

**VILLAGE OF CROTON ON HUDSON, NEW YORK
PLANNING BOARD MEETING MINUTES – TUESDAY, JULY 12, 2011**

MEMBERS PRESENT: Fran Allen
Bruce Kauderer
Steven Krisky
Mark Aarons
Robert Luntz, Chairman

ALSO PRESENT: Daniel O'Connor, P.E., Village Engineer

1. Call to Order:

The meeting was called to order at 8:00 P.M. by Chairman Luntz.

2. OLD BUSINESS

***a) 157 Maple St. LLC – 157 and 159 Maple Street (Sec. 68.17 Block 4 Lot 41) –
Application for preliminary subdivision approval (two-lot).***

Chairman Luntz stated that this application was on the agenda for the purpose of reviewing the draft resolution for the preliminary subdivision plat approval. The Planning Board discussed each of the conditions set forth in the resolution, and the resolution was approved, as amended, on a motion by Mr. Kauderer, seconded by Mr. Aarons and carried by a vote of 5-0 in favor. A copy of the approved resolution is attached.

The Planning Board determined that there would be no significant adverse impacts resulting from the proposed action, and therefore, based on its review of the application in addition to the WAC's preliminary recommendation of consistency with the LWRP, issued a negative declaration and referred this application to the WAC for a final consistency determination.

3. APPROVAL OF MINUTES

Approval of the minutes of the Tuesday, June 28, 2011 Planning Board meeting were approved, as amended, on a motion by Mr. Krisky, seconded by Mr. Kauderer, and carried by a vote of 3-0 -2 (abstention).

4. ADJOURNMENT

There being no further business to come before the board, the meeting was duly adjourned at 8:25p.m.

Respectfully submitted,

Ronnie L. Rose
Planning Board Secretary

**RESOLUTION
PRELIMINARY SUBDIVISION PLAT APPROVAL**

WHEREAS, Daniel T. Merritts of 157 Maple Street, LLC. has applied to the Planning Board for Preliminary Subdivision Plat Approval on a property located at 157 and 159 Maple Street, in a Residential RB District, and is designated on the Tax Map of the Village as Section 68.17 Block 4 Lot 41.

WHEREAS, the subdivision being proposed is a two-lot subdivision involving the separation of the existing premises into two (2) separate parcels; and

WHEREAS, the subdivision line would be created through the existing structure at a party wall, creating two separate single-family dwellings.

WHEREAS, under the requirements of the State Environmental Quality Review Act (SEQRA), the Planning Board has determined that this project is an Unlisted Action; and

WHEREAS, the Applicant has submitted to the Planning Board a Short Environmental Assessment Form (EAF) dated June 9, 2011 and a Coastal Assessment Form (CAF) dated June 9, 2011; and

WHEREAS, the Planning Board referred this application to the Zoning Board for approval of three proposed variances pursuant to Village Zoning Law Section 230-34 and the ZBA, in their memorandum dated June 10, 2011 granted the applicant the requested variances with conditions; and

WHEREAS, as the Planning Board referred this application to the Waterfront Advisory Committee (WAC) on June 29, 2011, for a preliminary recommendation of consistency with the policies of the Village's Local Waterfront Revitalization Program (LWRP) and the WAC, in their memorandum to the Planning Board dated June 30, 2011 recommended to the Planning Board that the Proposed Action be found consistent (preliminary review) with the LWRP; and

WHEREAS, based on the WAC's preliminary recommendation of consistency with the LWRP, and the Planning Board's review, the Planning Board hereby determines that there will be no significant adverse impacts resulting from the Proposed Action and issues a Negative Declaration; and

WHEREAS, the Planning Board refers this application to the WAC for a final recommendation of consistency with the Village's LWRP,

WHEREAS, a Public Hearing before the Planning Board was held on this application on Tuesday, June 28, 2011; and

WHEREAS, on Tuesday, June 28, 2011, the Public Hearing was closed.

NOW, THEREFORE BE IT RESOLVED, that the Planning Board approves the application submitted by Daniel T. Merritts for 157 Maple Street, LLC. for a two-lot subdivision of property located at 157 and 159 Maple Street, as shown on the survey (Sheet 1) dated April 29, 2011, last revised June 9, 2011, and shown on document "Site" (Sheet 2 of 2) dated October 1, 2008, last revised April 29, 2011, prepared by Thomas C. Merritts Land Surveyors, P.C., 2011, subject to the following conditions:

1. A proposed party wall agreement shall be submitted to the Village Engineer and Village Attorney for review. This agreement shall include provisions to address all shared and common components of the structure.
2. A NYS licensed Land Surveyor certify that the proposed property line shown through the two-family dwelling coincides with the center of the party wall.
3. The Waterfront Advisory Committee's final recommendation of consistency with the LWRP will be submitted to the Planning Board;
4. The applicant will comply with the conditions placed on the application from the Zoning Board of Appeals as stated in the Zoning Board of Appeals resolution of June 8, 2011;
5. The plans be revised to show one railing on the common portico to separate the entrances of each residence;
6. The plans be revised to show the installation of additional landscaping in the front yards.
7. The plans be revised to show all asphalt, gravel, walkways proposed to be removed with a cross hatching and a note added to have these areas restored with 3" of top soil, seed and mulch. The full extent of any gravel areas to be removed shall be shown on the plans.
8. The plans be revised to shown the common property line between the front of the building and street line as perpendicular to the front wall of the building.
9. Iron rods or other permanent survey monuments be installed at property corners and any change in course of the lot lines shown on the preliminary subdivision plan and that the installed iron rods or other permanent survey monuments be shown on the final subdivision plat.
10. The plans be revised to reflect the location of existing landscaping and other features along the north property line.
11. The plans be revised to add a note reflecting the variances issued by the Zoning Board of Appeals.
12. The plans be revised to include a note indicating that the each dwelling currently has separate: electric, telephone, cable, fuel oil and no gas service and that 159 Maple St has existing water and sewer services that are currently shared with 157 Maple St and that new water and sewer services are proposed for 157 Maple St.
13. A letter from the NYSDOT be submitted indicating that they will approve a new curb cut as shown on the plan for the new driveway for 159 Maple St after the final plat and deeds are filed with the County Clerk and all their requirements are met.
14. An estimated cost of construction be submitted to the Village Engineer for review for all proposed improvements to the property. The approved estimated cost of construction will be used to establish the amount of the bond to be required at final subdivision approval.

15. The plans be revised to have the zoning table indicate that the RB district is a Two-Family Residence District.
16. The plans be revised to include details for the driveway and flagstone walkway construction.
17. The plans be revised to require waterproofing of the party wall in the basement to prevent flooding in one dwelling from affecting the adjacent dwelling.
18. The plan title be revised to "Final Subdivision Plans for ..."
19. A final plat to be filed with the County Clerk be submitted to include the surveyors certification statement required by section 230-134 (A) (5) of the Zoning Code.

BE IT FURTHER RESOLVED, that, as part of the Final Subdivision Plat approval process, the Applicant shall obtain the necessary approval from the Westchester County Department of Health. Evidence of approval by the Westchester County Department of Health shall be in the form of the Department of Health's endorsement of the Final Subdivision Plat.

The Planning Board of the Village of
Croton-on-Hudson, New York

Robert Luntz, Chairperson
Mark Aarons
Fran Allen
Bruce Kauderer
Steven Krisky

The motion to approve was made by Mr. Kauderer, seconded by Mr. Aarons and carried by a vote of 5 to 0 in favor.

This resolution was approved by the Planning Board at the meeting held on July 12, 2011.