED DETAIL

NOT TO SCALE

DUMP STRAP (TYP.)

FOR REMOVAL OF

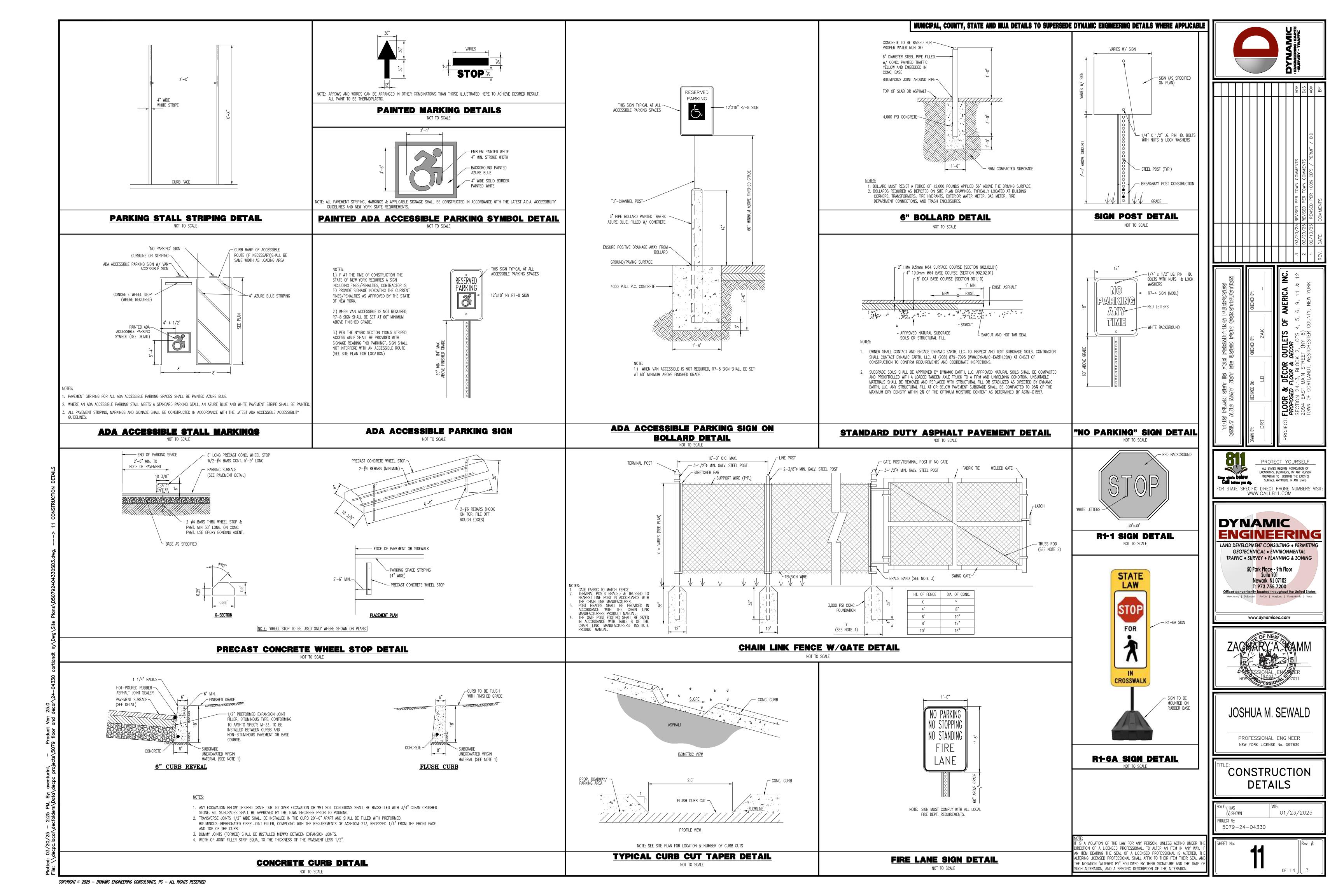
INLET FILTER -

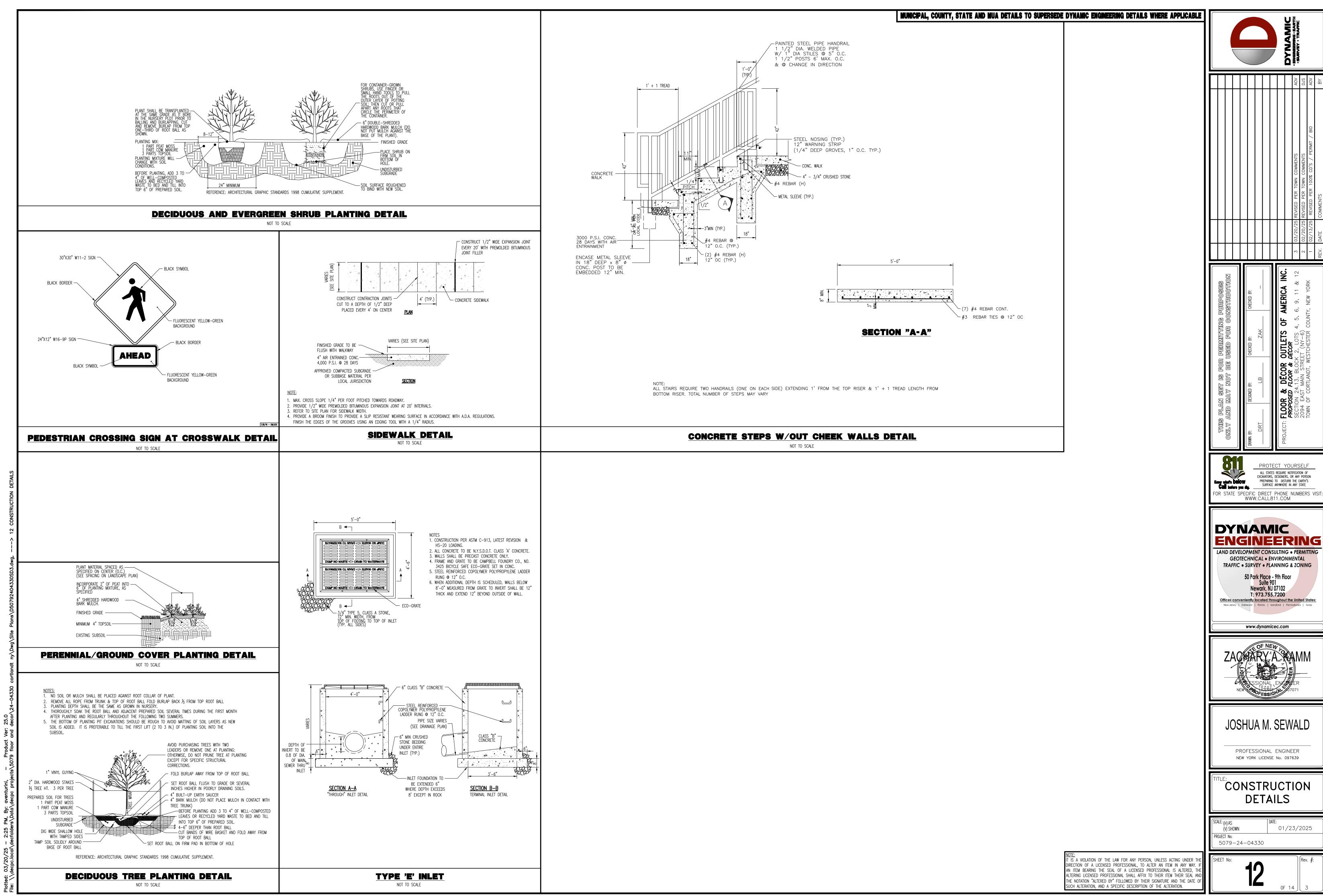
PROVIDE FOR FLOOD OVERFLOW

INSTALLATION DETAIL

INLET FILTER, TYPE 2

BAG DETAIL





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COMMERCIAL OUTDOOR

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DSX0-LED LIGHTING DETAIL

