

Meeting of the Planning Board of the Town of Lewisboro held at the Town Offices at 79 Bouton Road, South Salem, New York on Tuesday, August 14, 2018 at 7:30 p.m. The audio recording of this meeting is 180814_001.

Present: Jerome Kerner, Chair
Janet Andersen
Rich Sklarin
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel
Joseph Cermele, P.E., CFM, Kellard Sessions Consulting, Town Engineer
Ciorsdan Conran, Planning Board Administrator
John Wolff, Conservation Advisory Council (CAC)

Absent: Greg La Sorsa and John O'Donnell

Mr. Kerner called the meeting to order at 7:34 p.m. and noted the exits.

I. PUBLIC HEARINGS

Cal #04-18PB

(0:35 – 7:30)

MKR Lab Inc., 79 Bouton Road, South Salem, NY 10590, Sheet 31, Block 10805, Lots 31, 50 & 78 (Katonah-Lewisboro School District, owner of record) – Application for a Special Use Permit.

Sarah Landis, MKR Lab Inc, was present.

Prior to the meeting, Ms. Landis submitted the receipts for mailing the public hearing notice, affidavit of mailing, a photo of the public hearing sign at the site and digital receipts from the certified mailings to the Planning Board Administrator.

The Chair announced the commencement of the public hearing. There were no objections to the time, place or advertisement of the public hearing.

Ms. Landis stated the proposal is to run after-school programs for children in one classroom (C4) of the former Lewisboro Elementary School building and the curriculum will be STEAM (science, technology, engineering, art and math) based.

The following member of the public addressed the Board:

- John Curry (43 Bouton Road, South Salem) asked if the MKR Lab would be using a science room.
Ms. Landis stated yes.

On a motion made by Ms. Andersen, seconded by Mr. Sklarin, the public hearing was closed at 7:37 p.m.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

Mr. Cermele reviewed a resolution granting a Special Use Permit to MKR Lab.

The Board and CAC discussed setting a time limit and use/noise monitoring as part of the Special Use Permit. Ms. Landis stated her lease with the school district expires April 2019 and can be renewed on an annual basis.

The Board reached consensus that the Katonah Lewisboro School District (KLSD) will make the renewal determination and no time limit was set on the Special Use Permit.

On a motion by Mr. Sklarin, seconded by Ms. Andersen, the Resolution dated August 14, 2018 granting Special Use Permit Approval to MKR Lab Inc., 79 Bouton Road, South Salem, was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

Cal #02-10PB

(7:36 – 16:39)

Bedford Audubon Society, 35 Todd Road, Katonah, NY 10536, Sheet 5, Block 10776, Lots 7 & 30 Sheet 5, Block 10777, Lot 3 (Bedford Audubon Society, owner of record) – Application for a Special Use Permit.

Suzanne Cahill, Bedford Audubon Society (BAS), was present.

Prior to the meeting, Ms. Cahill submitted the receipts for mailing the public hearing notice and a photo of the public hearing sign at the site to the Planning Board Administrator.

The Chair announced the commencement of the public hearing. There were no objections to the time, place or advertisement of the public hearing.

Ms. Cahill stated the request was for a five-year renewal of the BAS' Special Use Permit to operate as a private nature preserve.

The following member of the public addressed the Board:

- Werner Blank (owner of vacant land Lot 44 on Todd Road) asked if the BAS borders were indicated.

Ms. Cahill stated the BAS property was recently surveyed and is currently flagged.

On a motion made by Ms. Andersen, seconded by Mr. Sklarin, the public hearing was closed at 7:44 p.m.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

Ms. Andersen asked if the BAS has five parcels why the resolution only lists three. Ms. Cahill stated the BAS owns all five parcels. Mr. Kerner noted the previous two resolutions referred to the three parcels.

Mr. Siebert stated the current Special Use Permit application notes the three parcels, he will research the five parcels and prepare and amended resolution if need be.

On a motion made by Ms. Andersen, seconded by Mr. Sklarin, the Resolution dated August 14, 2018 granting Special Use Permit Approval for a private nature preserve to the Bedford Audubon Society, 35 Todd Road, Katonah, was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

II. DISCUSSION

Amending Section 220-26(F) of the Town Code to remove the eligibility priorities for middle-income housing.

(16:44 – 19:16)

No one present on behalf of the Town.

Mr. Kerner stated at its August 13, 2018 meeting, the Town Board voted to remove eligibility priority language from the middle-income housing section of the Town Code. He noted the reason for this modification was to avoid legal action for

non-inclusive zoning. Mr. Kerner stated at a later date this Board may discuss further preference for Lewisboro seniors and/or first responders.

III. REQUEST FOR SUBDIVISION BOND REDUCTION/REFERRAL TO TOWN BOARD

Cal# 8-02PB

(19:18 – 23:22)

JVG Estates (formerly Popoli Subdivision), 1437 Route 35, South Salem, NY 10590 Sheet 0040, Block 10552, Lot 003 (John Luciano, owner of record) - Request for subdivision bond reduction and referral to the Town Board.

Vito DiMatteo, JVG Estates, was present.

Mr. DiMatteo stated the request is for a bond reduction for the road construction that has been completed to date.

Mr. Cermele stated the site has been inspected, cost estimates were reviewed and applicant has completed much of the roadway, common driveway and stormwater practices therefore he recommends a bond reduction from \$272,191.00 to \$105,876.00. He noted the remaining balance is sufficient for the remainder of the work.

Mr. Siebert stated the bond security is held by the Town and the Planning Board needs to recommend a bond reduction to the Town Board who in turn will authorize the Planning Board to conduct a public hearing. He noted drafting a recommendation letter to be sent to the Town Board along with the Kellard Sessions memo dated August 13, 2018.

On a motion made by Ms. Andersen, seconded by Mr. Sklarin, the Board forwarded the request for a reduction of the JVG Estates bond for road construction from \$272,191.00 to \$105,876.00 to the Town Board.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

IV. WETLAND PERMIT REVIEW

Cal# 36-18WP

(23:23 – 23:42)

Hunter Residence, 19 South Shore Drive, South Salem, NY 10590, Sheet 33D, Block Camp, Lot 15 (Graeme Hunter and Laurence Robin- Hunter, owners of record) – Application for a dock and weed harvesting.

Mr. Kerner recused himself.

Due to a lack of quorum, this application was adjourned to the August 21, 2018 meeting.

V. SKETCH PLAN REVIEWS

Cal #08-17PB, 16-17SW

(23:44 – 32:59)

Oakridge Commons, 450 Oakridge Common, South Salem, NY 10590, Sheet 49D, Block 9829, Lot 10 (Smith Ridge Associates, owner of record) - Application for Site Plan Review for installation of a car wash.

Bob Eberts, R.A., Cross River Architects; was present on behalf of the owner.

Mr. Eberts stated the water district and Town have signed off on the proposed car wash. He noted the Westchester County Dept. of Health (DOH) will review the car wash. Mr. Eberts stated three trees are to be removed and ten trees planted. He noted that every six months the tanks are cleaned out and this is reported to the sewer district also the sand

trap is cleaned out during regular weekly maintenance. Mr. Cermele stated the DOH will be reviewing the car wash's operation and maintenance.

Mr. Wolff asked about chemical outflows. Mr. Eberts stated that information was submitted in December 2017. Mr. Cermele stated that information will also be part of the application to the DOH.

The Board reached consensus to schedule the public hearing for the Oakridge car wash on September 11, 2018 and to start the meeting at 7 p.m.

Cal #06-15PB

(33:01 – 47:47)

King Lumber, Meadow Street, Goldens Bridge, NY 10526, Sheet 4A, Block 11111, Lot 2, Sheet 4A, Block 11113, Lots 7 & 9, Sheet 4A, Block 12035, Lot 5 (King Lumber Realty and King Meadow Street Realty – owners of record) - Application for Site Plan Review for lumber yard and U-Haul rental facility.

Peter Lockwood, owner; Michael Sirignano, Esq.; and Jeri Barrett, J. D. Barrett & Associates, were present.

Mr. Sirignano stated the lumberyard has been in operation for over 100 years, is pre-existing non-conforming and never had a site plan. He noted that ten years ago, King Lumber purchased the Westchester Ford Tractor property which has a site plan (1989). Mr. Sirignano stated to compete with Home Depot and Lowe's the lumberyard now has a U-Haul truck rental, usually with three trucks/vans available. He noted the application is for the entire four acres to have an overall site plan.

Mr. Kerner stated the trigger for this application was the parking of the U-Haul trucks on Meadow Street.

Mr. Barrett stated the parking calculation has not changed and 70 spaces are required. He outlined the proposed system for after-hours truck return to a portion of the parking lot that is gated off from the remainder of the lumberyard. Mr. Barrett stated vehicular traffic to the lumberyard is via Railroad Avenue and the chain across Meadow Road will remain.

Mr. Sirignano stated that landscaped islands in the parking lot would make it difficult for customers to navigate the parking lot. Mr. Kerner noted that there are no site modifications so site mitigation is not required.

Mr. Kerner asked if there had been complaints from the neighbors to the west. Mr. Barrett said no. He noted the location of an 8' solid fence.

Mr. Siebert stated the Board could not waive a public hearing.

The Board reached consensus that the applicant should meet with Jan Johannessen and would schedule the public hearing for King Lumber on October 16, 2018; no site walk was scheduled.

VI. SITE DEVELOPMENT PLAN

Cal #11-15PB, Cal#04-16 SW, Cal#09-16 WP

(47:55 – 51:49)

Elegant Banquets – Le Chateau, 1410 Route 35, South Salem, NY 10590, Sheet 39, Block 10549, Lot 17 (1410 Rte. 35 LLC, owner of record) – Application for amendment of site development plan for shed installation.

Simon Curtis, owner, was present.

Mr. Curtis apologized for installing a 10' by 16' shed off the upper parking lot as this size shed would not require Town approval in CT.

Mr. Cermele stated the shed sits on a gravel pad and is for chair storage. Mr. Curtis concurred and stated the shed will not house chemicals/oil/gas or have any utilities.

Mr. Siebert stated the Board must resolve to waive a public hearing and amend the existing site plan approvals. On a motion made by Mr. Sklarin, seconded by Ms. Andersen, the Board directed its consultants to prepare a resolution amending the Site Development Plan Approval for Elegant Banquets, dated September 20, 2016, to include the as-built 10' by 16' shed located off the upper parking lot.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

The Board reached consensus to place the matter on the October 16, 2018 agenda.

Cal #49-18WP

(51:51 – 1:04:55)

Lake Waccabuc Assoc., no # Cove Road, Waccabuc, NY 10597, Sheet 33B, Block 11157, Lot 24 (Lake Waccabuc Assoc., owner of record) – Application for gravel boat ramp installation.

Ms. Andersen stated that while she is a member of the Three Lakes Council (TLC) she will not participate in TLC discussions on this matter and will not recuse herself from the Board's discussions.

Bob Eberts, R.A., Cross River Architects; was present on behalf of the owner.

Mr. Eberts stated between 18 and 20 Cove Road there is an existing boat launch ramp with a drop off. He noted the proposal is to do a little excavating, put down geo-tech fabric and two yards of gravel in order to keep the mud down and smooth the drop off when members bring their boats in and out of the water. Mr. Cermele asked if pavers have been considered. Mr. Eberts noted the proposal is similar to another Lake Waccabuc boat launch located on South Shore that was approved by this Board. He stated no trees are to be removed and the approach is a grassy strip.

Ms. Andersen asked if there are U.S. Army Corps of Engineers (USACE) requirements and have the neighbors been reached for comments.

On a motion made by Ms. Andersen, seconded by Mr. Sklarin, the Board determined the installation of the gravel boat ramp will be handled administratively under the guidance of the Wetlands Inspector with the following conditions: the applicant investigates whether an USACE application is required, abutting neighbors are notified and the conditions of the South Shore boat launch be investigated.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

VII. WETLAND VIOLATION

Cal #2-16WV

(1:05:01 – 1:12:44)

Palomino Residence, 292 Waccabuc Road, Goldens Bridge, NY 10526, Sheet 7C, Block 12668, Lot 20 (Gustavo Palomino, owner of record)

Gustavo & Katie Palomino, owners; and Jeri Barrett, J. D. Barrett & Associates, were present.

Mr. Barrett stated he has issued his letter of certification that the mitigation is complete and the plantings are what were approved. He noted the owners bought the property with the existing wetland violation, have worked hard and spent \$40,000 to remediate the site.

Mr. Cermele concurred and stated the Wetland Certificate of Compliance was issued August 13, 2018.

Mr. Palomino stated he bought the property four years ago and it had been vacant for 10 years prior to that. He noted that his original counsel advised him that the cost of remediation would be \$4,000 to \$5,000 and that is why he signed the summons with a guilty plea even though the previous owner had created the wetland violation.

The Board discussed the penalty for this wetland violation and reached consensus to directed its consultants to prepare a resolution disposing of the Palominos' wetland violation without assessment of a civil penalty, to be voted on at its August 21, 2018 meeting.

VIII. MINUTES OF January 16, 2018; MINUTES OF February 27, 2018; MINUTES OF March 20, 2018; MINUTES OF March 27, 2018, MINUTES OF April 17, 2018; MINUTES OF June 19, 2018 and MINUTES OF July 21, 2018.

(1:12:50 – 1:16:42)

Ms. Andersen made a motion to approve the minutes from March 27, April 17, June 19 and July 21, 2018; there was no second. The motion did not pass. The Board will continue its discussion of the minutes at the August 21, 2018 meeting.

IX. DISCUSSION

(1:17:16 – 1:29:45)

Ridgefield Winter Club, 340 Peaceable Street, Ridgefield, CT

The Board and Jeff Morris, Bedford Record Review, discussed the proposal to turn the former Pinchbeck Nursery site in Ridgefield into an open-air ice rink and a three-story athletic/meeting/catering facility all within a residential district.

Ms. Conran stated Ridgefield will hold its public hearing on this matter September 4, 2018 and the Supervisor has approached this Board and Mr. Johannessen for comment.

Mr. Kerner stated the traffic would increase at the Route 35/123 intersection but not in Ridgefield's residential area. He noted that the design and buffer between the residential area are important.

Ms. Andersen noted the Supervisor's email dated August 14, 2018 included concerns about noise and additional traffic and asked if Lewisboro can comment on issues such as wetlands and stormwater in Ridgefield.

Mr. Siebert stated he would speak with the Town Attorney and bring a draft response to the Board's August 21, 2018 meeting.

The Board will continue its discussion of this matter at the August 21, 2018 meeting.

X. ADJOURNMENT

(1:29:45 – 1:29:56)

On a motion made by Mr. Sklarin, seconded by Ms. Andersen, the meeting was adjourned at 9:04 p.m.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Absent: Mr. La Sorsa and Mr. O'Donnell.

Respectfully Submitted,



Ciorsdan Conran
Planning Board Administrator

**RESOLUTION
LEWISBORO PLANNING BOARD**

SPECIAL USE PERMIT APPROVAL

**MKR LAB, INC.
79 BOUTON ROAD**

**Sheet 31, Block 10805, Lots 31, 50 & 78
Cal. #4-18PB**

August 14, 2018

WHEREAS, the subject property is located at 79 Bouton Road and within the R-2A Zoning District ("the subject property"); and

WHEREAS, the subject property is owned and maintained by the Katonah-Lewisboro School District (KLSD) and contains the former Lewisboro Elementary School which is no longer in operation; and

WHEREAS, portions of the former Lewisboro Elementary School building are currently being leased by the KLSD to the Town of Lewisboro for use as its municipal offices, Police Department, and Justice Court; however, available vacant space remains; and

WHEREAS, MKR Lab, Inc. ("the applicant") is proposing to lease ±965 s.f. of former class room space from the KLSD to be occupied by a private "educational use" known as MKR Lab ("the proposed action"); and

WHEREAS, pursuant to Local Law No. 6 of 2018, an "Educational Use" is a permitted use within the underlying Zoning District pursuant to a Special Use Permit from the Planning Board and compliance with the Educational Use requirements provided under Section 220-43.5 of the Zoning Code; and

WHEREAS, the classroom space to be leased by the applicant has sufficient and safe access, parking, and exterior lighting; and

WHEREAS, the subject use requires a minimum of one (1) off-street parking space per for every 200 s.f. of gross floor area; the Planning Board has determined that there is sufficient existing parking to accommodate the proposed use given the existing number of parking spaces on-site and the current and proposed composition of uses; and

WHEREAS, reference is made to the following documents:

- a) Planning Board Application Form; and

- b) Statement of use prepared by the applicant, dated June 19, 2018; and
- c) Maker Lab Business Plan, undated; and
- d) A floor plan of the Lewisboro Elementary School building identifying the classroom in question (Classroom C4); and
- e) Aerial plan prepared by Insite Engineering, dated November, 2011; and
- f) Memorandum from Kellard Sessions Consulting, dated July 11, 2018; and

WHEREAS, the proposed action will result in no physical building additions, exterior alterations or land disturbance; and

WHEREAS, the Planning Board conducted a duly noticed public hearing which was opened and closed on August 14, 2018, at which time all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Planning Board is familiar with the subject property and has considered the submitted Special Use Permit Application; other materials submitted by the applicant in support of its proposal; the written and verbal comments from the Board's professional consultants; and the verbal commentary and written submissions made during Planning Board meetings.

NOW, THEREFORE, BE IT RESOLVED THAT, the proposed action has been determined to be a Type II Action and, therefore, is categorically exempt from the New York State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER RESOLVED THAT, the Planning Board has determined that the proposed action complies with the Special Use Permit conditions and standards listed under Section 220-32E of the Zoning Code and the Educational Use requirements listed under Section 220-43.5 of the Zoning Code; and

BE IT FURTHER RESOLVED THAT, the Planning Board hereby grants a Special Use Permit subject to the conditions enumerated below; and

BE IT FURTHER RESOLVED THAT, this Special Use Permit shall be deemed to authorize only the particular Special Permit Use described herein and described in the documents and plans referenced herein and shall expire if work is not initiated pursuant thereto within one (1) year of this Resolution, or if said use or uses shall cease for more than one (1) year for any reason, or if all required improvements are not completed within two (2) years from the date of this Resolution, or if all such required improvements are not maintained and all conditions and standards complied with throughout the duration

of the use, except that the Planning Board may, upon request, extend the above time periods as determined appropriate; and

BE IT FURTHER RESOLVED THAT, any subsequent alterations, modifications, or expansion of use shall require the prior review and written approval by the Planning Board as a new, modified and/or amended application.

Special Use Permit Conditions:

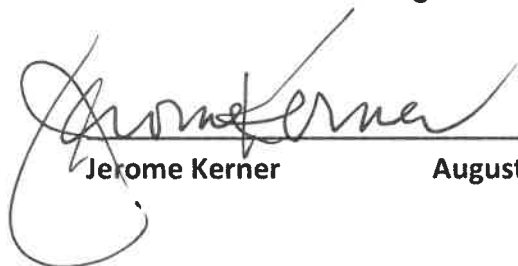
1. The use shall comply with Section 220-43.5, Educational Use, of the Zoning Code in all respects.
2. The applicant shall comply with the submitted statement of use, dated June 19, 2018, and the submitted business plan, both referenced herein. The intensity of use shall not exceed that described therein.
3. Any expansion in size or intensity of use shall require the prior approval of the Planning Board.
4. Any proposed signage shall be subject to approval by the ACARC.
5. The applicant shall pay to the Town of Lewisboro, by certified check, all outstanding professional review fees.

ADOPTION OF RESOLUTION

WHEREUPON, the Resolution herein was declared adopted by the Planning Board of the Town of Lewisboro as follows:

The vote was as follows:


JEROME KERNER	<u>aye</u>
JOHN O'DONNELL	<u>absent</u>
JANET ANDERSEN	<u>aye</u>
GREG LASORSA	<u>absent</u>
RICHARD SKLARIN	<u>aye</u>


Jerome Kerner August 14, 2018

Page 3 of 3

**STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF LEWISBORO**

I, Ciorsdan Conran, Administrator to the Planning Board of the Town of Lewisboro, County of Westchester, State of New York, do hereby certify that I have compared the preceding copy of a resolution adopted by the Planning Board of the Town Lewisboro, County Westchester at a meeting held on the 14th day of August, 2018 and that the same is a true and correct copy of said original and of the whole thereof.


Ciorsdan Conran
Planning Board Administrator

Dated at South Salem, New York
This 15th day of August, 2018

**RESOLUTION
LEWISBORO PLANNING BOARD**

SPECIAL USE PERMIT

**BEDFORD AUDUBON SOCIETY - PRIVATE NATURE PRESERVE
35 & 36 TODD ROAD**

Sheet 5, Block 10776, Lots 7 and 30

Sheet 5, Block 10777, Lot 3

Cal. #2-10 P.B.

August 14, 2018

WHEREAS, on February 9, 2010 and pursuant to Section 220-43.2 of the Town of Lewisboro Zoning Code, the Planning Board granted Special Use Permit Approval to the Bedford Audubon Society ("the applicant") for the establishment of a Private Nature Preserve; and

WHEREAS, the Bedford Audubon Society is a locally based, not-for-profit Chapter of the 550,000 member National Audubon Society and its mission is to promote environmental education, grass-roots activism, public and private conservation efforts, preservation and protection of open space; and

WHEREAS, the subject property, which is the applicant's headquarters, is comprised of three (3) tax parcels totaling ±103 acres and is located within the Town's R-4A Zoning District ("the subject property"); and

WHEREAS, more specifically, the subject property is comprised of the parcel identified as Sheet 5, Block 10776, Lots 7 and 30 and Sheet 5, Block 10777, Lot 3; and

WHEREAS, the Special Use Permit was issued for an initial term of two (2) years and must be renewed every five (5) years thereafter; and

WHEREAS, the Planning Board granted a 5-year renewal of the Special Use Permit on June 12, 2012, which expired on June 12, 2017; and

WHEREAS, the applicant has submitted a Special Use Permit Application and has requested that the Special Use Permit be re-approved for a period of 5 years ("the proposed action"); and

WHEREAS, reference is made to a letter from Suzanne Cahill, Executive Director of the Bedford Audubon, dated June 19, 2018; and

WHEREAS, the Town Consulting Planner and Building Inspector conducted a site visit and determined that the physical site conditions remain in compliance with the originally adopted Special Use Permit; and

WHEREAS, the Planning Board has made inquiries to the Town of Lewisboro Police Department and Highway Department and neither department has identified any concerns related to the operation, traffic and/or safety of the facility; and

WHEREAS, the application has been referred to the Westchester County Planning Board (“notification only referral”) in accordance with Section 239-m of the General Municipal Law; and

WHEREAS, no changes or modifications to the originally issued Special Use Permit or its terms and conditions have been requested by the applicant; and

WHEREAS, the Planning Board is familiar with the subject property and the general surrounding area; and

WHEREAS, the Planning Board conducted a duly noticed public hearing, which was opened and closed on August 14, 2018, at which time all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Planning Board has considered the submitted Special Use Permit Application, materials submitted by the applicant in support of its application, the written and verbal comments from the Board’s professional consultants, the verbal commentary made during Planning Board meetings and the public hearing, and testimony of the applicant.

NOW THEREFORE BE IT RESOLVED THAT, the proposed action is a Type II Action under the State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER RESOLVED THAT, the Planning Board has determined that the applicant has substantially complied with the terms and conditions of the Special Use Permit, granted on February 9, 2010, renewed on June 12, 2012, and Section 220-43.2 of the Zoning Code; and

BE IT FURTHER RESOLVED THAT, the Planning Board hereby re-approves the following maps:

- Survey of Property, prepared for Bedford Audubon Society, Inc. and dated (last revised), December 21, 2009; and
- Aerial showing approximate property boundaries and existing conditions for Lots 7 and 30; and

BE IT FURTHER RESOLVED THAT, the Special Use Permit is hereby reapproved for a term of five (5) years, commencing from the date of this Resolution; and

BE IT FURTHER RESOLVED THAT, the Special Use Permit shall expire on August 14, 2023, unless renewed by the applicant; and

BE IT FURTHER RESOLVED THAT, this Special Use Permit may be renewed or amended by the Planning Board any time prior to the expiration date of said permit, upon receipt of a written request from the applicant or the owner of the land. Renewals and/or amendments shall be acted upon by the Planning Board in the same manner as would be required for a new Special Use Permit. A renewal shall not be granted if the Planning Board finds that the applicant has not substantially complied with the originally approved Special Use Permit; and


BE IT FURTHER RESOLVED THAT, unless specifically amended herein, the terms and conditions of the Planning Board's February 9, 2010 Resolution shall remain in full force.

ADOPTION OF RESOLUTION

WHEREUPON, the Resolution herein was declared adopted by the Planning Board of the Town of Lewisboro as follows:


The vote was as follows:

JEROME KERNER	<u>aye</u>
JOHN O'DONNELL	<u>absent</u>
JANET ANDERSEN	<u>aye</u>
GREG LASORSA	<u>absent</u>
RICHARD SKLARIN	<u>aye</u>


Jerome Kerner August 14, 2018

**STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF LEWISBORO**

I, Ciorsdan Conran, Administrator to the Planning Board of the Town of Lewisboro, County of Westchester, State of New York, do hereby certify that I have compared the preceding copy of a resolution adopted by the Planning Board of the Town Lewisboro, County Westchester at a meeting held on the 14th day of August, 2018 and that the same is a true and correct copy of said original and of the whole thereof.


Ciorsdan Conran
Planning Board Administrator

Dated at South Salem, New York
This 15th day of August, 2018