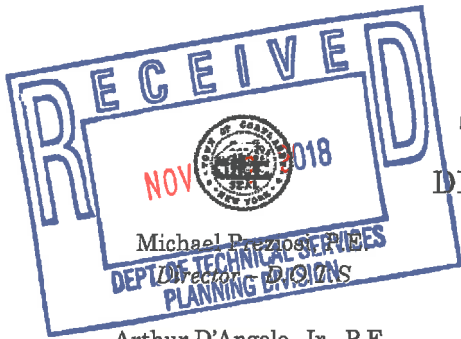


### **Right to Know/FOIL**

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TOWN OF CORTLANDT  
DEPARTMENT OF TECHNICAL SERVICES  
ENGINEERING DIVISION

Michael Preziosi, P.E.  
Deputy Director  
D.O.T.S - Engineering

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1060  
Fax #: 914-734-1066

Town Supervisor  
Linda D. Puglisi

Town Board  
Richard Becker  
Debra A. Costello  
James F. Creighton  
Francis X. Farrell

REVIEW MEMORANDUM

Copies ..... 1. Planning Board

To: Town of Cortlandt Planning Board

..... Town Board

Cc: Chris Kehoe, AICP – Deputy Director – Planning, Department of Technical Services  
Tom Wood / Michael Cunningham ESQ. – Town Attorney / Asst. Town Attorney

..... Zoning Board

..... 1. Legal Dept.

From: Michael Preziosi, P.E. – Director, Department of Technical Services

..... DOTS Director

*Michael Preziosi, P.E.*

..... 1. C.A.C.

Date: November 8, 2018

..... A.R.C.

..... 1. Applicant

RE: PB 2018-23 Application of Mahlab Family Realty, LLC  
3 Lot Subdivision Teatown Road (Tax ID 79.8-3-6)

..... 1. *Ralph G. Mastromonaco, P.E.*

Sent ..... 11/13/18

I have reviewed the 2 page set of drawings entitled "Preliminary Plat Mahlab Teatown" prepared by Ralph G. Mastromonaco, P.E., P.C., dated October 18, 2018 and offer the following preiiminary comments to the Board and Applicant.

1. Applicant is advised that all wells and onsite waste water treatment systems shall be designed and approved in accordance with WCDOH Rules and Regulations. All separation from waste water systems shall be met. P
2. Preliminary Plat shall be revised to reflect that all proposed utilities will be constructed underground. Appropriate details shall be provided.
3. Applicant is advised to provide reference of environmental resources shown on the proposed plat and within submittal documentation. Reference source of water shed data, delineation line of Indian Brook Watershed and NYCDEP Watershed, soils, etc... Applicant should utilize NYSDEC environmental mapper along with other available resources.
4. Applicant is advised to submit a comprehensive steep slope analysis in accordance with Chapter 259 of the Town Code. A plan and written narrative address all points shall be provided. Steep slopes shall be categorized as 15% - 30% and greater than 30%.

5. All wetlands shall be re-delineated in accordance with Chapter 179 of the Town Code. Wetlands shall be delineated between April 1 and Nov. 30 of any given year by an approved Town Consultant funded by the Applicant. Portions of the southernmost wetlands and headwaters to the Indian Brook are regulated by the NYSDEC. The freshwater pond located on lot 3 is listed in the national wetlands inventory. The Applicant shall contact the appropriate agencies to determine permitting requirements.
6. The proposed property is partially located within the Indian Brook Watershed. While not specifically listed on the NYSDEC inventory of impaired waterbodies, or a regulated watershed through the SPDES General Permit it is an area of significant environmental importance. It is recommended that the Applicant provide storm water mitigation measures in accordance with the NYSDEC Storm Water Design Manual for water quality for all impervious area created and to mitigate the increase in runoff associated with the proposed development. Runoff reduction techniques, infiltration measures and water quality treatment should be designed for.
7. A tree inventory and reforestation plan in accordance with Chapter 283 of the Town Code shall be provided within 50-ft of the proposed limits of disturbance. It is recommended that the proposed disturbance line becomes a delineation line (i.e. clearing and grading limit line) and that all land not proposed for disturbance is deeded conservation or open space. Removals shall be quantified for each individual lot.
8. All proposed driveways shall have a minimum sight distance of 200-ft in accordance with AASHTO recommendation. There is inadequate sight lines for lot 1. Sight easements shall be indicated on the preliminary plat to ensure adequate stopping sight distance can be met and maintained. It is recommended that the Applicant create "sight easements" to ensure that these areas remain unobstructed and are properly graded to create the necessary sight lines.
9. It is recommended that the proposed easement for widening be increased to 20-ft along the lot frontage for the express purpose of road widening and utility improvements.
10. Applicant shall provide a detail for road widening. Pavement cross section shall be consistent with Town requirements for a public road.

Additional comments may arise during subsequent review. Error or omission of a comment does not mean acceptance by the Town of Cortlandt.

Cc: Applicant  
RGM

RALPH G. MASTROMONACO, P.E., P.C.

Consulting Engineers

13 Dove Court, Croton-on-Hudson, New York 10520

Tel: (914) 271-4762 Fax: (914) 271-2820

Civil / Site / Environmental

www.rgmpepc.com

1  
Copies ..... Planning Board

..... Town Board

..... Zoning Board

..... Legal Dept

..... DOTS Director

..... C.A.C.

..... A.P.C.

..... Applicant

..... \_\_\_\_\_

..... \_\_\_\_\_

Sent 11/21/18

November 20, 2018

Hand Delivered

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

Re: Mahlab Family Realty, LLC, PB 2018-23  
Section 79.08, Block 3, Lot 6,  
Town of Cortlandt, New York

Dear Chairperson and Members of the Board:

Enclosed please find the following materials:

1. Addendum to the Application for Steep Slopes Permit, Standards for Approval and Findings for Steep Slope Permit dated November 14, 2018,
2. Two (2) full size and ten (10) 11" x 17 'size sets of the following drawings:
  - a. Preliminary Plat, Mahlab Teatown prepared for Mahlab Family Realty, LLC dated October 18, 2018 revised November 15, 2018, sheet 1 of 3 sheets,
  - b. Profiles / Details./ Notes, Mahlab Teatown prepared for Mahlab Family Realty, LLC dated October 18, 2018 revised November 15, 2018, sheet 2 of 3 sheets,
  - c. Steep Slopes Map, Preliminary Plat, Mahlab Teatown prepared for Mahlab Family Realty, LLC dated October 18, 2018 revised November 15, 2018, sheet 3 of 3 sheets,

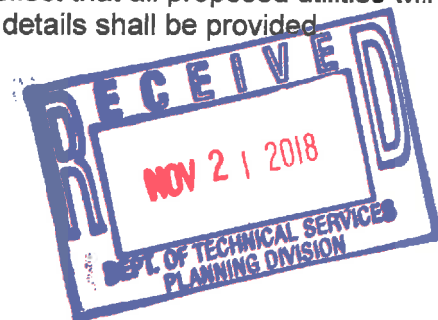
We received comments from Michael Preziosi, P.E., Director, Department of Technical Services dated November 8, 2018 and offer the following information:

Comment: 1. Applicant is advised that all wells and onsite waste water treatment systems shall be designed and approved in accordance with WCDOH Rules and Regulations. All separation from waste water systems shall be met.

Response: **Comment noted.**

Comment: 2. Preliminary Plat shall be revised to reflect that all proposed utilities will be constructed underground. Appropriate details shall be provided

Response: **The plans have been so revised.**



**Comment:** 3. Applicant is advised to provide reference of environmental resources shown on the proposed plat and within submittal documentation. Reference source of water shed data, delineation line of Indian Brook Watershed and NYCDEP Watershed, soils, etc... Applicant should utilize NYSDEC environmental mapper along with other available resources.

**Response:** **Watershed data was obtained from NYS DEC Stormwater Interactive Mapping. Wetland information was obtained from Field Surveys and NYS DEC Environmental Mapper.**

**Comment:** 4. Applicant is advised to submit a comprehensive steep slope analysis in accordance with Chapter 259 of the Town Code. A plan and written narrative address all points shall be provided. Steep slopes shall be categorized as 15% - 30% and greater than 30%.

**Response:** **The Addendum to Application for Steep Slopes Permit, Standards for Approval and Findings for Steep Slope Permit dated November 14, 2018 is provided herewith. A Steep Slopes Map has been added to the plan set.**

**Comment:** 5. All wetlands shall be re-delineated in accordance with Chapter 179 of the Town Code. Wetlands shall be delineated between April 1 and Nov. 30 of any given year by an approved Town Consultant funded by the Applicant. Portions of the southernmost wetlands and headwaters to the Indian Brook are regulated by the NYSDEC. The freshwater pond located on lot 3 is listed in the national wetlands inventory. The Applicant shall contact the appropriate agencies to determine permitting requirements.

**Response:** **We have contacted Bruce Donohue who conducted the original wetland work for the Town. If necessary, he will consult again with the Town. The project is designed so there is no disturbance proposed to wetlands or wetland buffers.**

**Comment:** 6. The proposed property is partially located within the Indian Brook Watershed. While not specifically listed on the NYSDEC inventory of impaired waterbodies, or a regulated watershed through the SPDES General Permit it is an area of significant environmental importance. It is recommended that the Applicant provide storm water mitigation measures in accordance with the NYSDEC Storm Water Design Manual for water quality for all impervious area created and to mitigate the increase in runoff associated with the proposed development. Runoff reduction techniques, infiltration measures and water quality treatment should be designed for.

**Response:** **The revised plan shows measures to mitigate any increase in runoff associated with the proposed development.**

**Comment:** 7. A tree inventory and reforestation plan in accordance with Chapter 283 of the Town Code shall be provided within 50-ft of the proposed limits of disturbance. It is recommended that the proposed disturbance line becomes a delineation line (i.e. clearing and grading limit line) and that all land not proposed for disturbance is deeded conservation or open space. Removals shall be quantified for each individual lot.

**Response:** **The revised plan shows the planting of 112 trees pursuant to §283-3, C. (d) [1] and the formula is noted on the plan. We are working with a surveyor to develop a tree inventory.**

**There are no plans to deed lands to conservation or open space.**

**We previously requested a tree waiver as follows:**

*"We are applying herein for a waiver from the requirement of a detailed tree survey since there is no construction or tree removal planned for the near future. Further, the houses we show are schematic and may not be the final location.*

*It is our request that the tree surveys be performed if, and when, an application for a building permit is made on any lot. Allowing my client such a plan would provide an up-to-date rendering of the size and condition of the trees at the time of construction. In the alternative, for just the subdivision approval, we could locate any very large trees that may exist within or 50 feet from the disturbance lines with a condition that the trees be located for any building permit."*

**Comment:** 8. All proposed driveways shall have a minimum sight distance of 200-ft in accordance with AASHTO recommendation. There is inadequate sight lines for lot 1. Sight easements shall be indicated on the preliminary plat to ensure adequate stopping sight distance can be met and maintained. It is recommended that the Applicant create "sight easements" to ensure that these areas remain unobstructed and are properly graded to create the necessary sight lines.

**Response:** **The speed limit is posted at 20 mph making the sight distance requirement 125-feet according to A Policy on Geometric Design of Highways and Streets by AASHTO. The sight distance for Lot 1 of 150-feet is sufficient. Sight easements have been added to the revised plan.**

**Comment:** 9. It is recommended that the proposed easement for widening be increased to 20-ft along the lot frontage for the express purpose of road widening and utility improvements.

**Response:** **The road pavement is generally 10-feet from the property line and the 5-foot additional road widening easement we provided appears adequate for any future purposes as it is unlikely the Town would widen Teatown Road greater than 15-feet more than it is now, on just one side.**

**Comment:** 10. Applicant shall provide a detail for road widening. Pavement cross section shall be consistent with Town requirements for a public road.

**Response:** A pavement section has been added to the revised plan.

We are requesting placement on the December 4, 2018 meeting of the Planning Board for consideration of Subdivision Approval, Steep Slope Permit and we also request the Planning Board adopt Lead Agency.

Sincerely,



Ralph G. Mastromonaco, PE

Cc Mahlab Family Realty, LLC



RALPH G. MASTROMONACO, P.E., P.C.

Consulting Engineers

13 Dove Court, Croton-on-Hudson, New York 10520

Tel: (914) 271-4762 Fax: (914) 271-2820

Civil / Site / Environmental

www.rgmpepc.com

**PROJECT:** Mahlab Family Realty, LLC, PB 2018-23  
Subdivision Application  
Section 79.08, Block 3, Lot 6, Town of Cortlandt, New York

**SCOPE:** Addendum to Application for Steep Slopes Permit  
Standards for Approval and Findings for Steep Slope Permit

**DATE:** November 14, 2018

**INTRODUCTION:**

The proposed three (3) lot subdivision on the property (Section 79.08, Block 3, Lot 6,) with a total lot area of 25.018 acres will involve the controlled disturbance of steep slopes with Planning Board's approval of a Steep Slope Permit under Chapter 259 of the Town of Cortlandt Code.

It should be noted that no construction is proposed at this time, however, any construction of the driveways, dwellings, septic and stormwater improvements will require the controlled disturbance of some areas defined as steep slopes.

**STANDARD:**

The following information itemizes the Code Standards under §259-6: Standards for Approval and the site specific compliance proposed for the above captioned subdivision:

**§259-6-A:** Disturbance or alterations of trees and forests and topographical disturbances or alterations on steep slopes shall be in conformance with all provisions of this steep slopes ordinance as well as with all other applicable ordinances and regulations of the Town of Cortlandt, including, by way of example only, the requirements of Chapter 175 regarding flood damage control, Chapter 283 regarding trees, and Chapter 301 regarding diversion of watercourses.

***PROJECT COMPLIANCE:***

*Proposed disturbance is in compliance with all applicable ordinances and regulations of the Town of Cortlandt. There are no flood plains on the site. There is a pond and a small watercourse, however, no disturbance is proposed to these features. Tree removal is discussed in our report on the Standards for Approval of Tree Removal Permit.*



§259-6-B: Activities within wetlands shall be in conformance with Chapter 179, Freshwater Wetlands, Water Bodies and Watercourses, and, whether within or outside of wetlands, will not adversely affect any wetlands, water bodies, or watercourses.

*PROJECT COMPLIANCE:*

*There are no activities within the water course/wetland buffer area as defined in the Code and will not adversely affect the drainage channel.*

§259-6-C: The proposed activity will not result in creep, sudden slope failure, or additional erosion.

*PROJECT COMPLIANCE:*

*An Erosion Control Plan has been prepared to safeguard against slope failure and erosion. Constructed slopes will be designed in accordance with standard engineering practice.*

§259-6-D: The proposed activity will not adversely affect existing or proposed wells or sewage disposal systems.

*PROJECT COMPLIANCE:*

*The proposed activity is located away from any existing septic systems or wells.*

§259-6-E: The proposed activity will not adversely affect any endangered or threatened species of flora or fauna.

*PROJECT COMPLIANCE:*

*There are no endangered or threatened species of flora or fauna in the area of proposed activity. This was Identified by the NYS DEC Environmental Resource Mapper.*

§259-6- F: The proposed activity is in accordance with the principles and recommendations of the most recent Master Plan of the Town.

*PROJECT COMPLIANCE:*

*The proposed activity is in accordance with the principles and recommendations of the most recent Master Plan of the Town.*

§259-6-G: The proposed activity constitutes the minimum disturbance necessary to allow the property owner a reasonable use of the property.

*PROJECT COMPLIANCE:*

*Grading and slope disturbance associated with this project is the minimum necessary to achieve a reasonable use of the property.*

§259-6-H: Disturbance or alteration of areas with steep slopes shall additionally be in conformance with the following provisions:

§259-6-H (1): The planning, design and development of buildings shall provide the maximum in structural safety, slope stability and human enjoyment while adapting the affected site to, and taking advantage of, the best use of the natural terrain and aesthetic character.

*PROJECT COMPLIANCE:*

*The proposed activity is in compliance with this section.*

§259-6-H (2): The terracing of building sites, including the mounding of septic tile fields, shall be kept to an absolute minimum.

*PROJECT COMPLIANCE:*

*The proposed subdivision has the minimum regrading to accomplish construction of the dwellings. The proposed septic systems will not be mound systems.*

§259-6-H (3): Roads and driveways shall follow the natural topography to the greatest extent possible in order to minimize the potential for erosion and shall be consistent with all other applicable ordinances and regulations of the Town of Cortlandt and current engineering practices.

*PROJECT COMPLIANCE:*

*There are no proposed roads. The proposed driveways follow the natural terrain as closely as possible and the project is consistent with Town of Cortlandt regulations and standard engineering practices.*

§259-6-H (4): Replanting shall consist of indigenous vegetation and shall replicate the original vegetation on the site as much as possible.

*PROJECT COMPLIANCE:*

*Replanting of disturbed areas will be consistent with the surrounding area use.*

§259-6-H (5): The natural elevations and vegetative cover of ridgelines shall be disturbed only if the crest of a ridge and the tree line at the ridge remain uninterrupted. This may be accomplished either by positioning buildings and areas of disturbance below a ridgeline or by positioning buildings and areas of disturbance at a ridgeline so that the elevation of the roofline of the building is no greater than the elevation of the natural tree line. However, under no circumstances shall more than 100 feet along the ridgeline, to a width of 100 feet generally centered on the ridgeline, be disturbed.

*PROJECT COMPLIANCE:*

*The slope disturbance involved with this project complies with the above section and the proposed property is not on a ridgeline.*

§259-6-H (6): Any regrading shall blend in with the natural contours and undulations of the land.

*PROJECT COMPLIANCE:*

*Regrading is proposed to blend into existing contours.*

§259-6-H (7): Cuts and fills shall be rounded off to eliminate sharp angles at the top, bottom and sides of regraded slopes. Visible construction cuts and permanent scarring should be minimized.

*PROJECT COMPLIANCE:*

*Regrading is proposed to blend into existing contours. Visible cuts and created slopes will be softened by new landscaping and slope treatment.*

§259-6-H (8): The angle of cut and fill slopes shall not exceed a slope of one vertical to two horizontal except where retaining walls, structural stabilization or other methods acceptable to the Director of Technical Services are used.

*PROJECT COMPLIANCE:*

*No proposed slopes are greater than 1 on 2.*

§259-6-H (9): Tops and bottoms of cut and fill slopes shall be set back from structures a distance that will ensure the safety of the structure in the event of the collapse of the cut or fill slopes. Generally, such distance shall be considered to be six feet plus 1/2 the height of the cut or fill. Nevertheless, a structure built on a slope or at the toe of a slope is permitted if it is properly designed to retain the slope and withstand the forces exerted on it by the retained slope.

*PROJECT COMPLIANCE:*

*The slope disturbance involved with this project complies with the above section.*

§259-6-H (10): Disturbance of rock outcrops shall be by means of explosive only if labor and machines are not effective and only if rock blasting is conducted in accordance with all applicable laws and regulations of the Town of Cortlandt, County of Westchester, and the State of New York.

*PROJECT COMPLIANCE:*

*The use of explosives will not be required for regrading.*

§259-6-H (11): Disturbance of steep slopes shall be undertaken in workable units in which the disturbance can be completed and stabilized in one construction season so that areas are not left bare and exposed during the winter and spring thaw periods (December 15 through April 15).

*PROJECT COMPLIANCE:*

*Proposed construction is not expected to take more than a season and in any event, will not be left exposed.*

§259-6-H (12): Disturbance of existing vegetative ground cover shall not take place more than 15 days prior to grading and construction.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section.*

§259-6-H (13): Temporary soil stabilization, including, if appropriate, temporary stabilization measures such as netting or mulching to secure soil during the grow-in period, must be applied to an area of disturbance within two days of establishing the final grade, and permanent stabilization must be applied within 15 days of establishing the final grade.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section.*

§259-6-H (14): Soil stabilization must be applied within two days of disturbance if the final grade is not expected to be established within 60 days.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section.*

§259-6-H (15): Measures for the control of erosion and sedimentation shall be undertaken consistent with the Westchester County Soil and Water Conservation District's Best Management Practices Manual for Erosion and Sediment Control and New York State Guidelines for Urban Erosion and Sediment Control, as amended, or their equivalents satisfactory to the approval authority.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section. An Erosion Control Plan is included with the final construction plans.*

§259-6-H (16): All proposed disturbance of steep slopes shall be undertaken with consideration of the soils limitations characteristics contained in the Identification Legend, Westchester County Soils Survey, 1989, as prepared by the Westchester County Soil and Water Conservation District, in terms of recognition of limitation of soils on steep slopes for development and application of all mitigating measures and as deemed necessary by the approval authority.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section. An Erosion Control Plan is included with the final construction plans.*

§259-6-H (17): Topsoil shall be stripped from all areas of disturbance, stockpiled and stabilized in a manner to minimize erosion and sedimentation and replaced elsewhere on the site at the time of final grading. Stockpiling shall not be permitted on slopes of greater than 10%.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section.*

§259-6-H (18): No organic material or rock with a size that will not allow appropriate compaction or cover by topsoil shall be used as fill material. Fill material shall be no less granular than the soil upon which it is placed and shall drain readily.

*PROJECT COMPLIANCE:*

*The proposed action is in compliance with the above section.*

§259-6-H (19): Compaction of fill materials in fill areas shall be such to ensure support of proposed structures and stabilization for intended uses.

**PROJECT COMPLIANCE:**

*The proposed action is in compliance with the above section.*

The above information reflects project compliance with §259-6: Standards for Approval for a Steep Slope Permit for the proposed subdivision. We are requesting Planning Board accept the above information as Findings for Approval of a Steep Slope Permit.

Sincerely,



Ralph G. Mastromonaco, PE



Cc: Mahlab Family Realty, LLC