



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
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PLANNING BOARD
Christopher Carthy, Chair

RESOLUTION

Action: Final Subdivision Plat Approval
Application Name: 162 Bedford Road [2021-007]
Owner: 154 Bedford Road LLC
Applicant: Michael Fareri
Designation: 108.03-1-42
Zone: R-MF-SS District
Acreage: 1.26 acres
Location: 154 Bedford Rd
Date of Approval: June 14, 2021
Expiration Date: December 11, 2021 (180 Days)

WHEREAS, application dated April 5, 2021 for preliminary subdivision plat approval was submitted to the Planning Board and the application fees were paid; and

WHEREAS, the application consists of the following drawings:

- Plan entitled "Preliminary Subdivision Map," dated May 31, 2021, prepared by Ward Carpenter Engineers, Inc.

WHEREAS, the subject application involves subdividing the existing 1.2602 acre lot into two lots each 0.6303 acres; and

WHEREAS, the proposed subdivision will result in the creation of 1 new building lot; and

WHEREAS, both lots are located within the R-MF-SS Zoning District; and

WHEREAS, proposed Lot 1 does not meet the minimum lot width requirement in the R-MF-SS Zoning District of 150 feet; and

WHEREAS, proposed Lot 2 does not meet the minimum lot width requirement in the R-MF-SS Zoning District of 150 feet; and

WHEREAS, the applicant obtained the required variances on June 3, 2021 from the Zoning Board of Appeals; and

WHEREAS, the proposed subdivision and site plan will not result in the removal of Town-regulated trees; and

WHEREAS, the proposed subdivision will not result in the disturbance to Town-regulated steep slopes; and

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WHEREAS, the proposed subdivision will not result in the disturbance to any Town-regulated wetland or Town-regulated wetland buffer; and

WHEREAS, the applicant submitted a short Environmental Assessment Form (EAF) in connection with the application dated December 3, 2020; and

WHEREAS, the Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board determined to conduct a coordinated SEQRA review; and

WHEREAS, the Planning Board declared their intent to act as Lead Agency on April 26, 2021; and

WHEREAS, a duly advertised public hearing on said application was conducted on June 14, 2021, at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, the Planning Board has evaluated the proposed total site disturbance; and

WHEREAS, the Planning Board has inspected the site and is familiar with the nature of the site and the surrounding area; and

WHEREAS, the Planning Board has received and considered comments from the public, Town Attorney, Town Engineer and Town Planner; and

WHEREAS, the requirements of the Land Subdivision Regulations, the Zoning Ordinance and the *1996 Town of North Castle Comprehensive Update* have been met by the application; and

WHEREAS, under the Town Law the approval of said final subdivision plat by this Planning Board does not affect the power of the Town to change zoning regulations, nor act as an assurance of the granting of any building permits; and

WHEREAS, the Applicant received preliminary subdivision plat approval on June 14, 2021; and

WHEREAS, pursuant to Section 275-16.D of the Town Code, when the Planning Board deems the final plat to be in substantial agreement with a preliminary plat approved under the provisions of the Town Code and modified in accordance with the requirements of such approval if applicable, the Planning Board may waive the requirement for such a public hearing; and

NOW THEREFORE BE IT RESOLVED, that the Planning Board based upon its review of the full environmental record finds that the proposed action will not result in any significant adverse environmental impacts and hereby reconfirms the Negative Declaration adopted on June 14, 2021; and

BE IT FURTHER RESOLVED, that pursuant to the authority granted by Section 275-16.D of the Town of North Castle Town Code, the Planning Board hereby waives the public hearing on the final plat; and

BE IT FURTHER RESOLVED, that the final subdivision plat as shown plan entitled "Preliminary Subdivision Map," dated May 31, 2021, prepared by Ward Carpenter Engineers, Inc. as described herein are conditionally approved, subject to compliance with the following conditions and modifications; and

BE IT FURTHER RESOLVED, that this final subdivision plat approval shall expire 180 days from the date of this resolution unless a written request for an extension of final subdivision plat is granted by the Planning Board; and

BE IT FURTHER RESOLVED, that if all conditions of approval are not fully complied with within the above time limits, said plat shall be disapproved.

Conditions to be Completed Before the Final Plat is Signed

(The Planning Board Secretary's initial and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. The applicant shall produce a Final Subdivision Plat in accordance with the provisions of Section 275-33 of the North Castle Land Subdivision Regulations, and Final Construction Plans in accordance with 275-34 of the Town Land Subdivision Regulations.
- _____ 2. The Applicant shall secure approval and endorsement of the plat by the Westchester County Department of Health. All plans submitted to the Westchester County Department of Health for review and approval shall reflect the identification of all wetland boundaries and their respective surrounding regulated areas. A copy of the integrated plot plan containing the endorsement of the Westchester County Department of Health shall be submitted to the Town Engineer prior to the signing of the final linen.
- _____ 3. Payment of all applicable fees, including any outstanding consulting fees.
- _____ 4. The applicant shall furnish the necessary documentation confirming that all taxes assessed against the property have been paid.
- _____ 5. The Applicant shall furnish the necessary documentation confirming that the plat can be filed immediately, that there are no liens on the plat whatsoever, or any other impediments to the filing of the Plat with the County Clerk.

Other Conditions:

1. All references to "the Applicant" shall include the Applicant's successors and assigns.

Applicant, agreed and understood as to contents and conditions, including expiration, contained herein

154 Bedford Road LLC

Michael Fareri

NORTH CASTLE PLANNING OFFICE, as to approval by the North Castle Planning Board

Date Valerie Desimone, Planning Board Secretary
Certified as Approved by the North Castle Planning Board

KELLARD SESSIONS CONSULTING
As to Drainage and Engineering Matters

Date Joseph M. Cermele, P.E.
Consulting Town Engineer

STEPHENS BARONI REILLY & LEWIS LLP
As to Form and Sufficiency

Date Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

Date Christopher Carthy, Chairman