
TOWN OF SOUTHEAST
PLANNING BOARD/ARCHITECTURAL REVIEW BOARD AGENDA
April 25, 2022 7:00 p.m. Public Hearings / Regular Session
Town Hall, 1360 Route 22, Brewster, NY 10509

PUBLIC HEARINGS:

- 1. JMP DEVELOPMENT, 25 Zimmer Road, Tax Map ID 45.-1-41** – Public Hearing to Review an Application for Special Permit for Excavation & Grading and Wetland Permit

REGULAR SESSION:

- 1. GALT WAREHOUSE, 3874 Danbury Road, Tax Map ID 69.-1-10** – Review of an Application for Site Plan Amendment
- 2. SPRINT / T-MOBILE, 45 Independent Way, Tax Map ID 56.-1-30** – Review of a Request for Exemption from Site Plan and Conditional Use Permit
- 3. BISESAR, 151 Doansburg Road, Tax Map ID 46.-5-16** – Continued Review of an Application for Wetland Permit and Conditional Use Permit for Accessory Apartment
- 4. MATERION CORPORATION, 42 Mt. Ebo Road South, Tax Map ID 46.-2-30.22, 36.17-1-3 & 36.-2-17** – Review of an Application for Final Approval of Site Plan Amendment and Consider Recommending Bond to Town Board
- 5. BREWSTER YARDS (p/k/a PROSWING), 132 & 160 Pugsley Road, Tax Map IDs 45.-1-11 & 10** – Continued Review of an Application for Site Plan, Wetland Permit and Subdivision
- 6. DISCUSSION AND CONSIDERATION OF RECOMMENDATION TO TOWN BOARD REGARDING PERFORMANCE BONDS AND INSPECTION FEES**

APPROVE MEETING MINUTES OF MARCH 28, 2022

Agenda Subject to Change
April 20, 2022/VAD

FOR MORE INFORMATION ON MAJOR PROJECTS UNDER PLANNING BOARD REVIEW, CLICK ON THE LINK BELOW:

<http://www.southeast-ny.gov/322/Major-Planning-Board-Projects#>

**PLANNING BOARD/ARCHITECTURAL REVIEW BOARD
TOWN OF SOUTHEAST, NEW YORK
RESOLUTION TO DECLARE LEAD AGENCY**

INTRODUCED BY: *LaPerch*

DATE: April 25, 2022

SECONDED BY: *Rush*

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of an application for a Wetland Permit and Special Permit for Excavation & Grading, and other supporting documents for a project entitled **JMP DEVELOPMENT, LLC**; and

WHEREAS, the proposed project is located at 25 Zimmer Road in the OP-1 Zoning District in the Town of Southeast and identified as Tax Map ID 45.-1-41; and

WHEREAS, the applicants propose to redirect stormwater runoff from Zimmer Road and to temporarily stockpile ±6,000 cubic yards of imported soil; extend an existing stormwater outfall pipe that exits a Town-owned drainage structure on Zimmer Road to an existing watercourse at the rear of the property; and disturb approximately 0.92 acres, including approximately 5,135 sq. ft., in a watercourse control area; and

WHEREAS the Planning Board scheduled a public hearing on the proposed Wetland Permit/Special Permit for 4/25/22; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 3/28/22; and

WHEREAS, pursuant to §617.6(b)(3) of the State Environmental Quality Review Act (SEQRA), the aforementioned information was mailed to all involved agencies, notifying them that a Lead Agency must be agreed upon within thirty (30) days of the date that the aforementioned information was mailed, and

NOW, THEREFORE BE IT RESOLVED, that the Planning Board/Architectural Review Board of the Town of Southeast will serve as Lead Agency for purposes of SEQRA for this Unlisted and Coordinated Action.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

M. Hecht, Boardmember

absent

J. King, Boardmember

yes

L. Eckardt, Boardmember

yes

G. Pangis, Boardmember

yes

W. Lewis, Boardmember

yes

The resolution was *passed* by a vote of *6* to *0*, with *1* absent.

T. LaPerch

T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board */vad*

**TOWN OF SOUTHEAST, NY
PLANNING BOARD / ARCHITECTURAL REVIEW BOARD
CLASSIFY AS TYPE II ACTION
AND TOWN OF SOUTHEAST MINOR PROJECT**

INTRODUCED BY:

LaPerch

DATE: April 25, 2022

SECONDED BY:

Eckardt

WHEREAS, an application is being made by **GALT AUTOMOTIVE WAREHOUSE, INC.**, for a Site Plan Amendment to restripe the existing parking lot to provide 25 truck spaces and 17 employee vehicle spaces, and add landscaping on the 2.997-acre property occupied by Croton Egg Farm at 3874 Danbury Road, in the Town of Southeast, New York; and

WHEREAS, the property is identified as Tax Map Number 69.-1-10, and is located in the SR-6 Zoning District; and

WHEREAS, the Planning Board/Architectural Review Board has reviewed the following documents in support of this classification:

1. Short Environmental Assessment Form (EAF), prepared by Putnam Engineering, dated 3/15/22
2. Statement of Use, prepared by Putnam Engineering, dated February 2022
3. HD-2 Proposed Parking Lot Striping & Landscaping Plan, prepared by Putnam Engineering, PLLC, dated 11/23/21

NOW, THEREFORE BE IT RESOLVED, that the Town of Southeast Planning Board/Architectural Review Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short EAF, and pursuant to §617.5(c)(9), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Town of Southeast Planning Board/Architectural Review Board, finds the Proposed Action to be a Town of Southeast Minor Project as defined in Town Code Section 138-4, Definitions.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
absent

D. Rush, Vice Chairman

yes
yes

M. Hecht, Boardmember

yes
yes

J. King, Boardmember

yes
yes

L. Eckardt, Boardmember

yes
yes

G. Pangis, Boardmember

yes
yes

W. Lewis, Boardmember

The resolution was

passed

by a vote of

6

to

0

, with

1

absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board

had



TOWN OF SOUTHEAST

Planning Board / Architectural Review Board
1 Main Street
Brewster, NY 10509

April 25, 2022

Commissioner C/O
Barbara Barosa, AICP, Senior Planner
Putnam County Department of Planning, Development & Public Transportation
1 Route 164
Patterson, NY 12563

Re: GALT WAREHOUSE
GML §239-m

Dear Ms. Barosa,

The Planning Board/Architectural Review Board of the Town of Southeast is considering an application for Site Plan Amendment by GALT AUTOMOTIVE WAREHOUSE, INC., to restripe the existing parking lot to provide 25 truck spaces and 17 employee vehicle spaces, and add landscaping on the 2.99-acre property occupied by Croton Egg Farm. The proposed project is located in the SR-6 Zoning District on an approximately ±2.99-acre parcel located at 3874 Danbury Road, Putnam County, New York (Tax Map ID 69.-1-10).

The Planning Board/Architectural Review Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQRA), is herewith referring the subject application to the Putnam County Division of Planning and Development pursuant to General Municipal Law §239-m.

Enclosed is the application for your review. Please call Victoria Desidero, Secretary to Planning Board/Architectural Review Board and Zoning Board of Appeals, at (845) 279-7736, if you should have any questions. We thank you for your consideration and review of this application.

Sincerely,

Thomas LaPerch, Chairman
Town of Southeast Planning Board/Architectural Review Board

Attachment

cc: Town Attorney
Town Clerk
Putnam Engineering, PLLC

**TOWN OF SOUTHEAST
 PLANNING BOARD / ARCHITECTURAL REVIEW BOARD
 RESOLUTION TO EXEMPT
 SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch* DATE: April 25, 2022
 SECONDED BY: *Rush*

WHEREAS, the Planning Board/Architectural Review Board of the Town of Southeast is in receipt of a request for an exemption by Sprint/ T-Mobile (the “Applicant”) for a like-kind antenna replacement at a wireless telecommunications services facility located at 45 Independent Way, Tax Map No. 56.-1-30, in the Town of Southeast; and

WHEREAS, the Applicant proposes to remove nine (9) antennas, remove six (6) Remote Radio Head (RRH) units, remove the existing platform mount, install nine (9) antennas, install six (6) RRH units, and install a new platform mount at an elevation of 88 feet on an existing 104 foot tall monopole; and

WHEREAS, the Planning Board/Architectural Review Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

Drawing No. & Title; submitted by	Original Date; Last Revised
Letter to Chairman LaPerch from Snyder & Snyder, LLP	3/30/22
Structural Analysis Report by Trylon	2/11/22
Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report, prepared by Pinnacle Telecom Group	3/3/22
Site Plan and Construction drawing set (11 sheets), prepared by French & Parrello Associates	7/20/21; 2/8/22

WHEREAS, the Planning Board/Architectural Review Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements are would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

NOW, THEREFORE be it RESOLVED, the Planning Board/Architectural Review Board is empowered under §138-54.1B(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1B(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height

of any antenna protruding above the tower facility or other structure (§138-54.1B(3)(b));

3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1B(3)(c));
4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1B(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1B(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1B(3)(f));

NOW THEREFORE, be it RESOLVED, the Planning Board/Architectural Review Board finds that the application from Sprint /T-Mobile is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes

D. Rush, Vice Chairman

yes

M. Hecht, Boardmember

absent

J. King, Boardmember

yes

L. Eckardt, Boardmember

yes

G. Pangis, Boardmember

yes

W. Lewis, Boardmember

yes

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board

Town of Southeast
Planning Board/Architectural Review Board
One Main Street
Brewster, NY 10509

April 25, 2022

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: BISESAR, 151 Doansburg Road, TAX ID 46.-5-16, R-60 Zoning District R-160
and the Ridgeline Protection Overlay District

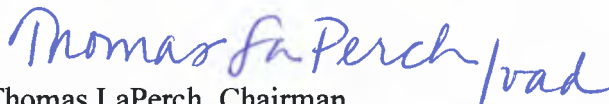
Dear Boardmembers:

At the 4/25/22 regular meeting of the Town of Southeast Planning Board/Architectural Review Board a motion was made to refer the above referenced application to your Board for the following:

1. A variance from Section 138-12.1 of the Zoning Code to permit "excessive clearing" of trees within the Ridgeline Protection Area. Specifically, the applicant proposes to clear 124 trees of 8 inches or greater at breast height within a 0.9-acre area where the clearing of 36 trees would be permitted.

A copy of the Town Planner's memorandum is attached for your information.

Sincerely,



Thomas LaPerch, Chairman
Town of Southeast Planning Board/Architectural Review Board

Attachments

cc: Town Attorney
Town Clerk
Insite Engineering
File



Environmental, Planning, and Engineering Consultants
34 South Broadway
Suite 300
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: April 19, 2022
Re: Bisesar Residence
cc: Insite Engineering, Surveying & Landscape Architecture, P.C.

AKRF, Inc. has reviewed the following documents and plans:

- Cover letter from Jeffrey Contelmo, PE, dated 4/4/22
- Tree Plan (1 sheet), prepared by Insite Engineering, dated 4/4/22
- Cover letter from Jeffrey Contelmo, PE, dated 11/17/21
- Site Plans Drawing set (5 sheets), prepared by Insite Engineering, dated 11/17/21
- Civil Plans Drawing set (7 sheets), prepared by Studio MM Architect, dated 4/16/21
- Site Section Drawing (1 sheet), prepared by Studio MM Architect, undated
- Planning Board Application, prepared by Insite Engineering, dated 11/15/21
- Site Plan Checklist, dated 11/17/21
- Short EAF, prepared by Insite Engineering, dated 11/17/21
- Certified Radius List, dated 11/12/21

PROJECT DESCRIPTION

The Applicant proposes to construct a single-family residence on the 47.5-acre lot located at 151 Doansburg Road within the R-160 zoning district and within the Ridgeline Overlay District. The subject property was granted subdivision approval for a 4-lot subdivision known as Strazza Subdivision on February 23, 2009. The subdivision was filed but then reversed so that the lot remained a single lot. The Applicant will construct a 4-bedroom residence with a 1-bedroom guest house and will install a pool, a well, and a subsurface sewage treatment system. A NYSDEC- and Town-regulated wetland is on-site and a watercourse is located across Doansburg Road from the proposed driveway and three proposed stormwater management basins. No disturbance will occur within the wetland or wetland adjacent area.

However, the proposed driveway and stormwater management areas would be located within the Town-regulated buffer for a watercourse located on the opposite side of Doansburg Road.

COMMENTS

The Applicant submitted additional information in response to comments from the Planning Board and its consultants. Comments from AKRF's 12/7/21 memo are recited below in italics, new and follow-up comments are provided in bold.

1. *Drawing OP-1 Overall Plan labels the stormwater management basins and the end of the driveway as being in the "133' NYSDEC Town of Southeast Regulated Watercourse Controlled Area." This label should be clarified to indicate whether it is marking a 133-foot wetland buffer or a 130-foot watercourse buffer (or a 100-foot watercourse buffer, as it appears this watercourse is located within hydrological soil group B). A similar clarification should be made on Drawings SP-1 and SP-2.*

Revised drawings have not yet been submitted.

2. *The proposed residence is within the Ridgeline Protection Area. The Applicant should provide a calculation of the amount of tree clearing within the Ridgeline Protection Area per Section 138-12.I of the Zoning Code.*

"Buildings, structures, including towers or storage tanks or other improvements, within any area defined as ridgeline shall not, to the maximum extent practicable, be visible above the top of the ridgeline, or above the top of vegetation located within the ridgeline area, from surrounding private property or public rights-of-way in adjoining lowlands or adjoining ridgelines by cause of excessive clearing, building or structure height, or location of any building or structure with respect to the top of the ridgeline; nor shall excessive clearing of any ridgeline area be permitted for the purpose of site access, site landscaping, installation of subsurface sewage disposal systems, or any other modification to the natural land. The term "excessive clearing," for the purposes of this section, shall mean the removal of more than 10 trees, eight inches or more in diameter at breast height, per quarter acre of land disturbed."

The Tree Plan identified a total of 124 trees proposed to be removed within the Ridgeline Protection Area. Per Section 138-12.I, a total of 36 trees would be authorized for removal within the 0.9-acre area of disturbance in the Ridgeline Protection Area. The Applicant is requesting an area variance to remove an additional 88 trees within this area.

RECOMMENDED ACTIONS

At the April 25, 2022 meeting AKRF recommends that the Planning Board refer the application to the Zoning Board of Appeals for consideration of an area variance to permit "excessive clearing" (see §138-12.I) within the Ridgeline Protection Area.

**TOWN OF SOUTHEAST, NY
PLANNING BOARD / ARCHITECTURAL REVIEW BOARD RESOLUTION
SITE PLAN APPROVAL**

INTRODUCED BY:

Rush

DATE April 25, 2022

SECONDED BY:

King

WHEREAS, MATERION CORPORATION as the Applicant/Owner of certain properties located 42 Mt. Ebo Road South in the OP-2 Zoning District in Town of Southeast and known and designated as Tax Map Number 46.-2-30.22 has submitted an application for Site Plan approval for a proposal to install 23 new parking spaces where four existing large pine trees would be removed and replaced as part of the project (the “Proposed Project”); and,

WHEREAS, the Town of Southeast Planning Board/Architecture Review Board (the “Planning Board”), acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), and conducting a coordinated environmental review, classified this as a Type II Action on or about 2/14/22, indicating that no environmental impact would exist;

WHEREAS, the Planning Board has thoroughly reviewed the application and the following documents and plans, as well as memos from its consultants:

Drawing No. & Title; submitted by	Original Date; Last Revised
Memorandum to Chairman LaPerch from Insite Engineering	4/4/22
Statement of Use, prepared by Insite Engineering	1/18/22
Memorandum to Chairman LaPerch from Insite Engineering	1/18/22
Short Environmental Assessment Form, prepared by Insite Engineering	1/18/22; 4/4/22
S-1, Amended Site Plan, prepared by Insite Engineering	1/18/22; 4/4/22
D-1, Site Details, prepared by Insite Engineering	1/18/22; 4/4/22

; and,

WHEREAS, the Planning Board has reviewed said drawings in addition to reports and correspondence filed with those drawings and has caused the same to be reviewed by its consultants; and,

WHEREAS, the Planning Board has determined on the basis of its own review and the review comments received from its consultants that the drawings and reports and other information submitted by the applicant are in substantial compliance with Chapter 138, “Zoning,” (specifically Article IX thereof) of the Town of Southeast Code; and,

WHEREAS, the Planning Board is in receipt of a report dated 3/22/22 from the Zoning Board of Appeals approving the variances required for the Proposed Project; and

NOW, THEREFORE, BE IT RESOLVED, that after reviewing the architectural elevations, renderings, and landscaping plans, and submissions of the Applicant, the Planning Board of the Town of Southeast hereby APPROVES the architecture of the Proposed Project.

NOW THEREFORE BE IT FURTHER RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 138, “Zoning,” of the Town Code, the Planning Board hereby grants Final Site Plan Approval for the Proposed Project, as defined above, subject to the following Conditions identified below. (For purposes of compliance, these conditions, and any other conditions identified in the environmental review of the Proposed Project, shall be enforceable by the Town of Southeast in accordance with the Town Code of the Town of Southeast).

General Conditions

1. The Applicant must conform to all the rules, regulations, and ordinances of the Town of Southeast, County of Putnam, and State of New York.
2. The Applicant is hereby bound by any statements offering modifications, improvements, or offerings to the Town of Southeast made by itself or its representatives in relation to approval of the Proposed Project.
3. Prior to issuance of a Building Permit, the applicant will submit to the Planning Board information pertaining to the specific tenant/use and, if necessary, an amended site plan application showing any proposed modifications to the site for the specific tenant/use.
4. Pursuant to §138-85.D , where a proposed use or proposed building or other structure involves the installation, extension, relocation or reconstruction of a sewage disposal or water supply system, no building permit shall be issued until plans for such a system have been approved by the County of Putnam, State of New York, City of New York or any regulatory agency having jurisdiction as required by law. No certificate of occupancy shall be issued until such a system has been completed and approved by such an agency as required by law or until the use or building or structure has been provided with the connections to a previously completed and approved sanitary sewer and public water supply system.
5. The Proposed Project shall be constructed in coordination with the approved site improvements for the Materion Corporation including all stormwater and wastewater treatment systems and conveyance systems.
6. The Applicant is granted approval based on generic review by the Planning Board of the building design and elevations. Substantial deviation from the approved building design shall require a second review. The Proposed Project shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed and approved by the Planning Board.
7. Pursuant to §138-41.E(4), the applicant shall provide to the Town of Southeast Planning Board two full set of final full-sized plans and four copies of the filed plans on eleven-inch by seventeen-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for distribution to the Town Engineer, the Planning Board, the Town Clerk, the Building Inspector, and the Town Planner. This final plan set shall include the final architectural plans approved by the Planning Board. Each of these sets shall be bound and shall contain a signature box on the Index or Title Page for the Planning Board Chairman’s Signature. No Building Permits shall be issued until these plan sets have been submitted to the Planning Board Secretary and signed by the Planning Board Chairman.
8. The Applicants shall submit two (2) sets of as-built plans to the Town of Southeast Building Department and one (1) full size set to the Planning Board after final construction is

completed. The as-built plans must show all buildings and site improvements, the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.

Financial & Legal Considerations

1. The Applicant shall post a Performance Bond in an amount determined by the Town Engineer and recommended by the Planning Board for Town Board approval to ensure all site grading, stormwater management, and road improvements will be made in accordance with the approved drawings, Town of Southeast Code and to the satisfaction of the Town Engineer and/or Highway Superintendent. The Performance Bond may also be used to finance necessary work to stabilize the project site should the Applicant abandon the project and the Town is forced to complete necessary improvements. The establishment of the Performance Bond shall be done in a form acceptable to the Town Counsel. The bond amount will be based upon 2022 construction costs. If the construction is not begun during the calendar year 2022, the Applicant must re-apply to the Planning Board for an adjustment of the bond amount to account for escalation of material and labor costs. Upon such request to the Planning Board, the Planning Board shall make a recommendation to the Town Board and the Town Board shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond must be paid prior to the start of any work on the site and/or the filing for a Building Permit. The Southeast Planning Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Planning Board or its duly authorized representative has made an inspection of the subject improvements and determined that the Applicant has complied with all the conditions of this approval.

2. No certificate of occupancy for the structures depicted on the project development plan/site plan shall be issued or occupancy permitted unless and until the site improvements associated with the development shall be fully completed by the developer or substantially completed to the satisfaction of the building inspector and a valid performance bond is posted, in an amount equal to the amount necessary to fully complete the outstanding site improvements, to ensure faithful completion thereof within a reasonable period of time not to exceed six months.

3. Any and all outstanding inspection, engineering, or planning consulting fees shall be paid to the Town prior to the issuance of a Certificate of Occupancy for any improved lot.

4. All construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits shall still be applicable except and only to the extent that same are modified herein. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as a waiver of past conditions not recited herein.

Construction Activity

1. At least ten (10) days prior to commencing construction of any required improvements, the Applicant shall notify the Building Inspector and the Town Engineer, in writing, of the time when it proposes to commence construction of such improvements so that the Building Inspector may cause an inspection to be made to ensure that all Town specifications and requirements shall be met during the construction of required improvements. The Applicant shall provide a general construction phasing schedule to the Building Inspector, Planning Board and Town Engineer and shall update that schedule, and provide copies to the Building Inspector, Planning Board and Town Engineer, throughout the construction process, as necessary.

2. The Town shall require a pre-construction conference between the Town Engineer and Town Highway Superintendent and the owner or owner's representative, general contractor and

on-site engineer to review construction phasing plans, inspections schedules, and requirements for complying with all regulations and conditions of this approval prior to commencing construction. The following items shall be completed by the Applicant prior to scheduling a pre-construction conference:

- a) Performance Bond and Erosion and Sediment (E&S) Control Bond shall be posted with the Town Clerk;
 - b) Inspection Fees shall be paid to the Planning Board;
 - c) Escrow Account shall be in good standing;
 - d) In accordance with item #7 under “General Conditions” above, approved/signed plans shall be on file with the Planning Board and the Building Department; and
 - e) The MS4 Acceptance, proof of mailing of Notice of Intent (NOI), and E&S shall be completed and on file with MS4 Administrator.
3. The Town of Southeast Building Inspector or its designee may make periodic inspections to ensure that all site work and site improvements are being made in conformance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall designate a responsible and competent person to be the on-site construction manager who shall be responsible for ensuring the continued compliance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall ensure that all remedial measures are taken within 72 hours of any notification of deficiencies relating to construction. If appropriate measures are not implemented to the satisfaction of the Town Engineer, a stop work order may be issued by the Town and/or a fine imposed according to Town Code.
4. Should project changes be required that would represent a significant change to the approved plans, the Applicant may be required to seek an amended approval from the Planning Board.
5. The Applicant shall retain the services of a professional engineer and/or a landscape architect (in accordance with the drawings prepared) throughout the construction process who shall periodically observe the construction of all approved improvements, except improvements to Town of Southeast roads and drainage (which shall be inspected by the Town Engineer and/or Highway Superintendent). The Applicant’s professional engineer and/or landscape architect shall provide a statement, in writing, that all approved improvements have been constructed substantially as required and approved by the Planning Board or as such requirements have been modified.
6. Prior to commencing any site clearing, grading, or construction activity, the Applicant shall have the boundary of the property staked out by a licensed surveyor.
7. A copy of the completed NOI to comply with the New York State Department of Environmental Conservation (NYSDEC) General Permit for Construction Activity shall be maintained at the on-site construction office.
8. All sediment and erosion control measures or Best Management Practices indicated on the approved plans and/or required for compliance with the NYSDEC General Permit for Construction Activity shall be installed at the commencement of grading activities and shall be inspected on a weekly basis (or following any storm event in excess of one-half inch) to ensure proper function. All construction activities shall adhere to the provisions for sediment and erosion control contained in the NYSDEC’s *New York Standards and Specifications for Erosion and Sediment Control*.

9. The design and construction of all proposed water quantity and water quality best management practices shall adhere to the *New York State Stormwater Management Design Manual*.
10. Any drainage improvements that would affect a Town drainage structure or element or any improvements to Town of Southeast roads shall be made in accordance with the Town Road and Drainage Specifications (Chapter A143 of the Town Code) and shall be made under the direction and supervision of the Highway Superintendent.
11. The Town Highway Superintendent must be notified a minimum of 72 hours in advance of any construction activity affecting the Town drainage system or any Town Road except where emergency repairs are required, in which case the Highway Superintendent must be notified as soon as possible after the affected area has been stabilized.
12. Existing trees, understory vegetation, and ground cover along all property lines shall remain undisturbed to the maximum extent practicable throughout the duration of construction. Should any disturbance be required to construct approved improvements, the area shall be replanted with comparable vegetation as soon as is practicable following completion of construction activity in that area.
13. All disturbed areas shall be stabilized pursuant to NYSDEC regulations. Should disturbed areas remain disturbed for periods longer than one month, more permanent stabilization measures shall be installed.

Landscaping

1. Prior to planting according to the approved landscape plan, the Applicant shall stake the location of all proposed landscaping and allow for a site inspection by the Planning Board or its designees to ensure that the proposed landscaping will provide the maximum screening benefit and/or that the proposed landscaping is suitable for the visual setting and overall appearance of the project site.
2. All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility. In the event that said landscaping is not maintained to the satisfaction of the Building Inspector or Code Enforcement Officer (CEO), the Building Inspector or CEO shall notify the applicant in writing of the violation. If the required landscaping maintenance is not performed within 30 days to the satisfaction of the Building Inspector or CEO, the Town shall correct the violation and be reimbursed for Town costs by the applicant.
3. The Applicant shall provide an on-site and qualified arborist or landscape architect to supervise construction activity within 100 feet of any tree designated to be preserved on the approved plans. The arborist or landscape architect shall ensure that the tree protection measures indicated on the approved plans are in place and properly maintained throughout construction activity.
4. After final construction is complete, and prior to the issuance of a Certificate of Occupancy, the Applicant shall submit an as-built landscaping plan to the Town of Southeast Building Department. The as-built plan shall identify any discrepancies between the approved

plan and the installed landscaping. The plans must be certified by a professional landscape architect, architect, or engineer.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman recused
 M. Hecht, Boardmember absent
 L. Eckardt, Boardmember yes
 W. Lewis, Boardmember yes

D. Rush, Vice Chairman yes
 J. King, Boardmember yes
 G. Pangis, Boardmember yes

The resolution was passed by a vote of 5 to 0, with 1 absent. 1 recused.

D. Rush / vad
 D. Rush, Acting Chairman
 Southeast Planning Board

Town of Southeast
Planning Board / Architectural Review Board
One Main Street
Brewster, NY 10509

April 25, 2022

Town Board of the Town of Southeast
1360 Route 22
Brewster, NY 10509

RE: MATERION CORPORATION, 42 Mt. Ebo Road South, Tax Map ID 46.-2-30.22

Dear Boardmembers:

At the 4/25/22 regular meeting of the Town of Southeast Planning Board/Architectural Review Board, a motion was made to positively refer the above referenced application to the Town Board for the establishment of a Performance Bond for Erosion & Control and site stabilization in the following amount:

<u>PROJECT</u>	<u>AMOUNT</u>
MATERION CORPORATION	\$3,400.00

The Town Engineer's memo is attached for your consideration and includes the estimate for all site improvements, which totals \$57,000.00. Inspection Fees, based on the total cost of site improvements, in the amount of \$2,280.00, must be remitted to the Planning Board Secretary prior to filing for a Building Permit and/or scheduling a pre-construction meeting.

If you have any questions, please contact the Planning Board/Architectural Review Board.

Sincerely,



David Rush, Acting Chairman
Southeast Planning Board/Architectural Review Board

cc: Town Attorney
Town Clerk
Town Engineer
Building Inspector
Insite Engineering
Planning Board File



April 20, 2022

Mr. Thomas LaPerch, Chairman
Town of Southeast Planning Board
One Main Street
Brewster, NY 10509

Re: Materion Corporation
42 Mount Ebo Road South
Bond Estimate
NLJ #0001-1073

Dear Mr. LaPerch:

As requested, we have prepared a performance bond estimate for all site improvements associated with the above referenced project. Our attached Opinion of Probable Construction Costs for site improvements totals \$57,000.

Based on the current "Town of Southeast, Planning Board Fee Schedule" and the above referenced Opinion of Probable Construction Costs, the required inspection fee to be collected for the project is 4% of Site Development Costs or \$2,280.

We have also prepared a performance bond estimate for erosion & sediment controls and site restoration. The required Erosion & Sediment Control / Restoration Bond based on the attached estimate is \$3,400.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'J.M. Dillon'.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay, M. Stancati
M. Levine, S. Coleman
W. Stephens, Jr. A. Ley
M. Burdick Insite

NATHAN L. JACOBSON & ASSOCIATES, P.C.
Consulting Engineers
Chester, Connecticut

2022 OPINION OF PROBABLE CONSTRUCTION COSTS
Performance Bond

Project: Materion Corporation
42 Mount Ebo Road South
Southeast, New York

Done by: JMD
Date: 04/20/2022
Revised:

Project No.: 0001-1073

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	CLEAR AND GRUB	\$3,000.00	ACRE	0.2	\$600.00
2	STRIP & STOCKPILE TOPSOIL	\$0.52	S.Y.	950	\$494.00
3	GRADING	\$3,000.00	L.S.	1	\$3,000.00
4	SUBBASE COURSE (Item 304.02)	\$50.16	C.Y.	135	\$6,771.60
5	BITUMINOUS CONCRETE TOP COURSE	\$104.33	TON	51	\$5,320.83
6	BITUMINOUS CONCRETE BINDER COURSE	\$102.33	TON	85	\$8,698.05
7	BITUMINOUS CONCRETE LIP CURBING	\$6.00	L.F.	300	\$1,800.00
8	CONCRETE CURBING	\$20.00	L.F.	180	\$3,600.00
9	CONCRETE SIDEWALK	\$9.27	S.F.	1,745	\$16,176.15
10	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.20	S.Y.	335	\$402.00
11	F. GRADE, FERT, LIME, SEED & MULCH	\$4.22	S.Y.	335	\$1,413.70
12	SILT FENCE	\$5.00	L.F.	285	\$1,425.00
13	LANDSCAPING	\$3,000.00	L.S.	1	\$3,000.00
14	SIGNS	\$305.00	8	2	\$610.00
15	PAVEMENT MARKINGS	\$2,000.00	L.S.	1	\$2,000.00
16	SILT FENCE	\$5.00	L.F.	285	\$1,425.00
17	SILT SACK (Catch Basin Insert - Regular Flow)	\$140.00	EACH	2	\$280.00
TOTAL					\$57,020.00
SAY					\$57,000.00

NATHAN L. JACOBSON & ASSOCIATES, P.C.
Consulting Engineers
Chester, Connecticut

2022 OPINION OF PROBABLE CONSTRUCTION COSTS
Erosion & Sediment Control and Site Restoration Bond

Project: Materion Corporation
42 Mount Ebo Road South
Southeast, New York

Done by: JMD
Date: 04/20/2022
Revised:

Project No.: 0001-1073

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	SILT FENCE	\$5.00	L.F.	285	\$1,425.00
2	SILT SACK (Catch Basin Insert - Regular Flow)	\$140.00	EACH	2	\$280.00
3	SPREAD STOCKPILED TOPSOIL TO 6"	\$1.20	S.Y.	950	\$1,140.00
4	HYDROSEED	\$0.57	S.Y.	950	\$541.50
				TOTAL	\$3,390.00
				SAY	\$3,400.00

**TOWN OF SOUTHEAST, NY
PLANNING BOARD / ARCHITECTURAL REVIEW BOARD**

INTRODUCED BY:

LaPerch

DATE: April 25, 2022

SECONDED BY:

Pangis

WHEREAS, the Planning Board/Architectural Review Board (the “Planning Board”) of the Town of Southeast is in receipt of an application for a site plan, subdivision and wetland permit, and other supporting documents for a project entitled **PRO SWING/BREWSTER YARDS**; and

WHEREAS, ProSwing Sports Realty, Inc. (the “Applicant”) proposes to construct a commercial recreation complex to include an approximately 35,459-square foot recreation building, various smaller concession/restroom and maintenance buildings of 3,700 square feet or less each, nine synthetic turf fenced and lighted baseball fields with amenities, one synthetic turf multi-sport field, and associated utilities including two or more wells, a septic system, and stormwater management areas (the “Project”) on a +/- 82-acre property located at 160 and 132 Pugsley Road (the “Project Site”) within the RC Zoning District in the Town of Southeast (Tax Map ID 45.-1-10 and 11). A portion of the Project Site is located within the Ridgeline Overlay District. As part of the Project, a portion of Barrett Road/Zimmer Road on the east side of Pugsley Road would be widened, all of which are Town owned roads. As part of the Project, existing parcels 45.-1-10 (“Lot 10”) and 45.-1-11 (“Lot 11”) would be subdivided to reduce the overall lot size from 153.5 acres to 81.8 acres. Lot 10 would be reduced in size from 93 acres to 66.2 acres and Lot 11 would be reduced from 60.5 acres to 15.6 acres. The balance of the land would be retained by the Town. The Project would disturb approximately 49 acres, including 4.6 acres of Town of Southeast wetland buffer/controlled area. The Project requires site plan, subdivision, and wetland permit approval from the Planning Board, land swap approval from the Town Board, and several area variances from the ZBA; and

WHEREAS, the Planning Board itself Lead Agency under SEQRA and issued a Positive Declaration requiring the preparation of an Environmental Impact Statement (EIS) for the project effective September 20, 2021; and

WHEREAS, the Planning Board adopted a Final Scoping Document for the EIS on October 25, 2021; and

WHEREAS, the Planning Board is in receipt of a Draft EIS prepared by the Applicant dated April 4, 2022; and

NOW THEREFORE BE IT RESOLVED that the Planning Board Declares the Draft EIS **INCOMPLETE**, and requires that it be updated to address the following comments from the Planning Board and its consultants:

1. Comments in the memorandum from AKRF to the Planning Board dated April 19, 2022.
2. Comments in the letter from Tom Fenton to the Planning Board dated April 19, 2022.

3. Comments raised by members of the Planning Board at the April 25, 2022, meeting and summarized below:
- a. Describe any physical barriers at the project site entrance to be used after hours.
 - b. Describe traffic calming measures, such as speed bumps, to be implemented on Zimmer Road.
 - c. Describe walking trails on the Project Site and connections to adjacent Town land.
 - d. Clarify if tickets will be required for game attendance and if so, anticipated ticket prices.
 - e. Clarify the anticipated parking demand in relation to the number of seats.
 - f. Clarify the anticipated dates of the various "seasons."
 - g. Describe the anticipated noise and lighting from the score boards.
 - h. Provide an aerial or bird's-eye figure that shows the relationship of this Project Site to nearby developments such as Lincoln Logistics and major roadways (formerly known as Commercial Campus at Fields Corner), Route 312, and Interstate I-684.
 - i. Describe hours of operation for the concession stand and whether or not it would be open to the general public (e.g., warehouse workers).
 - j. Discuss if EV charging stations would be provided and where they would be located.
 - k. Expand the discussion on page 1-3, to clarify whether use of the facilities by local charity organizations and baseball/softball leagues is anticipated to be pro-bono or discounted.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman

yes
absent

D. Rush, Vice Chairman

yes
yes

M. Hecht, Boardmember

yes
yes

J. King, Boardmember

yes
yes

L. Eckardt, Boardmember

yes
yes

G. Pangis, Boardmember

W. Lewis, Boardmember

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch
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T. LaPerch, Chairman
Southeast Planning Board /
Architectural Review Board