

Appendix B
Correspondence

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, New York 10516

Phone (845) 265-4400

Fax (845) 265-4418

July 8, 2009

Mr. Peter Liotta, Board President
Mountianview East II Condo Association
PO Box 593
Valley Cottage, NY 10989

Re: Emergency Access from Kury Homes, Mountainview Avenue

Dear Mr. Liotta,

As you are aware, Tim Miller Associates is representing Price Construction before the Town of Clarkstown Planning Board in their application for the proposed Kury Homes Subdivision. We have worked long and hard with the Planning Board and have made many project modifications in an effort to make improvements to this project.

One of the items requested by the Planning Board TAC committee is an emergency access between the Kury Homes project and the Mountainview East Condominiums. This emergency access is shown on the Kury Homes 11 lot cluster site plan between lots 3 and 4, and includes a proposed sliding gate which would be locked, with the key to be held by emergency responders, and the Mountianview Board, at their discretion.

The Planning Board consultant has requested a letter of consent from the Mountainview Board for the construction of this access. Kindly review this matter with the Board and forward me a consent letter at your convenience.

There is a continuation of the public hearing on this proposal scheduled for July 22, 2009 at 7:30 p.m. in Town Hall. I would appreciate your response on this matter in advance of this meeting if possible. The complete DEIS including the site plan may be viewed on our web site at <http://www.timmillerassociates.com/publicreview/kury/index.html>

Please do not hesitate to call should you have any questions on this matter in advance of the July 22, 2009 meeting.

Sincerely,



Ann Cutignola, AICP
Senior Planner
TIM MILLER ASSOCIATES, INC.

C. Joe Simoes
Robert Geneslaw, Town Planning Consultant
Price Construction - Applicant
Atzl, Scatssa, Zigler, P.C.



**TOWN OF CLARKSTOWN
BUILDING DEPARTMENT
INTER-OFFICE MEMORANDUM**

DATE : 8/3/06
TO : JOE SIMOES, TOWN PLANNER
FROM : CHARLIE MANERI, BUILDING PLANS EXAMINER
RE : KURY HOMES SUBDIVISION

Based on the information provided on Drawing 2, We have determined that the proposed 12 lots are in conformance with the bulk requirements of the Town of Clarkstown.

Thus quantifying that the total lot count for the standard subdivision layout is in fact 12 lots.

Signed Charlie Maneri

Cc: Ann Cutignloa, Tim Miller Associates, Inc.



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T
50 Sanatorium Road
Pomona, New York 10970
(845) 364-3434
Fax: (845) 364-3435

C. SCOTT VANDERHOEF
County Executive

SALVATORE CORALLO
Commissioner

ARLENE MILLER
Deputy Commissioner

0399
XST, XPB, XRG, XFS,
XDG, XDEC, XET, XDTA,
X-Caligula
J. P. E.

June 4, 2008

Clarkstown Planning Board
10 Maple Avenue
New City, NY 10956

Tax Data: 59.20-1-3 59.20-1-4 59.20-1-5

Re: **GENERAL MUNICIPAL LAW REVIEW:** Section 239 N

Map Date: 5/1/2008

Date Review Received: 5/16/2008

Item: **KURY HOMES (C-3169A)**

Eleven lot cluster subdivision of 10.29 acres in an R-22 zoning district
East side of Mountainview Avenue, approximately 215 feet north of Sugarhil Road

Reason for Referral:

Mountainview Nature Park

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 The application sent to the Planning Department is for an 11-lot cluster subdivision. However, no standard layout was provided, nor do our records indicate that we have ever seen an approved standard layout for the lot count. Prior to continuing with the cluster development, a standard layout must be designed showing that there are 11 conforming lots which comply with all of the bulk requirements in the R-22 zoning district for the Town of Clarkstown, including deductions for lands within wetlands and on steep slopes. The subdivision layout lots must not contain irregular shaped lots or require any variances.
- 2 A review shall be completed by the United States Army Corps of Engineers and all required permits obtained.
- 3 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
- 4 Extensive regrading of the site is proposed. To ensure that the wetlands and other lands not to be regraded are protected, clearing limit lines must be shown on the map, and flags placed in the field prior to the commencement of construction.

KURY HOMES (C-3169A)

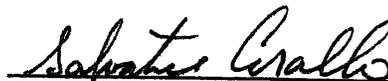
5 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. All major subdivisions, i.e., those with five or more lots, must be reviewed and approved by the Rockland County Department of Health (RCDOH) prior to filing with the county clerk. RCDOH is mandated by New York State law to ensure that such subdivisions will have both an adequate and satisfactory water supply and adequate and satisfactory sewerage facilities. RCDOH must also review and approve all public water supply improvements, e.g., water main extensions, including those required to serve a proposed major subdivision. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.

6 Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.

7 There shall be no net increase in stormwater runoff from the site.

8 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the New York State Guidelines for Urban Erosion and Sediment Control.

9 Since this proposed subdivision is across from Mountainview Nature Park and in close proximity to the Long Path regional hiking trail, it may be visible from hiking trails or vantage points within the park or from the Long Path itself. Every effort should be made to have the proposed buildings blend in with the natural environment by using natural tones, textures and materials that complement the surrounding.



Salvatore Corallo
Commissioner of Planning

cc: Supervisor Alex Gromack, Clarkstown
Rockland County Division of Environmental Resources
Atzl, Scatassa & Zigler P.C.

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

KURY HOMES (C-3169A)

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, New York 10516

Phone (845) 265-4400

Fax (845) 265-4418

May 24, 2010

Charles Maneri - Building Plans Examiner
Town of Clarkstown
10 Maple Avenue
New City, NY 10856

Re: Kury Homes - 11 Lot Standard Plan - Zoning Conformance

Dear Mr. Maneri:

Enclosed please a copy of the 11 Lot Standard Layout Subdivision Plat for the proposed Kury Homes subdivision.

The FEIS for this project is currently being reviewed by the Town Planning Board's Planning Consultant, Mr. Robert Geneslaw. Per Mr. Geneslaw's request, kindly review the enclosed 11 Lot Standard Layout plan for conformance to applicable R-22 zoning, as the Standard Layout Plan will serve as the basis for consideration of an 11 Lot Cluster authorization currently being considered by the Planning Board. I would appreciate your written response so that I may include it in the SEQRA documentation.

Thank you for your attention to this matter. Please let me know if you have any questions or require any further information.

Sincerely,



Ann Cutignola
Senior Planner
TIM MILLER ASSOCIATES, INC.

C. Joe Simoes
Shirley Thorman
Robert Geneslaw
Barry Price

**TIM
MILLER
ASSOCIATES, INC.**

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Fax (845) 265-4418

May 24, 2010

Wayne Ballard - Superintendent of Highways
Town of Clarkstown
10 Maple Avenue
New City, NY 10856

Re: Kury Homes - Town Road Specifications

Dear Mr. Ballard:

Enclosed please a copy of the 11 Lot Cluster Layout Subdivision Plat for the proposed Kury Homes subdivision.

The FEIS for this project is currently being reviewed by the Town Planning Board's Planning Consultant, Mr. Robert Geneslaw. Per Mr. Geneslaw's request, kindly review the enclosed 11 Lot Cluster Layout plan, currently being considered by the Planning Board, to determine that the proposed roads A and B meet the road specifications to be dedicated as a Town Road. I have included the Subdivision Plat, the Plan and Profile and the Construction Phasing Plan to facilitate your review. Please let me know if you have any questions or require any further information.

I would appreciate your written response so that I may include it in the SEQRA documentation.

Thank you for your attention to this matter.

Sincerely,



Ann Cutignola
Senior Planner
TIM MILLER ASSOCIATES, INC.

C. Joe Simoes
Shirley Thorman
Robert Geneslaw
Barry Price



PETER J. BEARY,
BUILDING INSPECTOR

OFFICE OF THE
BUILDING INSPECTOR

10 MAPLE AVE.
NEW CITY, NY 10956/5099
(845) 639-2100

VINCENT NARCISO,
CHIEF FIRE SAFETY INSPECTOR (ACTING)

June 9, 2010

Ann Cutignola – Senior Planner
Tim Miller Associates, Inc.
10 North Street
Cold Springs, NY 10516

Re: Kury Homes – 11 Lot Standard Plan – Zoning Conformance

Dear Ms. Cutignola,

I have reviewed the Kury Homes 11 Lot Standard Layout Subdivision Plat by Atzl, Scatassa & Zigler, P.C dated 9/4/08 last revised 12/05/08 and find it to conform to the bulk regulations of the Town of Clarkstown's R-22 Zoning District.

Sincerely,

A handwritten signature in cursive script that reads "Charles Maneri".

Charles Maneri
Building Plans Examiner
Town of Clarkstown

cc: Jose Simoes
Shirley Thorman
Robert Geneslaw

Ann Cutignola

From: mve2condo@aol.com
Sent: Wednesday, July 21, 2010 2:57 PM
To: acutignola@timmlerassociates.com
Subject: Kury Homes - Mountainview East II access road

The Board of Mangers of Mountainview East II Condominium has voted to give permission to Kury Homes to connect an emergency access road south of Building 7 - to the right side of the existing garbage shed #1/storage area. We will not be responsible to upkeep and maintain this access road. This road can also be used as an emergency exit road for Mountainview Condominium.

Thank you.

Peter Liotta
President
Mountainview East II Condominium

Ann Cutignola

From: Andy Atzl [aatzl@aszsurveys.com]
Sent: Wednesday, July 21, 2010 2:07 PM
To: Ann Cutignola
Subject: Fw: Kury Homes Sewer Capacity

From: "Joseph LaFiandra" <LaFiandJ@co.rockland.ny.us>
Sent: Wednesday, July 21, 2010 11:30 AM
To: <aatzl@aszsurveys.com>
Cc: "Melanie Gross" <GrossM@co.rockland.ny.us>; "Frank Nelson"
<NelsonF@co.rockland.ny.us>; "Michael Saber" <SaberM@co.rockland.ny.us>
Subject: Kury Homes Sewer Capacity

> Dear Andy:

>

> Per our telephone conversation on Tuesday, July 20, 2010 regarding the
> subject 11-lot average density subdivision in conformance to R-40
> zoning, the Sewer District's Maintenance Supervisor Frank Nelson has
> informed me that the sanitary sewers on Mountainview Avenue in Central
> Nyack have no known capacity problems.

>

> Please reply or call me at 845-365-6111 if you have any questions or
> require additional information.

>

> Yours truly,
> Joseph LaFiandra
> Engineer II
> Rockland County Sewer District No. 1

>

> File: TOC 59.20-1-3, 4 & 5 (135-D-16, 16.1 & 16.2) - Kury Homes
> Subdivision

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>

Ann Cutignola

From: Andy Atzl [aatzl@aszsurveys.com]
Sent: Wednesday, July 21, 2010 2:43 PM
To: Ann Cutignola
Subject: Emergency access gate

Ann, I spoke with the fire inspector. He would like a padlock with a Knox box attached the the gate post.