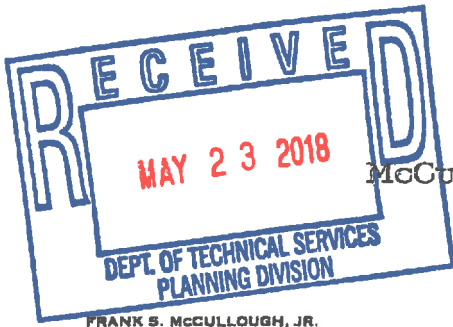


Right to Know/FOIL

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

May 23, 2018

PS 9-99

MGS#2224.03

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

Re: **Application of Beaver Brook Cortlandt, LLC (formerly Furnace Dock, Inc.), 5/24/18**
16 lot cluster subdivision, Furnace Dock Road

Dear Chairperson Taylor and Members of the Planning Board:

As you will recall, by Resolution No. 17-11 dated July 6, 2011, the Planning Board granted conditional final plat approval for the above referenced application. You have previously granted twenty-six (26) ninety (90) day extensions of the conditional approval.

Due to the timing and current circumstances, we are respectfully requesting a twenty-seventh (27th) and hopefully final ninety (90) day extension.

Our client is actually anxious to get the plat filed and begin construction at this point. As we previously indicated, the revised and updated plat has been submitted to the Department of Health for re-approval. As you may recall the DOH previously signed the subdivision plat in 2011, but changes have been made at the request of the Town since that time. The DOH has requested updated "will serve" letters from the Town and the operator of the Baltic Estates Sewer Treatment Plant.

We have just in the last few weeks been made aware of the fact that NYSDEC has required certain work to be undertaken by Jonas Bastys, Inc. at the Baltic Estates Sewage Treatment Plant. Due to this, they have indicated they are unable to give us an updated "will serve" letter at this time. We have had great difficulty getting information from them, and so are speaking directly with DEC and the Department of Health to try to reach resolution of this matter. Without the letter, DOH will not sign the updated plat.

As we previously indicated with respect to the remaining conditions, the client is prepared to provide the soil erosion and maintenance security, as well as the performance security. The payment of \$90,000 to the Town for the railroad pond property (condition 7d.) has already been paid by our client, and the remaining payments are due pursuant to an agreed schedule relating to the issuance of building permits and certificates of occupancy, or in the case of the inspection fee, 60 days prior to the commencement of any work on the site. Lastly, easement documents have been prepared and were submitted to the Town Attorney for review.

We hereby request that this matter be put on your June 5, 2018 agenda for consideration. As now required we are also submitting a check in the amount of \$150.00 for the extension request.

Thank you for your continued cooperation in this matter.

Very truly yours,



Linda B. Whitehead, Esq.

cc: Cosmo Marfione, P.E.
Chris Munch
Dan Ciarcia, P.E.

Chris Kehoe

From: Dan Ciarcia <dan@ciarcia.com>
Sent: Monday, May 07, 2018 8:36 AM *PS 9-99*
To: Michael Preziosi
Cc: LWhitehead@mgslawyers.com; CMarfione@hv-cs.com; Chris Kehoe
Subject: Furnace Dock
Attachments: DeCesare Transmittal 6-26-15.pdf; Furnace SWPPP Review 7-6-15.pdf

Mike:

Attached is the most recent correspondence regarding the Furnace Dock SWPPP. The Town's consultant, VHB, reviewed the SWPPP which addressed the 2015 version of the Design Manual and the transition policy. The July 5, 2015 letter from VHB approved the SWPPP based upon 2015 manual and the transition policy. The notice of intent was prepared accordingly.

Dan Ciarcia
Ciarcia Engineering, PC
360 Underhill Avenue
Yorktown Heights, NY 10598
(914) 245-0123
Fax (914) 245-5670

- Copies *1* Planning Board
- Town Board
- Zoning Board
- *1* Legal Dept.
- *1* DOTS Director
- C.A.C.
- A.R.C.
- Applicant
- _____
- _____
- Sent _____

RECEIVED
MAY 07 2018
DEPT. OF TECHNICAL SERVICES
PLANNING DIVISION



July 6, 2015

Mr. Edward Vergano, PE
Director of DOTS
Town of Cortlandt
Town Hall
1 Heady Street
Cortlandt, NY 10567

**RE: *Furnace Dock Subdivision
Town of Cortlandt, New York
SWPPP Review Comments***

Dear Mr. Vergano:

VHB has reviewed the documentation provided for the above referenced project as prepared by Ciarcia Engineering Consulting, PC:

1. Ciarcia Engineering, PC response letter, dated June 26, 2015
2. Ciarcia Engineering, PC Site Plans, last revised June 23, 2015:
 - a. Sheet-1 "Existing Conditions Plan"
 - b. Sheet-2 "Overall Grading Plan"
 - c. Sheet-3 "Grading Plan"
 - d. Sheet-4 "Utility Plan"
 - e. Sheet-5 "Erosion Control Plan"
 - f. Sheet-6 "Tree Protection Plan"
 - g. Sheet-7 "Entrance Detail Plan"
 - h. Sheet-8 "Furnace Brook Crossing Plan"
 - i. Sheet-9 "Furnace Brook Crossing Details"
 - j. Sheet-10 "Profiles Road/ Drain"
 - k. Sheet-11 "Profiles Sewer/Water/Sight Distance"
 - l. Sheet-12 "Details"
 - m. Sheet 13 "Erosion Control Details/ Tree Protection Details/ Tree Schedule"
 - n. Sheet 14 "Details"

We have no further comments.

Very truly yours,

VHB Engineering, Surveying and Landscape Architecture, P.C.

A handwritten signature in black ink that reads "Amanda DeCesare". The signature is written in a cursive style with a large initial 'A'.

Amanda DeCesare, PE

Senior Project Manager

Cc: Chris Kehoe



CIARCIA ENGINEERING, P.C.

360 Underhill Avenue • Yorktown Heights • New York 10598 (914) 245-0123 fax (914) 245-5670

Ms. Amanda DeCesare, P.E.
Senior Project Manager
VHB Engineering, Surveying and
Landscape Architecture, P.C.
50 Main Street
White Plains, NY 10606

June 26, 2015

Re: Furnace Dock Subdivision -Town of Cortlandt
SWPPP Review

Dear Ms. DeCesare:

We are in receipt of your review memo for the Furnace Dock Subdivision, and have revised the plans accordingly. Enclosed is a revised set of plans consisting of the following sheets:

1. Existing Conditions Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated April 27, 2015 (Sheet 1 of 14).
2. Overall Grading Plan 80 Scale Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised June 23, 2015 (Sheet 2 of 14).
3. Overall Grading Plan 40 Scale Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised, June 23, 2015 (Sheet 3 of 14).
4. Utility Plan Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised June 23, 2015 (Sheet 4 of 14).
5. Erosion Control Plan Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised June 23, 2015, 2015 (Sheet 5 of 14).
6. Tree Protection Plan Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010, last revised June 23, 2015. Sheet 6 of 14).
7. Entrance Detail Plan Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised June 23, 2015 (Sheet 7 of 14).
8. Furnace Brook Crossing Plan Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010, last revised April 27, 2015 (Sheet 8 of 14).
9. Furnace Brook Crossing Details Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised April 14, 2014 (Sheet 9 of 14).
10. Profiles Road/Drain Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised June 17, 2015 (Sheet 10 of 14).

11. Profiles Sewer/Water/Sight Distance Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 dated March 14, 2014 (Sheet 11 of 14).
12. Details Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated July 13, 2010 last revised March 14, 2014 (Sheet 11 of 13).
13. Erosion Control Details – Tree Protection Details – Tree Schedule – Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, dated July 13, 2010 last revised March 14, 2014 (Sheet 13 of 14).
14. Details Furnace Dock Subdivision 16 Lot Cluster Plan prepared for Beaver Brook Cortlandt, LLC, Dated March 14, 2014 June 23, 2015 (Sheet 14 of 14).

The following is in response to your comments:

Comments for SWPPP:

Comment 1: Provide minimum 4 feet depth of permanent pool as required per NYS SMDM.

Response 1: The grading of the detention ponds has been revised to provide a minimum of 4 feet of depth in the permanent pools.

Comments for Notice of Intent (NOI):

Comment 1: Question number 23 in the NOI. Has the post construction stormwater management practice component with the current NYS Stormwater Management Design Manual?

Response 1: The Furnace Dock Subdivision received final approval on April 11, 2011. A positive declaration pursuant to SEQRA was adopted for this project and a DEIS prepared. The New York State Department of Environmental Conservation (NYSDEC) issued a guidance document on May 14, 2015 to address projects approved prior to the adoption of the latest general permit. This guidance provides the criteria an owner or operator of a construction activity, seeking coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) ["CGP"], must meet in order to continue to use a Stormwater Pollution Prevention Plan ["SWPPP"] that was designed in conformance with the 2010 version of the New York State Storm water Management Design Manual. Since the project was subject to an exhaustive review based upon the stormwater practices designed in conformance with the old manual, question 23 has been answered "no", as required by the transition policy

Comments for Site Plans:

Comment 1: The SWPPP indicate the low-level outlet for Pond 1 is one inch however in the utility plan indicates a three-inches opening.

Response 1: The low level outlet for Pond 1 should be three inches.

Comment 2: Revise the utility plan to show the proposed weir elevation and width for both ponds 1 & 2 as indicated in the SWPPP.

Response 2: The utility plan has been revised to clarify the overflow weir elevations. In addition, a detail of the control structure upstream of Pond 2 (CS-1A/B) is provided on sheet 14 of the set.

Should you have any questions or require additional information, please call.

Sincerely,



Daniel A. Ciarcia, PE

cc: Edward Vergano, P.E.

enclosures

DAC:amc

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

DRAFT

RESOLUTION NO. 15-18

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

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

WHEREAS, by Resolutions 3-12, 11-12, 21-12, 29-12, 4-13, 15-13, 28-13, 42-13, 3-14, 12-14, 21-14, 29-14, 2-15, 6-15, 12-15, 16-15, 1-16, 11-16, 22-16, 3-17, 10-17, 25-17, 1-18 & 9-18 the Planning Board previously granted twenty-six (26) 90-day time extensions the latest of which will expire on June 9, 2018, and

WHEREAS, by a letter dated May 23, 2018 Linda Whitehead, Esq. requested the twenty-seventh (27th) extension of Final Plat Approval to satisfy conditions of said approval, and

WHEREAS, the applicant has advised the Town that they are working with the County Health Department on issues associated with the required approvals for sewage disposal which may take additional time to complete.

NOW THEREFORE BE IT RESOLVED, that the Planning hereby grants **approval** for two, the 27th and 28th, 90-day time extensions for the applicant to coordinate required approvals with the County Health Department said time extensions will expire on December 6, 2018.

TO BE CONSIDERED FOR ADOPTION: JUNE 5, 2018