### Right to Know / FOIL

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	Copies Flanning Board	
ZARIN & STEINMETZ  JAN 2 5 2017  DEPT. OF TECHNICAL SERVICES PLANNING DIMISION  By Regular Mail and Email  Hon. Loretta Taylor	Zoning Board Legal Dept. DOTS Director C.A.C. A.R.C. nuary 25, 2017 Applicant	David J. Cooper Jody T. Cross • Michael J. Cunningham • Marsha Rubin Goldstein Helen Collier Mauch • Zachary R. Mintz • Matthew R. Pisciotta • Daniel M. Richmond Kate Roberts Brad K. Schwartz Lisa F. Smith • David S. Steinmetz • Michael D. Zarin
Chairman of the Town of Cortlandt Planning and Members of the Planning Board Town Hall 1 Heady Street	ng Board	Also admitted in NJ

Re:

Hanover Estates (PB No. 1-11)

Request for Third Extension of Preliminary Subdivision Approval

Dear Chairman Taylor and Members of the Planning Board:

We represent Croton Realty & Development, Inc. in connection with the Hanover Estates Subdivision. The Planning Board granted Preliminary Subdivision Plat Approval by Resolution No. 13-15, adopted on September 1, 2015. The Approval is currently scheduled to expire on March 1, 2017.

The Applicant respectfully requests its third 6-month extension of Preliminary Subdivision Plat approval. The reason for this request is that the Applicant is continuing to work with its consultants to satisfy the conditions of Preliminary Approval.

Respectfully submitted,

**ZARIN & STEINMETZ** 

Mr. Seth Jacobson cc:

Tim Cronin, III, P.E./Keith Staudohar, CPESC CPSWQ

John J. Klarl, Esq. Chris Kehoe, AICP Michael Preziosi, P.E.

Cortlandt Manor, New York 10567

TOWN OF CORTLANDT PLANNING BOARD PB 1-11

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

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

WHEREAS, the subject property has received two (2) six-month time extensions by Resolutions 8-16 and 17-16, the latest of which will expire on March 1, 2017, and

WHEREAS, by a letter dated January 25, 2016 Brad K. Schwartz, Esq. requested the 3<sup>rd</sup> six-month time extension of Preliminary Plat approval in order to perfect the application prior to submitting for final approval.

**NOW THEREFORE BE IT RESOLVED**, that the request of Brad K. Schwartz, Esq. for the 3<sup>rd</sup> six-month time extension of the above referenced Preliminary Plat is **approved** said extension to expire on September 1, 2017.

TO BE CONSIDERED FOR ADOPTION ON: FEBRUARY 7, 2017

### MoCullough, Goldberger & Staudt, LLP

### ATTORNEYS AT LAW

### 1311 Mamaroneok Avenue, Suite 340

WHITE PLAINS, NEW YORK

FRANK S. MCCULLOUGH, JR. JAMES STAUDT LINDA B. WHITEHEAD SETH M. MANDELBAUM

JOANNA C. FELDMAN
DEBORAH A. GOLDBERGER
EDMUND C. GRAINGER, III
PATRICIA W. GURAHIAN
MEREDITH A. LEFF
RUTH F-L. POST
KEVIN E. STAUDT
STEVEN M. WRABEL

CHARLES A. GOLDBERGER KEITH R. BETENSKY 10605 (914) 949-8400 FAX (914) 948-2510



FRANK S. McCULLOUGH (1905-1998) EVANS V. BREWSTER (1920-2005)

Legal Dept

.....C.A.C.

· · · · · Applicant

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.),
16 lot cluster subdivision, Furnace Dock Road

Dear Chairperson Taylor and Members of the Planning Board:

At the time you granted the last extension for this matter on October 4, 2016, you asked that we submit a progress update in January, prior to the expiration of the extension on March 16, 2017. This letter is intended to provide such update.

We have been advised by Dan Ciarcia, the project engineer, that all revised plans will be submitted to the Town Engineer by this Friday, January 27, 2017. Upon the Town Engineer's approval of the plans, the subdivision plat must be resubmitted to the Department of Health for signature. You may recall that the subdivision plat had been previously signed by the Department of Health, but due to some revisions requested by the Town and the passage of time, we need to obtain new signatures.

We are also working with the Town Attorney and Town staff to finalize the required easements for utilities, snow storage and sight easements.

In addition, we are working with the Town Attorney to have the Drainage District Petition submitted to and approved by the Town Board. However, this is not required to be completed as a condition of filing of the subdivision plat, but prior to the sale of any lots.

Once the plat has been re-executed by the Department of Health and the easements approved by the Town Attorney, our client will submit the required security or performance collateral and the remaining required payments to the Town so the plat can be signed by the Chair and filed, completing this process. You will recall that our client has already made the required payment to the Town of \$90,000 as a contribution towards the Town's purchase of the adjacent property from Con Edison.

We are hopeful that the above steps will be completed in the near future. However, given the timing with the Department of Health which will be beyond our control, we anticipate we may need one additional extension. We will update you with the letter requesting to be on the March agenda for the next extension.

Thank you for your continued cooperation in this matter.

Linda B Whitehead

cc: Ron York
Cosmo Marfione, P.E.
Dan Ciarcia, P.E.
Gary Peresiper
Thomas F. Wood, Esq.
John Klarl, Esq.
Chris Kehoe
Michael Prezioso, P.E.



# TOWN OF CORTLANDT

# DEPARTMENT OF TECHNICAL SERVICES PLANNING DIVISION

Michael Preziosi, P.E. Director – D.O.T.S

Chris Kehoe, AICP Deputy Director - Planning

Planning Staff Michelle Robbins, AICP Rosemary Boyle-Lasher Town Hall, 1 Heady Street Cortlandt Manor, NY 10567 Main #: 914-734-1080 Fax #: 914-788-0294 Town Supervisor Linda D. Puglisi

Town Board Richard Becker Debra A. Costello Francis X. Farrell Seth M. Freach

### **MEMO**

TO:

Linda D. Puglisi, Town Supervisor

Members of the Town Board

Loretta Taylor, Chairperson Members of the Planning Board

FROM:

Chris Kehoe, AICP (1

Deputy Planning Director

RE:

**Annual Planning Board Report - 2016** 

DATE:

January 26, 2017

Please find attached a copy of the 2016 Annual Planning Board Report

CRK/crk

Enc.

cc:

Michael Preziosi, P.E., Director DOTS

John Klarl, Esq. Deputy Town Attorney

Art Clements, AAC David Douglas, CAC Michael Huvane, PRC

Jo-Ann Dyckman, Town Clerk

### 2016 ANNUAL REPORT - PLANNING BOARD

### 2016 MAJOR SUBDIVISIONS GRANTED PRELIMINARY APPROVAL

None

### 2016 MAJOR SUBDIVISIONS GRANTED FINAL APPROVAL

1. PB 13-05 Mill Court Crossing – Phase II

14 lots

Total:

14 lots

### 2016 MINOR SUBDIVISIONS GRANTED PRELIMINARY APPROVAL

None

### 2016 MINOR SUBDIVISIONS GRANTED FINAL APPROVAL

1. PB 4-15 MJD Contracting

2 lots

Total:

2 lots

### **2016 SUBDIVISION RE-APPROVALS**

None

### **2016 PRELIMINARY SUBDIVISION APPROVAL TIME EXTENSIONS**

1. PB 1-11

Hanover Estates

2 extensions

### **2016 FINAL SUBDIVISION APPROVAL TIME EXTENSIONS**

1. PB 9-99

Furnace Dock Inc.

5 extensions\*

2. PB 13-05 Mill Court Crossing

2 extensions

3. PB 5-08

Montes

1 extension\*\*

### 2016 AMENDED SUBDIVISION APPROVALS

None

### 2016 PERFORMANCE SECURITY REDUCTIONS

1. PB 23-08 Cipriano

<sup>\* 2</sup> extensions granted in May & September

<sup>\*\*</sup> extension granted until February 2018

### 2016 SPECIAL PERMITS WITH SITE DEVELOPMENT PLAN APPROVAL

- 1. PB 1-14 Hudson National Country Club Special Permit for Golf Driving Range
- 2. PB 7-14 MCAS Roofing Specialty Trade Roofing Contractor

### 2016 SPECIAL PERMIT RENEWALS

- 1. PB 8-16 Brookfield Junkyard Special Permit Renewal
- 2. PB 10-16 Happy Tots Day Care Center Special Permit Renewal
- 3. PB 12-15 Yeshiva University, College or Seminary Special Permit Renewal

### 2016 SPECIAL PERMIT RECOMMENDATION TO TOWN BOARD

None

### **2016 SITE DEVELOPMENT PLAN APPROVALS**

1. PB 14-13 Cortlandt Crossing

130,000 sq. ft. shopping center

2. PB 3-16 Ananda Spa

Conversion of existing building to a spa

### **2016 SITE DEVELOPMENT PLAN AMENDMENTS**

1. PB 9-15 Hendrick Hudson Library

1,200 sq. ft. Children's Room Addition

2. PB 7-16 Paraco Gas

Approval of reconstruction of existing office trailer

### 2016 SITE DEVELOPMENT PLAN TIME EXTENSIONS

PB 1-14 Hudson National Golf Driving Range

### 2016 SITE PLAN TIME EXTENSIONS TO OBTAIN BUILDING PERMIT

None

### **2016 WETLAND PERMITS**

- 1. PB 14-13 Cortlandt Crossing
- 2. PB 1-14 Hudson National Golf Driving Range

### **2016 STEEP SLOPE PERMITS**

- 1. PB 14-13 Cortlandt Crossing
- 2. PB 1-14 Hudson National Golf Driving Range

### **2016 TREE REMOVAL PERMITS**

- 1. PB 14-13 Cortlandt Crossing
- 2. PB 1-14 Hudson National Golf Driving Range
- 3. PB 3-16 Ananda Spa

### **2016 SEQR FEIS REVIEW**

None

### 2016 TOWN BOARD REFERRALS & RECOMMENDATIONS

1. Recommendations on proposed Solar Energy Systems Local Law

### 2016 LOT LINE ADJUSTMENTS

- 1. PB 2-16 Pregno/Bugara
- 2. PB 6-16 Wyganowski/Ocasio

### 2016 ITEMS APPROVED UNDER CORRESPONDENCE

- 1. PB 12-94 Renewal of Parking of U-Hauls, Cortlandt Town Center
- 2. PB 12-94 Change of Use for Physician One Urgent Care at Cortlandt Town Center
- 3. Change of Use for Boost Mobile at the Freight Liquidators Building on Route 6
- 4. PB 5-14 Approval of new staircase and Farmer's Market at Hilltop Nursery
- 5. PB 16-99 Approval of modifications to the Environmental Monitoring Program at the Hollowbrook Golf Club

# **ANNUAL REPORT- 2016 PLANNING BOARD**

# PLANNING BOARD PRELIMINARY PLAT APPROVALS

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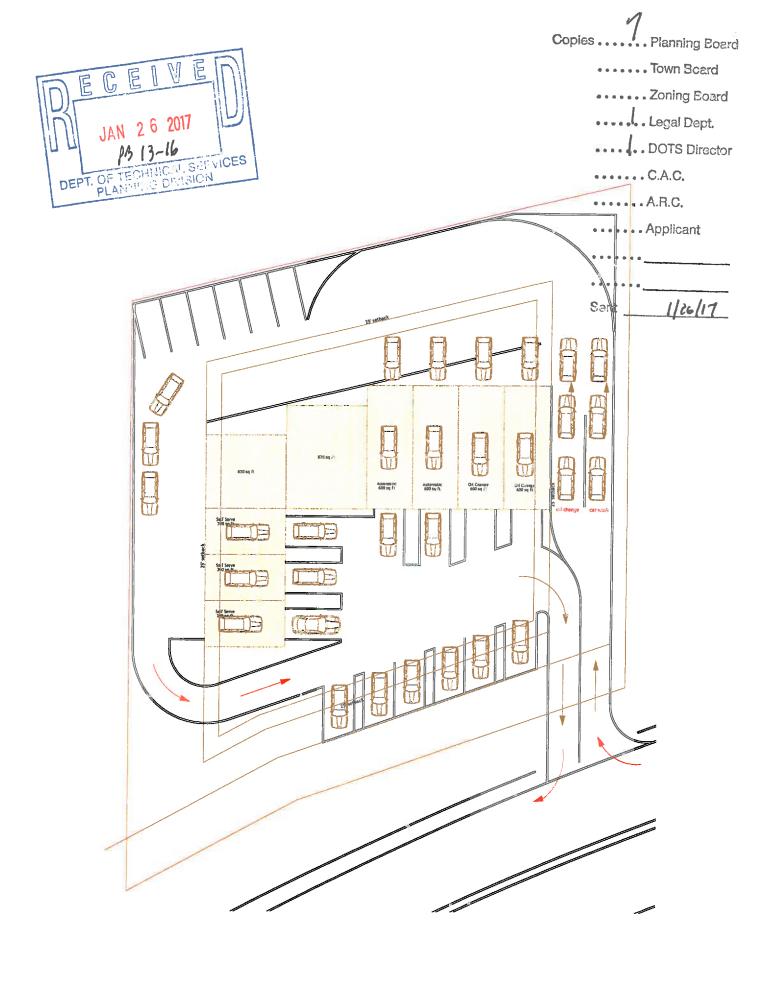
<sup>\*</sup>Rental dwelling units- Mark Picucci, U.M.I. Corp.
\*\*Roundtop- 92 apartments
\*\*\* Furnace Dock Inc. Cluster
\*\*\*\* Valeria - Modification of 2007 Approval

PLANNING BOARD: SITE DEVELOPMENT PLAN APPROVALS

Site Development Plans (SDP)	1999 8	<u>2000</u>	<b>2001</b> 5	<u>2002</u> 5	3	<b>2004</b> 2*	<u>2005</u>	2006	2007 6	9	<u>2009</u>	<u>2010</u>	1 1	<u>2012</u>	<u>2013</u>	2014 4	1	2016 2
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<sup>\*</sup>Includes Jacobs Hill Village PVD 103 Apartments and 58 Condominiums

<sup>\*\*</sup> Began tracking in 2010
\*\*\* RRUSP Pondview Recommendation
\*\*\* Harbolic Lot-Line Re-Approval





sional Engineering & Consulting T:(914) 736-3664 F:(914) 736-3693

JAN 2 5 2017  PS 12-16  January 24, 2017
Loretta Taylor, Chairman UNICAL SERVICES
Town of Collection Board N
Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567

Re: Site Development Plan & Special Permit Application

Tomas Tinoco (Property Owner) for

Northline Utilities, LLC

439 Yorktown Road (Route 129) Tax Map Designation: 56.19-1-6.1

Dear Chairman Taylor and Members of the Planning Board:

We have prepared a revised site plan in response to the Town Engineer & Town Planner's review comments as well as the questions raised by the Planning Board at the December 2016 Planning Board meeting. The plans have been revised to address the specific comments provided via the Town review memorandums.

Find enclosed the following for this submission:

- 1. Fourteen (14) copies of the "Site Plan", dated August 12, 2016, revised January 24, 2017
- 2. \$500 check for Special Permit Application Fee
- 3. Revised Planning Board Application (for Site Development Plan & Special Permit)
- 4. Letter from Northline Utilities, dated January 16, 2017
- 5. Photographs of the site and existing properties to the north and south

The memorandums have been addressed, item by item, as follows.

### Town Engineer memorandum dated December 6, 2016:

- Acknowledged.
- 2. Acknowledged. The Town notified the NYCDEP and a response letter was received stating "...DEP has determined that the subject proposal requires no further review or approval by DEP...". However, the DEP did request the 300' distance to the reservoir spillway should be called out on the site plan. This has been shown on the site plan.
- Acknowledged.
- 4. Storage of material on-site varies. The materials are removed from the site to be installed in the field on an as-needed basis. Materials such as hardware are typically utilized daily. Other materials such as transformers and utility poles are installed less frequently on an as-needed basis (see letter from Northline Utilities).
- 5. The sight lines, both north and south, from the point leaving the driveway and entering Route 129 have been indicated on the plan in note form. Sight distance is 400+ feet to the north and 700+ feet to the south, which is more than adequate for the posted speed limit. At this time, no improvements to the driveway are necessary.
- 6. The hours of operation are listed in a note under the "List of Equipment" chart, which states "Hours of Operation are Generally from 6AM to 4PM, Monday thru Friday". On occasion emergency work is required, which could occur any time of the night and/or any day of the

week. However, when emergency work is required a crew would arrive at the site, park their personal vehicles, gather needed work materials and leave the site with company vehicles, then return to drop off the company vehicles, which could occur during normal business hours or after hours (see letter from Northline Utilities).

7. The property owner and Northline Utilities have been informed that all employee parking must be located on-site and not within the Route 129 right-of-way.

### Town Planner memorandum dated December 22, 2016:

- Acknowledged.
- 2. a. One (1) set of photographs showing the site and nearby buildings on adjacent properties have been enclosed.
  - b. Currently, a movable construction light is utilized to illuminate the yard when necessary. There is an existing utility pole located near the office trailer that will have a light fixture added to it for illumination of the general area. It should be noted that the adjacent property to the north is utilized as a contractor yard and the property to the south is a commercial building with parking facilities. The properties to the west are residential and are approximately 50-ft. higher in elevation than the area being utilized for parking & material storage.
  - c. Northline Utilities does not require a sign. Therefore, no signs are proposed as part of the site plan.
  - d. The hours of operation are listed in a note under the "List of Equipment" chart ("Hours of Operation are Generally from 6AM to 4PM, Monday thru Friday"). Occasionally, emergency work is required, which could occur any time of the night and/or any day of the week. However, when emergency work is required a crew would arrive at the site, park their personal vehicles, gather needed work materials and leave the site with company vehicles, then return to drop off the company vehicles, which could occur during normal business hours or after hours (see letter from Northline Utilities).
- Acknowledged.
- 4. Acknowledged. The property owner and Northline Utilities have been informed that all employee parking must be located on-site and not within the Route 129 right-of-way.
- 5. The application has been revised to seek a Special Permit for a Specialty Trade Contractor as Northline Utilities does utility line maintenance, repair & replacement for Consolidated Edison. The \$500 application fee and application form for the Special Permit are enclosed.
- 6. Acknowledged. Enclosed is a letter from Northline Utilities, dated 1/16/2017, describing their working relationship with Consolidated Edison.
- 7. Please see the attached letter from Northline Utilities regarding the transformers that stored at the site prior to installation. Per Northline, new transformers do not contain any PCB's.
- 8. Typically, the roll off containers are filled with scrap wire, metal brackets, pallets and pieces of utility poles that have been replaced. The roll-off containers are ordered by Con Edison and when they are in need of being emptied Northline Utilities notifies Con Edison, who calls for a pick up. The metal storage container typically contains tools and materials that are required to be stored out of the weather and in an enclosure, that can be locked (i.e. copper wire, tools, etc.).
- 9. Acknowledged. The Town notified the NYCDEP and a response letter was received stating "...DEP has determined that the subject proposal requires no further review or approval by DEP...". However, the DEP did request the 300' distance to the reservoir spillway should be called out on the site plan. This has been shown on the site plan.
- 10. The distance from the front property line to the edge of the edge of pavement, where employee vehicle parking is designated, is approximately 45-feet. There is a mixture of deciduous and evergreen trees located directly behind the existing privacy fencing along the front property line as well as along the length of the southern property line. This information has been added to the plan.
- 11. Acknowledged.

- 12. Acknowledged.
- 13. Acknowledged.

Kindly review this information and place this item on the February 7th Planning Board agenda for discussion and consideration of scheduling of a Public Hearing at the March 7, 2017 meeting. Should you have any questions or require additional information, please contact me at the above number. Thank you for your time and consideration in this matter.

Respectfully submitted,

James C. Annicchiarico Project Engineer

### enclosures

cc: Tomas Tinoco, Property Owner, w/enclosures
John A. Sarcone III, Esq., The Sarcone Law Firm, w/enclosures
Paul Quick, Northline Utilities, w/enclosures

File: Tinoco-Rte 129-SDP-Letter-Response to Initial Submission Review Memos-20170124.doc



## 15 School Lane, Suite 200, PO Box 656

Au Sable Forks, NY 12912

Phone: (518) 647-8198 Fax: (518) 647-5457

January 16, 2017

Cronin Engineering 39 Arlo Lane Cortlandt Manor NY 10567



### 439 Yorktown Rd (Rte 129), Cortlandt Manor, NY 10567

Further to our discussion, please find information as requested:

### **Northline**

Founded in 2006 as a provider of construction services to the electric utilities industry in the Northeastern US. Northline is headquartered in upstate New York and serves a broad clientele ranging from regional electric cooperatives and renewable energy EPCs, to major investor-owned utilities.

The company's core proficiencies lie in the construction, maintenance, and upgrade of electric distribution systems, substations, and transmission lines. Northline is a union contractor with a strong regional reputation and a demonstrated track record of strong organic growth in recent years.

### Type of Work and Hours of Operation

The works consist of electrical distribution maintenance/replacement works to the existing system.

The normal hours of operation are 6 AM to 4 PM Monday to Friday

The Contract does contain a requirement for Northline to carry out occasional emergency work during storm conditions. The use of the yard in these times would be very limited, it would mainly consist of the crews collecting materials for the necessary repair works.

### **ConEd Contract**

Northline has been working on the ConEd Framework project for the past several years, it is the only Contract in this geographic footprint that we fulfill. The Contract is a long term framework agreement with Northline supplying resources as required by ConEd.

This is the only Northline project that uses this yard.

### **Materials** stored

The majority of the materials stored in the yard are new and are supplied by ConEd, this consist of poles, hardware and wire.

Part of the ConEd works involve removal of existing transformers, these are put in bags before placing in the Northline truck to return to ConEd, occasionally when it is too late to return to ConEd these would be stored in the Rte 129 yard overnight. The new transformers do not contain any PCB.

ConEd manage the dumpsters in the yard.

Sincerely Northline Utilities LLC

P-Quick