

Right to Know/FOIL

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WHEREAS, an application was submitted by Cortlandt Town Center, LLC for Planning Board approval of a Site Plan pursuant to Chapter 307 (Zoning) of the Town of Cortlandt Code for the construction of an approximately 3,725 sq. ft. bank building proposed in the area of the vacant Piazza Roma building located at the Cortlandt Town Center as shown on a 12 page set of drawings entitled "Site Plan Application-Cortlandt Town Center-Chase Bank" prepared by Gerhard Schwalbe, P.E. latest revision dated August 22, 2018 and

WHEREAS, the subject site is located within the Cortlandt Town Center Shopping Center of approximately 38 acres property located on E. Main St. (Cortlandt Boulevard), is zoned CD, Designed Commercial and is designated on the Town of Cortlandt Tax Maps as Section 24.10, Block 1, Lot 3, and

WHEREAS, as required by Article 8 of the New York State Environmental Conservation Law for the proposed Unlisted Action the applicant completed and submitted Part 1 of the Short Environmental Assessment Form dated June 27, 2018, and

WHEREAS, the applicant is proposing to demolish the exiting Piazza Roma building and construct in the same location an approximately 3,725 bank building with a drive-thru, and

WHEREAS, the exit of the proposed drive-thru generally aligns with an existing access way in the shopping center parking lot and will help to ensure safe turning movements from the drive thru to the internal ring road of the Cortlandt Town Center, and

WHEREAS, the proposed building elevations and proposed sign package were referred to the Town's Architectural Advisory Council (ARC) for their review and comments, and

WHEREAS, the ARC recommends approval of the building elevations as proposed, and

WHEREAS, the subject application was referred to the Town Engineering Division, the Architectural Review Council and the Code Administration and Enforcement Division, and

WHEREAS, comments in response to referrals of the subject application were considered by the Planning Board as well as written and verbal comments made in response to the subject application.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 617.7 of the SEQR Regulations as stated in this Resolution and throughout the course of this application and the

regular meetings of the Planning Board, the Planning Board considered the impacts which may be reasonably expected to result from the proposed action by comparing them against the applicable criteria in said section and finds that:

1. The proposed action will not result in a substantial adverse change to existing air quality, ground or surface water quality and quantity, traffic or noise levels; a substantial increase in solid waste production; nor generate a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; will not substantially interfere with the movement of a resident or migratory fish or wildlife species; will not impact a significant habitat area; and will not result in any substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse effects to natural resources.
3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area.
4. The proposed action will not result in the creation of a material conflict with the adopted 2016 Town Sustainable Comprehensive Master Plan and Town Zoning Ordinance.
5. The proposed action will not result in the impairment of a character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character.
6. The proposed action will not significantly impact the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will not result in a substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
9. The proposed action will not encourage or attract a substantially larger number of people to the subject property compared to the number of people who would come to such place absent the action.
10. The proposed action will not create a material demand for other actions which would result in one of the above consequences.

11. The proposed action will neither result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, nor when considered together result in a substantial adverse impact on the environment.

12. The proposed action will neither result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, nor when considered cumulatively, meet one or more of the criteria in this section, and the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action, and

FURTHER BE IT RESOLVED that the Planning Board as lead agency in this matter finds that based on Part I of the Short Environmental Assessment Form (EAF) prepared by Gerhard Schwalbe, P.E. dated June 27, 2018 and Part II of the Short EAF prepared by the Planning Division dated October 2, 2018 and based on the subject site development plan and the record of this application and for reasons stated in this resolution including the analysis of the criteria stated in 617.7(c)(i)-(xii), the proposed project will have no significant, adverse environmental impact upon the environment and therefore the Planning Board adopts said Part II of the Short EAF and a Negative Declaration and that no Draft Environmental Impact Statement is required with regard to this matter, and

FURTHER BE IT RESOLVED that the application of Cortlandt Town Center, LLC for Planning Board approval of a Site Development Plan pursuant to Chapter 307 (Zoning) for the construction of an approximately 3,725 sq. ft. bank building proposed in the area of the vacant Piazza Roma building located at the Cortlandt Town Center as shown on a 12 page set of drawings entitled "Site Plan Application-Cortlandt Town Center-Chase Bank" prepared by Gerhard Schwalbe, P.E. latest revision dated August 22, 2018 is hereby approved, and

FURTHER BE IT RESOLVED that approval of said Site Development Plan shall be valid for a period of twelve (12) months from the date of this Resolution to satisfy all conditions of approval and to obtain the signature of the Planning Board Chairman on the Site Development Plan. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for a maximum of two (2) additional years, granted in one year intervals, upon timely application by this applicant and a

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written explanation of the reasons for the delay which require the granting of a time extension, and

FURTHER BE IT RESOLVED that the approved site plan with the Planning Board Chairman's signature shall be valid for a period of twelve (12) months from the date of signing. If there is no substantial change in the condition of the site and/or its environs, Site Development Plan Approval may be extended by the Planning Board for one (1) additional period of one (1) year, upon timely application by this applicant and a written explanation of the reasons for the delay which require the granting of a time extension.

CONDITIONS AND MODIFICATIONS:

1. (a) Submit four paper prints and a set of mylar prints of said drawing set to the Planning Office following the Chairman and required Department Head signatures on the site plan mylar(s), (b) After the Planning Board Chairperson's signature submit an electronic version, .pdf is acceptable, of the entire drawing set (c) Upon completion of all improvement submit a comprehensive as-built survey in hard copy, AutoCAD and PDF formats.
2. Add the correct signature block to the subject drawing (attached).
3. Obtain the signature of the Receiver of Taxes on an appropriate form indicating that taxes on the subject property have been paid.
4. Posting of a combined soil erosion security and maintenance security pursuant to Section 307-73.1 of the Town Code in the amount of \$5,000. Said security to be in effect for a period of not less than two years from the date thereof at which time the applicant can request the release of the security based upon completion of all required improvements, submission of the required as-built survey and an inspection by the Town. Prior to the release of the signed Site Development Plan by the Planning Division said security shall be submitted to and approved by the Town Department of Law which will then be forwarded to the Town Clerk and a copy to the Planning Division. Any security or performance collateral required to be posted shall be in accordance with Chapter 237 of the Town Code and as per Town Board Resolution 190-04.
5. Add a note to the subject site plan that the Town of Cortlandt will not pick-up garbage from the site.

6. Add a note to the subject site plan that the Town of Cortlandt will not pick-up garbage from the site.
7. Submit a 5% construction inspection fee for all proposed site improvements pursuant to Resolution 114-00 of the Cortlandt Town Board.
8. Revise the subject drawing to show a no left turn sign at the intersection of the proposed drive thru and the existing internal ring road of the Cortlandt Town Center Shopping Center to the satisfaction of the Director of Technical Services.

TO BE CONSIDERED FOR ADOPTION: OCTOBER 2, 2018