

Meeting of the Planning Board of the Town of Lewisboro held at the Justice Court at 79 Bouton Road, South Salem, New York on Tuesday, February 26, 2019 at 7:30 p.m. The audio recording of this meeting is 190226\_001.

Present: Jerome Kerner, Chair  
Janet Andersen  
Greg La Sorsa  
Maureen Maguire  
Rich Sklarin  
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel  
Jan Johannessen, AICP, Kellard Sessions Consulting, Town Planner/Wetland Consultant  
Ciorsdan Conran, Planning Board Administrator

Mr. Kerner called the meeting to order at 7:30 p.m. and noted the exits.

## I. DECISIONS

### Cal #10-15 PB, Cal #20-17WP, Cal #5-17SW

(0:37 – 19:32)

**Wilder Balter Partners, NY State Route 22, Goldens Bridge, NY 10526, Sheet 5, Block 10776, Lots 19, 20 & 21 (Property Group Partners, LLC, owner of record)** – Application for a 42-unit MF development on a ±35.4-acre parcel.

John Bainlardi, Wilder Balter Partners, was present.

Mr. Siebert reviewed the draft resolution and the following updates:

- ACARC approval, dated September 27, 2017, was amended February 13, 2019 (p 10);
- Westchester County Dept. of Health (DOH) recommended an additional 72-hour pump test (pp 7-8);
- The NYS Dept. of Environmental Conservation (DEC) SPDES General Permit was issued on December 19, 2018 (p 8);
- Four open items New York State Department of Transportation (DOT) remain (p 9);
- The stormwater maintenance easement and agreement has been moved from Condition # 1 to Condition # 20 (p 16);
- Condition # 37 relating to off-site well and on-site surface water monitoring protocol and plan was added (p 18) and is supplemented by Condition # 53 (p 19);
- Condition #57 -- at 50% occupancy signal warrant analysis at Route 22/ I-684 6A exit ramp -- was removed;
- Condition #76 was added and reads: "All commitments, conditions and requirements set forth in this Resolution shall be binding upon the applicant, its agents, affiliates, transferees, successors and assigns."

Mr. Sklarin stated he has been on the Board since January 2018 and his concerns were related to fire protection and traffic. He read from the Negative Declaration, dated December 20, 2016, "Based upon the record before the Planning Board, the proposed action will not significantly change the overall levels of service at the New York State Route 22/I-684 northbound off ramp (Exit 6A) and the projected traffic will not exceed the capacity of the existing road network or significantly alter the present transportation patterns. The traffic impact associated with the project will continue to be examined by the Planning Board and the Town's Consulting Traffic Engineer throughout the site plan review process and project measures will be employed to address impacts as part of any Planning Board approval."

Mr. Sklarin stated his concerns have been addressed and he added he had researched a similar case, *Ramapo Pinnacle Property, LLC v Village of Airmont Planning Board*. He read from a summary of the 2016 case, "The only evidence in the record concerning the traffic and safety issues cited by the Board in the determinations was the conclusory opposition of neighboring residents, which was not supported by any of the Village's consultants and was contradicted by the negative SEQRA [NY State Environmental Quality Review Act (SEQRA) determination] declaration adopted by the Board."

Mr. La Sorsa stated at the time of the Negative Declaration, Mr. O'Donnell and he asked for a scoping session. He noted that the traffic analysis has no mechanism to evaluate the impact as it is already at the highest negative level. Mr. La Sorsa stated the Level of Service 'F' will have 3-4-minute delays at Exit 6A. He listed his ongoing concerns including: school impact, the site being an environmentally sensitive area, the proximity to the highway and cell tower, the difficulty of fire trucks turning, lack of a second entrance plus a cramped and crowded site plan.

Mr. Kerner stated the site had previously been approved for a 300,000-sf office building which ultimately was not built for economic reasons. Mr. La Sorsa stated that project was 20 years ago, 2 lots to the north and not a fair comparison.

Mr. La Sorsa stated that when a representative of the Town Board attended the November 20, 2018 meeting, he misrepresented the notion that the Town would be the subject of the law suit by Stephen Robinson, Federal Housing Monitor, if the Wilder Balter development was not approved by the close of 2018.

Ms. Andersen stated that while she has been on the Board for almost a year, as the chair of the CAC, she has attended most of the meetings and reviewed this application for the past three years.

On a motion made by Ms. Andersen, seconded by Mr. Kerner, the resolution, dated February 26, 2019, granting Site Development Plan Approval, Wetland Activity Permit Approval and Town Stormwater Permit Approval to Wilder Balter Partners, NY State Route 22, Goldens Bridge was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Mr. Kerner and Mr. Sklarin. Against: Mr. La Sorsa. Abstain: Ms. Maguire.

Mr. Bainlardi stated the Board had done a thorough review of the proposal.

**Cal#10-18PB**

(19:38 – 26:25)

**Sanz Residence, 15 Sullivan Road, Goldens Bridge, NY 10596, Sheet 12, Block 11137, Lot 31 (Stephanie and Parris Sanz, owner of record) and Sheet 12, Block 11137, Lot 117 (North Salem Open Land Foundation, owner of record)**  
- Application for lot line change.

Parris Sanz, owner, and Jocko McKean, North Salem Open Land Foundation (NSOLF), were present.

Mr. Johannessen reviewed the draft resolution and the conveyance of land between two adjacent properties;  $\pm 1.6$  acres of land from Lot 31 to Lot 117 and  $\pm 0.95$  acre of land from Lot 117 to Lot 31. He noted both lots are zoning compliant and the applicant is to provide the Board a copy of the conservation easement filed with the Westchester County Clerk, Division of Land Records, with regard to the  $\pm 0.95$  acres of land to be incorporated into Lot 31.

On a motion made by Ms. Andersen, seconded by Ms. Maguire, granting a Negative Declaration under the State Environmental Quality Review Act, dated February 26, 2019, to Parris and Stephanie Sanz, 15 Sullivan Road, Goldens Bridge for a proposed lot line change was adopted.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Ms. Maguire and Mr. Sklarin

On a motion made by Ms. Andersen, seconded by Mr. La Sorsa, the amended resolution, dated February 26, 2019, granting Final Subdivision Plat Approval for a lot line change to Parris and Stephanie Sanz, 15 Sullivan Road, Goldens Bridge was adopted. A copy of the Resolution is attached and is part of these minutes.

In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa, Ms. Maguire and Mr. Sklarin.

## **II. PUBLIC HEARING**

**Cal #08-17PB**

(26:28 – 50:28)

**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 bay and day care center.**

Phil Pine, owner; and Bob Eberts, R.A., Cross River Architects; were present.

The Chair announced the continuation of the public hearing and asked if there were any objections to the time, place or advertisement of the public hearing. No objections were raised.

Mr. Johannessen stated the project was phased:

- Phase 1 is the conversion of 1,600 sf of office space to a personal training/fitness center within Building #6;
- Phase 2 is the installation and replacement of freestanding signs at the entrances and within the shopping center;
- Phase 3 is the construction of a 17.3' x 36' car wash to adjoin the existing gas station building; and
- Phase 4, the day care center, has a Certificate of Occupancy (CO) and is in operation.

He noted that one Negative Declaration (Neg. Dec.) was issued for Phases 3 and 4 in February 2018.

Mr. Johannessen stated the applicant has responded to outside agency comments and that the one unresolved item is the effluent conveyed to the wastewater plant: will there be an impact on the plant and will there be an impact of the effluent discharged from the wastewater plant to the pond. He noted that in its February 25, 2019, Delaware Engineering (the firm operating the wastewater plant on the Town's behalf) stated there is no impact.

Mr. Johannessen cited the Kellard Sessions memo, dated February 20, 2019, which recommended that sampling, by the applicant, of the effluent exiting the car wash and wastewater plant be required. He noted the effluent must meet certain state standards. Mr. Johannessen stated if the applicant were to exceed state standards he would have to return to the Board and the resolution could reflect this. Mr. Siebert added that if the applicant does not submit a quarterly monitoring report, they would be in violation of site plan approval and the Building Dept. would then issue a Stop Work order.

The Board discussed calendaring the quarterly monitoring report deadlines and requiring Delaware Engineering be copied on the reports.

Ms. Maguire stated the February 25, 2019 letter was vague and she requested a more detailed/sourced letter from Delaware Engineering as to what they reviewed, what they are basing their decision on and what they are agreeing to. Mr. Eberts stated the manufacturer, PurWater, listed contaminant levels in a letter the Board received a few months ago.

Mr. Eberts distributed a letter dated February 11, 2019 from Clean Touch that notes the raw materials used by the car wash would be biodegradable and not contain phosphates.

Mr. La Sorsa asked Mr. Johannessen if he was comfortable putting a resolution together. Mr. Johannessen stated he was.

Mr. Kerner asked if the number of car washes were higher than estimated would that have a greater impact on the water system. Mr. Johannessen stated there is no water quantity issue here and that the estimated number of car washes is similar to actual car washes at Cross River's Shell station. He also indicated that the car wash would have a separate water meter so that the demand for water could be tracked.

There were no comments from the public.

The Board reached consensus to continue the public hearing at its March 19, 2019 meeting, the applicant is to supply the Board with a more detailed Delaware Engineering comment letter prior to that meeting and the consultants were instructed to draft a resolution.

### III. SKETCH PLAN REVIEWS

#### Cal #10-17PB

(50:35 – 1:20:48)

**Mercedes Benz of Goldens Bridge, 321 Main Street, Goldens Bridge, NY 10526, Sheet 4E, Block 11135, Lots 1, 2, 3, 4, 6 & 7 (Charisma Holding Corp., owner of record); Sheet 4E, Block 11135, Lot 5 (Spencemorg, LLC., owner of record) and Sheet 4E, Block 11137, Lot 42 (Robert Castelli, owner of record)** – Application for Site Plan Review for additions to existing auto showroom and service buildings, additional parking spaces and construction of a parking garage.

Stephen Spina, P.E., John Meyer Consulting (JMC); and Michael Sirignano, Esq.; were present on behalf of the applicant.

Michael Galante, FP Clark, traffic consultant to the Town, was also present.

Mr. Spina stated he has reviewed the traffic consultant's comments and is waiting on accident reports from the DOT. He noted the lighting plan has been updated, most of the technical comments have been addressed and the DOT work permit has been submitted. Mr. Spina stated the Dept. of Environmental Protection (DEP) cannot make any determination on the SWPPP until this Board issues a Neg. Dec.

Mr. Sirignano stated the application is on the ZBA's March agenda and he has submitted an amended zoning petition with the Town Board. He noted that like the DEP, the ZBA and Town Board, cannot make any determinations until this Board issues a Neg. Dec. Mr. Siebert stated the Planning Board would like some preliminary feedback from the ZBA prior to making its SEQRA determination.

Mr. Sirignano stated the applicant also has a verbal agreement to purchase the guitar shop property. Mr. Johannessen stated that parcel will have to be rezoned prior to the SEQRA determination and included in the site plan. Mr. Spina stated if that parcel is purchased, the southern entrance would move more to the south. The Board discussed the SE corner of the parking garage and if with this additional parcel, the garage could be pushed farther from the road.

Ms. Maguire stated this Board is not required to approve items that are the Mercedes Benz's corporate mandate such as signage.

Mr. Johannessen stated he estimated the feedback from the ZBA and Town Board is a month away.

Mr. Spina reviewed delivery truck access and noted that the two-driveway design allows for unloading within the site; no longer on the shoulder of Route 22. The DOT recommended that the higher ITE traffic volumes should be used. Mr. Spina provided a sensitivity analysis using the ITE volumes. He stated the sensitivity analysis did indicate some degradation in the Levels of Service at certain intersections.

Mr. Galante stated he agreed with the applicant's conclusion that there was no significant impact at nearby intersections due to the increase in square footage of the dealership. He noted the sensitivity analysis is based on national averages across all brands of automobiles. Mr. Galante stated there was one area of concern; the westbound approach on Route 22 in the morning, where there will be more delays but does not warrant a signal. He noted there are three ways to determine if new construction will have an impact on traffic:

- Take traffic counts at the current site and apply the additional square footage;
- Review the Institute of Transportation Engineers (ITE) trip generation handbook national volumes; and
- Conduct a sensitivity analysis.

Mr. Galante stated that using local data from the current dealership is appropriate and is the best trip generation sampling. He noted that there would be an increase in delay of 1-2 seconds at area intersections.

Mr. Johannessen stated the current proposal will capture all the drainage from the hill, parking lots and buildings and send it into the retention system at Route 22; away from the parcel to the north.

8:44 p.m. Mr. Kerner left the meeting for a three-minute recess.

Mr. Molé, Town Attorney, stated the Town Board would refer the matter back to the Board after the Town Board's rezoning discussion.

Ms. Maguire requested a site visit. The applicant agreed.

Mr. Siebert stated the matter should appear on the March 19, 2019 agenda and he will contact the ZBA.

**Cal# 1-19PB, 2-19WP, and 2-19SW**

(1:20:49 – 1:39:43)

**Goncalves vacant land, Duffy's Bridge Road, Katonah, NY 10536, Sheet 2, Block 10516, Lot 001 (Manuel Goncalves, owner of record)** – Application for construction of a single-family residence on an undeveloped lot.

Mr. Johannessen and Mr. Siebert recused themselves from the project.

Anthony Molé, Esq., and Rich Williams, P.E., were present on behalf of the Town.

Manuel Goncalves, owner, and Dan Holt, P.E., were present.

Mr. Holt stated the nine-acre parcel abuts the Boulder Pines subdivision and the previously proposed driveway had been an emergency access to that development. He noted that during an August 2018 site visit with Mr. Williams and Peter Ripperger, Town Highway Superintendent, an alternate driveway location was discussed. Mr. Holt stated this new driveway location comes off Duffy's Bridge Road, avoids most of the wetland buffer and has a disturbance of over an acre so a SWPPP will be submitted.

Mr. Williams stated after closing, the new owner had used machinery and created some site disturbance which prompted the Building Inspector to attend the site visit. Mr. Williams noted the new driveway location and the house being moved north results in adequate street frontage and avoids some of the previously proposed wetland disturbance. He noted that there is a natural barrier at the edge of the plateau (house location) and stormwater would not drain into the wetlands.

Mr. Holt stated the septic was previously approved by the DOH and due to the topography, there will be a pump at the house. He noted the area of disturbance in the wetland buffer is for lawn behind the house.

Mr. Molé stated that previously one issue was the suitably improved roadway and the 25' road frontage. Mr. Williams stated Mr. Ripperger has agreed to review the revised plans and he recommended he revisit the site. Mr. Holt stated there had been preliminary discussions with Mr. Ripperger regarding pavement and shoulder repair on Duffy's Bridge Road.

The Board reached consensus to conduct a site visit on March 16, 2019 at 9 a.m. The applicant agreed to stake the house location, driveway hairpin curve and edge of wetland disturbance.

9:08 p.m. Mr. Sklarin left the meeting.

9:12 p.m. Mssrs. Johannessen and Siebert returned to the meeting.

**IV. WETLAND VIOLATION**

**Cal #01-18WV, #76-18WP**

(1:39:48 – 1:48:05)

**Potz Residence, 1178 Route 35, South Salem, NY 10590, Sheet 27, Block 10805, Lot 29 (Siegfried and Karen Potz, owner of record)**

Jack Potz, owner, was present.

Mr. Potz had submitted an invoice to the Board, dated January 20, 2019, for \$950.00. He stated the invoice reflected work done prior to that date.

Mr. Johannessen stated the woodchips have been moved away from the wetlands and toward Mr. Potz's barn, the site has been stabilized and the Certificate of Compliance has been issued.

The Board reached consensus to impose a \$25.00 civil penalty and instructed the consultants to draft a resolution.

**V. SITE DEVELOPMENT PLAN**

**Cal #08-18PB, #81-18WP, #10-18SW**

(1:48:10 – 2:04:28)

**Waccabuc Country Club, 90 Mead Street, Waccabuc NY 10597, Sheet 22, Block 10802, Lots 61 & 37 (Waccabuc Country Club, owner of record)** – Application for Waiver of Site Development Plan Procedures for a wash facility and bulk storage.

Ms. Maguire recused herself from the project.

Patrick Hagan, Waccabuc Country Club (WCC); and John Doyle, Doyle Coffin Architecture, were present.

Mr. Doyle stated the original application was for a wash facility and bulk storage however the bulk storage portion has been withdrawn from the current application. He stated the wash facility has two open bays, three closed bays and is separated from a Carriage House Road residence by a solid fence. Mr. Doyle noted the building's design is patterned after the chemical wash station at the Bedford Golf and Tennis Club and has been reviewed and approved by ACARC (Resolution dated January 4, 2019). He noted the building will house the chemical mixing, contain chemical spills, capture runoff from washed sprayers and mowers via a pitched/epoxy coated floor that flows into a tank.

Mr. Doyle stated the Building Inspector reviewed the original submission and issued a denial letter (dated February 19, 2019) and a ZBA application has been submitted. He agreed to resubmit to this Board by March 4, 2019.

Mr. Siebert stated the application is a Type II action under SEQRA and can proceed before this Board while applying to the ZBA.

Mr. Johannessen stated the applicant needs to submit a SWPPP and address outstanding items. He noted the two storage buildings were prohibited by the DEP due to their proximity to a watercourse. Mr. Johannessen stated he was at the site during a rain event and he witnessed sand trap materials being sent into the brook. He noted this area should be curbed to contain the stored materials and the mitigation locations are appropriate and should include those on the southern parcel; invasives are to be removed along the stream.

The Board reached consensus to set the public hearing for March 19, 2019.

9:34 p.m. Ms. Maguire returned to the meeting.

**VI. 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, MINUTES OF July 21, 2018 MINUTES OF August 14, 2018; MINUTES OF August 21, 2018; MINUTES OF September 11, 2018; MINUTES OF October 16, 2018; MINUTES OF November 20,**

**2018; MINUTES OF December 18, 2018; MINUTES OF January 15, 2019 and MINUTES OF January 24, 2019.**

There was no discussion of the unapproved minutes.

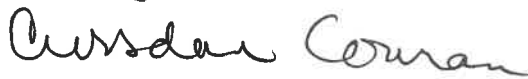
**VII. ADJOURNMENT**

(2:04:32 – 2:04:40)

On a motion made by Mr. La Sorsa, seconded by Ms. Maguire the meeting was adjourned at 9:34 p.m.

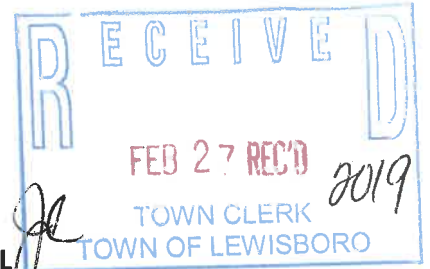
In favor: Ms. Andersen, Mr. Kerner, Mr. La Sorsa and Ms. Maguire. Absent: Mr. Sklarin.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Ciorsdan Conran".

Ciorsdan Conran  
Planning Board Administrator

**RESOLUTION  
LEWISBORO PLANNING BOARD  
SITE DEVELOPMENT PLAN APPROVAL  
WETLAND ACTIVITY PERMIT APPROVAL  
TOWN STORMWATER PERMIT**



**WILDER BALTER PARTNERS, INC.  
NYS ROUTE 22**

**Sheet 5, Block 10776, Lots 019, 20 & 21  
Cal. #10-15 PB, Cal. #20-17 WP & Cal. #5-17 SW**

**February 26, 2019**

**WHEREAS**, the Planning Board has received an application submitted by Wilder Balter Partners, Inc. ("the applicant") for approval of a Site Development Plan, and the issuance of a Wetland Activity Permit and Town Stormwater Permit, authorizing the development of property located on the east side of New York State Route 22, at a point north of the I-684 northbound exit (Exit 6A)/Route 22 intersection; and

**WHEREAS**, the property involved in this application consists of three (3) tax parcels identified on the Tax Map of the Town of Lewisboro as Sheet 5, Block 10776, Lots 19, 20 & 21 ("the subject property"); and

**WHEREAS**, the subject property is currently owned by Louis Dreyfus Properties, LLC and the applicant is a contract vendee; and

**WHEREAS**, the subject property totals ±35.4 acres of land, is currently vacant, undeveloped and is not serviced by utilities; and

**WHEREAS**, the subject property is predominantly wooded and contains wetlands that are jurisdictional to the Town of Lewisboro and the New York State Department of Environmental Conservation (NYSDEC) and the Army Corps of Engineers (ACOE). The subject property is located within the New York City Department of Environmental Protection (NYCDEP) East of Hudson Watershed; and

**WHEREAS**, the applicant is proposing a 42-unit multifamily residential development comprised of five (5) buildings; the buildings will house the residential units and a clubhouse. The development also includes recreational facilities, an access road off of New York State Route 22, on-site parking for 116 vehicles and stormwater management facilities. The project will be served by on-site potable wells and a septic system ("the proposed action"); and



**WHEREAS**, the subject property is located within the Campus Commercial (CC-20) and the One-Family Residence (R-4A) Zoning Districts, with the proposed multifamily buildings being located entirely within the CC-20 Zoning District; and

**WHEREAS**, the Step 1 Site Development Plan application was submitted to the Planning Board on October 20, 2015 and the Step 2 Site Development Plan, Wetland Permit and the Town Stormwater Permit applications were submitted on March 30, 2017; and

**WHEREAS**, the proposed development will comply with Westchester County's fair and affordable housing programs and policies and 41 of the units are proposed to be Affordable Affirmatively Furthering Fair Housing (AFFH) Units; one (1) unit will be occupied by an on-site manager/superintendent; and

**WHEREAS**, in accordance with Section 220-26B(1) of the Zoning Code, the average gross density shall not exceed two (2) density units per acre of net lot area. Based on the number of units and bedrooms proposed, the maximum number of density units permitted is 31.1 density units, while 21.7 density units are proposed; no units are proposed within the Density Transition Area; and

**WHEREAS**, Buildings 1 – 3 are proposed to be two (2) story multifamily buildings containing eight (8) units each, with each unit being individually accessed and with no common entries or hallways; and

**WHEREAS**, Building 4 is proposed to be a 2 ½-story multifamily building, which will contain eight (8) units and a ±2,496 s.f. clubhouse on the first floor. The second and third residential floors will be accessed via a common residential staircase and common hallways; and

**WHEREAS**, Building 5 is proposed to be a 2 ½-story multifamily building, which will contain 10 units with each unit be accessed via a common staircase and hallway; Building 5 is proposed to include an elevator; and

**WHEREAS**, the proposed development will consist of the following number of bedrooms for a total of 84 bedrooms:

- 10 – One (1) bedroom dwelling units; and
- 22 – Two (2) bedroom dwelling units; and
- 10 – Three (3) bedroom dwelling units; and

**WHEREAS**, in accordance with Section 220-26D(3) of the Zoning Code, multi-family developments shall be improved with common recreational facilities for use by its residents; the minimum size of the recreation area shall be 300 s.f. per density unit. With a total of 21.7 density units, the proposed action requires 6,510 s.f. of recreation area. The proposed action includes the installation of a 3,000 s.f. sport court and

perimeter area, a 1,400 s.f. play area, and 5,280 s.f. of walking trails (9,680 s.f. of recreation area in total). In addition to these recreational amenities, the proposed clubhouse (Building 4) will include a gym and yoga studio; and

**WHEREAS**, in accordance with Section 220-26E and 220-56C of the Zoning Code, multi-family dwellings require two (2) parking spaces for each dwelling unit, plus one (1) additional space for each dwelling unit with two (2) or more bedrooms. Based on the number of units and bedrooms proposed, the proposed action requires and is providing 116 off-street parking spaces; and

**WHEREAS**, pursuant to Section 220-24A (1)(B) of the Zoning Code, the proposed use is a principally permitted use within the underlying CC-20 Zoning District and the proposed action complies with the requirements of Section 220-26, R-MF Multi-family Residence District, of the Zoning Code; and

**WHEREAS**, the proposed action is zoning compliant and no variances are being sought by the applicant from the Zoning Board of Appeals; and

**WHEREAS**, reference is made to memorandums from the Building Inspector dated April 28, 2016, June 7, 2017 and November 13, 2018. In addition, reference is made to a plan review letter provided by the International Code Council, dated July 17, 2017; and

**WHEREAS**, the project has been reviewed by the Town's Professional Engineering, Planning and Wetland Consultants, Kellard Sessions Consulting (KSC), and reference is made to review memorandums by KSC dated December 9, 2015; January 20, 2016; March 9, 2016; April 14, 2016; May 11, 2016; June 15, 2016; November 30, 2016; May 10, 2017; June 14, 2017; July 12, 2017; February 22, 2018, March 16, 2018; July 11, 2018; August 16, 2018; September 6, 2018 and October 11, 2018; and

**WHEREAS**, the subject property is located within the Goldens Bridge Fire District (GBFD) and the GBFD has reviewed and provided comments on the proposed action during the planning process. Further, the applicant has met with GBFD officials to discuss the project plans and representatives of the GBFD attended the November 20, 2018 Planning Board meeting to discuss the project with the Board. Reference is made to comment letters provided by the GBFD dated September 8, 2016; June 19, 2017; August 9, 2018 and October 25, 2018; and

**WHEREAS**, the Planning Board has acted as Lead Agency with respect to the proposed action under the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Planning Board, as Lead Agency, reviewed the proposed action and SEQRA materials, including the draft and final Full Environmental Assessment Form (EAF), at meetings held on November 17, 2015, December 15, 2015, January 26, 2016, February 23, 2016, March 18, 2016, April 19, 2016, May 17, 2016, June 21, 2016, July 19,

2016, August 16, 2016, September 13, 2016, September 20, 2016, October 18, 2016, October 28, 2016, November 15, 2016 and December 20, 2016; and

**WHEREAS**, following review of the applicant's Full Environmental Assessment Form (EAF), dated (last revised) September 29, 2016, the Planning Board (as Lead Agency) adopted a Negative Declaration of Significance on December 20, 2016 pursuant to SEQRA; and

**WHEREAS**, throughout the Site Development Plan review process, the applicant has provided a matrix comparing the potential impacts of the project analyzed at the time of the adoption of the SEQRA Negative Declaration (plans dated March 31, 2016) to that of a later submitted Alternative Plan (dated April 27, 2017) and the currently proposed Site Development Plan; and

**WHEREAS**, the Planning Board referred the application to the Westchester County Planning Board in accordance with Section 239-m of the General Municipal Law and the County Planning Board was identified as an Interested Agency during the SEQRA process. Reference is made to comment letters provided by the Westchester County Planning Board, dated February 12, 2016 and March 11, 2016; and

**WHEREAS**, the applicant proposes to permanently preserve  $\pm 20.06$  acres of undeveloped land as open space on the easternmost part of the property located within the R-4A Zoning District. The open space area to be preserved will be subject to a conservation easement to be held by the Lewisboro Land Trust. The area to be preserved is immediately adjacent to other open spaces, including lands owned by the Bedford Audubon Society and the NYCDEP; and

**WHEREAS**, the subject property contains wetlands and watercourses that are jurisdictional to the Town of Lewisboro, the NYSDEC, the NYCDEP and the ACOE; and

**WHEREAS**, on-site wetlands and watercourses were delineated by Tim Miller Associates, Inc. and adjusted and confirmed by Kellard Sessions Consulting, the Town's Wetland Consultant; and

**WHEREAS**, on-site wetlands and watercourses were also verified by the NYSDEC and the NYCDEP, as applicable; and

**WHEREAS**, reference is made to a Wetland/Watercourse Delineation Report and Assessment, prepared by Tim Miller Associates, Inc; and

**WHEREAS**, the project will not result in a direct impact to the wetland proper. The project will create disturbances to wetland buffers on the subject property (14,500 s.f. of Town of Lewisboro wetland buffer; 7,000 s.f. of NYSDEC adjacent area) and these are necessitated by project design and site conditions, and will be mitigated pursuant to a

wetland mitigation plan prepared by Tim Miller Associates, Inc., entitled “Wetland Buffer Restoration and Enhancement Plan”, dated (last revised) August 2, 2018; and

**WHEREAS**, mitigation efforts focus on the portion of the buffer located to the north of the wetland boundary, between the portion of the property to be developed and the wetland corridor. Invasive plant species will be removed during stormwater basin construction and the buffer will be planted with native plant material that will regenerate and compete with the more aggressive invasive species that currently exist; and

**WHEREAS**, the wetland buffer restoration and enhancement plan to be employed by the applicant provides for the planting of trees, shrubs and herbaceous plants to enhance the existing vegetation. The proposed enhancement of the wetland buffer is intended to minimize any erosion from the developed site and maintain water quality; and

**WHEREAS**, while the Town’s wetland mitigation protocol establishes a 1:1 mitigation ratio, the applicant is proposing to restore 54,000 s.f. of the buffer which equates to a 7.7:1 mitigation ratio within the NYSDEC 100-foot wetland adjacent area and a 3.7:1 mitigation ratio within the Town’s 150-foot wetland buffer; and

**WHEREAS**, reference is made to the NYSDEC Article 24 Freshwater Wetland Permit, dated October 24, 2017, which authorizes proposed work within the NYSDEC 100-foot Wetland Adjacent Area; and

**WHEREAS**, approximately nine (9) of the 35.4 acres are proposed to be disturbed for the construction of the new residences, parking facilities and stormwater management basins. The development will retain approximately 75 percent of the existing vegetation and wildlife habitat. The construction activities will occur primarily within the wooded upland areas of the site, in both the successional hardwood forest and the oak-tulip dominated forest. Based upon the anticipated clearing of nine (9) acres of woodland, approximately 650 trees will be removed during construction. Tree protection notes and details are provided on the plans to guide the contractors with appropriate measures to protect the root zones of trees outside of the limits of disturbance; and

**WHEREAS**, a list of observed plant and animal species is contained within the Ecology section of the Environmental Assessment Form (EAF) and impacts to plant and animal species were evaluated as part of the SEQRA process and are documented within the EAF and the Planning Board’s Negative Declaration of Significance; and

**WHEREAS**, an Integrated Pest Management Plan (IPM) has been prepared and provides specific procedures and criteria for the limited future use of pesticides and herbicides at the development. Pesticides and herbicides will be used in the minimum quantities needed and only after other, non-chemical means of pest control are found to be

ineffective. Reference is made to the IPM, prepared by Tim Miller Associates, Inc., dated August 30, 2016; and

**WHEREAS**, reference is made to the Stormwater Pollution Prevention Plan (SWPPP) prepared by Insite Engineering, dated December 28, 2017, which has been reviewed and approved by the NYCDEP. Mitigation for the proposed impervious surfaces resulting from the development will be provided by the proposed Stormwater Management Practices (SMP's) described within the SWPPP. The proposed SMP's have been designed to capture and treat runoff from the impervious surfaces associated with the proposed buildings, parking areas and access drive; and

**WHEREAS**, the proposed stormwater management system for the development has been designed to meet the requirements of Local, City and State stormwater ordinances and guidelines, including, but not limited to, those of the Town of Lewisboro, the NYSDEC and the NYCDEP. Reference is made to NYCDEP SWPPP approval, dated January 29, 2018; and

**WHEREAS**, the proposed action requires coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). In order to meet the requirements set forth by this permit, the latest edition of the NYSDEC New York State Stormwater Management Design Manual (NYS SMDM), including Chapter 10: *Enhanced Phosphorus Removal Standards* (Chapter 10), was referenced for the design of the proposed stormwater management system; and

**WHEREAS**, a Sediment and Erosion Control Plan has been developed in accordance with the latest New York State Standards and Specifications for Erosion and Sediment Control Manual. A Sediment and Erosion Control Management Program will be established for the project, beginning at the start of construction and continuing throughout its course. A continuing maintenance program will be implemented for the control of sediment transport and erosion control after construction and throughout the useful life of the project; and

**WHEREAS**, the sediment and erosion controls that will be used during the development of the site include silt fence, stabilized construction entrance, seeding, mulching and inlet protection. Until the site is stabilized, all sediment and erosion controls will be maintained in accordance with the notes and procedures depicted on the Site Development Plans. Maintenance will include inspections of all sediment and erosion controls at the end of each construction day and immediately following each runoff event; and

**WHEREAS**, construction of the development will require the grading of approximately nine (9) acres of the 35.4 acre property or 25 percent, with approximately 4.6 acres of grading on slopes of 15% or greater. Grading on such slopes is unavoidable, but has been minimized to the extent practical through the proposed layout of the buildings,

parking areas, driveways and septic fields. Stabilization and erosion control techniques will be implemented by means of a Sediment and Erosion Control Plan to minimize the potential for resulting soil erosion; and

**WHEREAS**, the proposed action will require an estimated water demand of approximately 9,240 gallons per day (gpd), or 6.4 gallons per minute (gpm) based upon the total number of bedrooms and engineering estimates; and

**WHEREAS**, as required by the Westchester County Department of Health (WCDH), the applicant conducted a 72-hour pumping test on three (3) of its on-site wells (Wells 2, 3 and 4); the test was conducted between July 23, 2018 and July 26, 2018 and from July 31, 2018 through August 3, 2018. The purpose of the test was to confirm that the water supply could provide twice the average daily water demand of the development, with the best well out of service, as required. The pump test was conducted in accordance with New York State Department of Health Regulations and a Pumping Test Plan, prepared by LBG Hydrogeologic & Engineering Services, P.C. (now WSP), dated December 20, 2017, which was reviewed on behalf of the Town by HydroEnvironmental Solutions, Inc. (HES). Reference is made to a Memorandum from HES, dated January 11, 2017; and

**WHEREAS**, reference is made to a report entitled "Wilder Balter Partners 72-Hour Pumping Test Program", prepared by WSP, dated September, 2018; and

**WHEREAS**, the WSP 72-Hour Pump Test Report dated September, 2018 demonstrates that Well 3 is the best yielding well and that Wells 2 and 4 have a combined yield of 13.6 gpm or 19,584 gpd, which is more than sufficient to meet twice the average water demand to support the proposed 84 bedrooms and 18,480 gpd. Water level measurements were collected from onsite monitoring wells, the on-site wetland, and off-site residential wells during the pump test period; water level monitoring measurements and results are included in the WSP Report dated September, 2018; and

**WHEREAS**, water samples were collected from Wells 2, 3 and 4 during the pumping test and samples were analyzed by a laboratory for all parameters listed in the New York State Department of Health (NYSDOH) Sanitary Code; and

**WHEREAS**, the Pump Test Report was reviewed by HES on behalf of the Town and their comments and conclusions are contained in a memorandum, dated September 27, 2018; and

**WHEREAS**, the applicant conducted an additional 72-hour pumping test on two (2) on-site wells (Wells 1 and 2) between January 28 and January 31, 2019. WCDH recommended this additional test to demonstrate that both wells could be pumped concurrently to meet the project's maximum daily water demand of 12.8 gpm; and

**WHEREAS**, reference is made to a report entitled “Wilder Balter Partners 72-Hour Pumping Test Program on Wells 1 and 2”, prepared by WSP, dated February, 2019; and

**WHEREAS**, the WSP 72-Hour Pump Test Report dated February, 2019 further demonstrates the sufficiency of on-site wells to meet twice the average water demand to support the proposed 84 bedrooms and 18,480 gpd. Water level measurements were collected from onsite monitoring wells, results are included in the WSP Report dated February, 2019; and

**WHEREAS**, the Site Development Plan incorporates the use of a subsurface wastewater disposal system. The subsurface wastewater disposal system has been designed to meet NYSDOH and WCDH Requirements; and

**WHEREAS**, reference is made to the “Wastewater System Report”, prepared by Insite Engineering and dated (last revised) September 14, 2018; and

**WHEREAS**, reference is made to the NYSDEC SPDES General Permit (GP-0-15-001), required for discharging 1,000 gpd of treated sanitary sewage to groundwater, dated December 19, 2018; and

**WHEREAS**, reference is made to the following traffic related impact studies prepared by the applicant’s traffic engineer, Maser Consulting:

- a. Response to comments letter, dated March 30, 2016; and
- b. Traffic Impact Study, dated (last revised) April 22, 2016; and
- c. Executive Summary-Traffic and Access Evaluation, dated September 28, 2016; and
- d. Letter regarding parking demand and requirements, dated April 25, 2017; and
- e. Updated Traffic Volume Data, dated May 11, 2017; and
- f. Highway Improvement Plans, last revised January 3, 2018; and

**WHEREAS**, the Planning Board retained its own traffic engineer, Adler Consulting (“Adler”), to review transportation related impacts on behalf of the Planning Board. Adler presented comments to the Planning Board on December 21, 2016 and then presented comments in a review letter, dated December 27, 2016; and

**WHEREAS**, proposed improvements within the NYS Route 22 right-of-way have been approved by the New York State Department of Transportation (NYSDOT). Reference is made to a “Notice to Permittee”, issued by the NYSDOT on October 1, 2018; and

**WHEREAS**, the introduction of the proposed access driveway onto NYS Route 22 will result in additional turning movements and potential traffic conflict; however, the sight distance for vehicles approaching the proposed access location is in excess of 1,000 feet with a required stopping distance of 500 feet. NYS Route 22 has paved shoulders of 8

to 10 feet in the area surrounding the access location and the applicant, as part of its NYSDOT Highway Work Permit, will upgrade the shoulder and provide a separate right hand turn lane for entering traffic to remove vehicles making this turn from Route 22; and

**WHEREAS**, during construction, as required as part of the NYSDOT Highway Work Permit, a Maintenance and Protection of Traffic Plan will be implemented to ensure that any impacts to the adjacent state highway are minimized during construction. These plans include appropriate signage, limits of hours of work within the State right-of-way associated with the project and maintenance of the construction entrance to the site, all in accordance with state standards and requirements; and

**WHEREAS**, the applicant has coordinated with the Katonah-Lewisboro Union Free School District (KLUFSD) regarding the pickup and drop-off of school children. KLUFSD has expressed its preference not to enter the site but to stop on the roadway and restrict buses to use of the proposed northbound NYS Route 22 right turn lane for pickup and drop-off of students; and

**WHEREAS**, to enhance safety and improve operation of the off-ramp during peak hours, the proposed action includes the following improvements, which have been approved by the NYSDOT:

- a. Install a luminaire in the vicinity of the I-684 off ramp; and
- b. Install traffic calming signage ("Intersection Ahead") along Route 22 in the vicinity of the entrance warning motorists of the project's entrance/I-684 ramp; and
- c. Install "School Bus Stop Ahead" on the approach to the project access drive; and
- d. Use of passenger shuttle bus on the site, so as to further reduce traffic generation; and

**WHEREAS**, while not a requirement or request by the Planning Board or the Town of Lewisboro, the applicant has committed to donate \$50,000.00 to the Town of Lewisboro for use in recreational or pedestrian improvements within the Goldens Bridge community; and

**WHEREAS**, development of the site for residential building pads, parking lots and the access drive is likely to encounter bedrock where bedrock is exposed or within five (5) feet of the surface. The applicant has developed a grading plan, as well as a cut and fill map and analysis. According to the applicant, the earthwork calculation identifies a total cut and fill of 32,000 c.y., resulting in a balanced site; and

**WHEREAS**, reference is made to a Blasting Mitigation Plan, prepared by Tim Miller Associates, Inc., dated March 30, 2016. Blasting is anticipated and the applicant will be required to obtain a Blasting Permit from the Building Inspector and demonstrate



compliance with Section 91-17 of the Town Code; and

**WHEREAS**, reference is made to a Geotechnical Evaluation report prepared by Tectonic Engineering and dated September 5, 2018; and

**WHEREAS**, reference is made to the noise assessment report, prepared by Tim Miller Associates, Inc., dated (last revised) December 12, 2016; and

**WHEREAS**, the project site is located in close proximity to a major transportation corridor that has greater influence on ambient noise at the site than project-generated noise. Noise will be generated during construction by construction related equipment and during excavation, rock removal, grading, and construction activities. Construction is expected to take eighteen (18) months to complete and all work will be conducted during time periods authorized under the Town Code; and

**WHEREAS**, no historic or archeological resources have been identified on or near the subject property and impacts to cultural resources was evaluated during the SEQRA process. Reference is made to the Phase 1A Literature Review and Sensitivity Assessment and Phase 1B Archeological Fieldwork, prepared by STRATA Cultural Resource Management, LLC, dated March 2016; and

**WHEREAS**, the Planning Board referred the proposed action to the Architecture and Community Appearance Review Council (ACARC); reference is made to ACARC's approval, dated September 27, 2017 and to ACARC's amended approval, dated February 13, 2019; and

**WHEREAS**, based upon demographic multipliers published by the Rutgers University Center for Urban Policy Research, it is projected that the proposed action will result in an additional seventeen (17) resident students, which would increase school enrollment within the KLUFSD by less than half of 1%; and

**WHEREAS**, the proposed action has been referred to a reviewed by the Conservation Advisory Council (CAC); reference is made to comment Memorandums from the CAC dated November 9, 2015; April 11, 2016; and September 16, 2016; and

**WHEREAS**, the Planning Board conducted a duly noticed public hearing which was opened on October 24, 2017, at which time all interested parties were afforded an opportunity to be heard; and

**WHEREAS**, the public hearing continued at meetings conducted on November 21, 2017, December 14, 2017, December 19, 2017, January 16, 2018, February 27, 2018, March 20, 2018, March 27, 2018, April 17, 2018 and June 19, 2018; and

**WHEREAS**, the Planning Board is familiar with the subject property and has considered the submitted Site Development Plan Application; Wetland Activity Permit Application; Town Stormwater Permit Application; correspondence from outside agencies; other materials submitted by the applicant in support of its proposal; the written and verbal comments from the Board's professional consultants; the verbal commentary and written submissions made during Planning Board meetings and the public hearing; observations made at Planning Board site visits; and the decisions, comments and recommendations of the other permitting agencies.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Planning Board hereby grants Site Development Plan Approval, subject to the below enumerated conditions; and

**BE IT FURTHER RESOLVED THAT**, the Planning Board hereby approves the following drawings, hereafter collectively referred to as "the approved Site Development Plans", subject to the below conditions:

**Plans, prepared by Insite Engineering and dated (last revised) November 29, 2018:**

- Overall Site Plan (Sheet OP-1)
- Layout & Landscape Plan (Sheet SP-1)
- Grading & Utility Plan – West End (Sheet SP-2.1)
- Grading & Utility Plan – East End (Sheet SP-2.2)
- Erosion & Sediment Control Plan – West End (SP-3.1)
- Erosion & Sediment Control Plan – East End (SP-3.2)
- Tree Plan (TR-1)
- Lighting Plan (LP-1)
- Entry Drive & Parking Profiles (PR-1)
- Drainage Profiles (PR-2)
- Sewer & Water Profiles (PR-3)
- Site Details (D-1, D-2, D-3, D-4, D-5, D-6)

**Plan Reviewed, prepared by Tim Miller Associates, Inc., Dated (Last Revised) August 2, 2018:**

- Wetland Buffer Restoration and Enhancement Plan

**BE IT FURTHER RESOLVED THAT**, Site Development Plan Approval, defined as the signing of the approved Site Development Plans by the Planning Board Chairman, shall expire unless a Building Permit is applied for within one (1) year of the date of the signing of the plans or if all required improvements are not completed within three (3) years of the signing of the plans or if the construction or use shall cease for more than one (1) year; and

**BE IT FURTHER RESOLVED THAT,** the Planning Board may extend conditional approval and approval of the Site Development Plans by not more than two (2) additional periods of ninety (90) days each if, in the Planning Board's opinion, such extension is warranted by the particular circumstances then presented; and

**BE IT FURTHER RESOLVED THAT,** any subsequent alterations, modifications, additions or changes to the approved and/or constructed improvements shall require the prior review and written approval by the Planning Board as a new, modified and/or amended application for Site Development Plan Approval; and

**BE IT FURTHER RESOLVED THAT,** failure to comply with the approved Site Development Plans or any of the conditions set forth herein shall be deemed a violation of Site Development Plan Approval, which may lead to the revocation of said approval or the revocation by the Building Inspector of any issued Building Permit or Certificate of Occupancy; and

**BE IT FURTHER RESOLVED THAT,** in the review of this Wetland Activity Permit application, the Planning Board has taken into account the factors listed under Section 217-8A of the Wetland and Watercourse Law and, in so doing, has considered and evaluated wetland and wetland buffer functions and the role of the wetland and wetland buffer areas in the hydrologic and ecological system and has determined that the impact of the proposed action upon the public health and safety; special concern, rare, threatened and endangered species; water quality and wetland and wetland buffer functions has been avoided or minimized to the maximum extent practicable; and

**BE IT FURTHER RESOLVED THAT,** the Planning Board has reviewed the criteria listed under Section 217-8B of the Wetland and Watercourse Law and has determined that impacts to the affected wetland and wetland buffer areas are necessary and unavoidable and have been minimized to the maximum extent practicable; and

**BE IT FURTHER RESOLVED THAT,** the Planning Board hereby finds that the Wetland Activity Permit Application pertaining to the proposed action is consistent with the provisions and policies of Chapter 217 of the Code of the Town of Lewisboro and said permit is hereby approved, subject to the conditions set forth below; and

**BE IT FURTHER RESOLVED THAT,** all work associated with this Wetland Activity Permit shall be conducted in strict compliance with the approved Site Development Plans; and

**BE IT FURTHER RESOLVED THAT,** no work shall commence until a Wetland Activity Implementation Permit is issued by the Town Wetland Inspector; and

**BE IT FURTHER RESOLVED THAT,** this Wetland Activity Permit shall expire without further written notice if the requirements of this Resolution are not completed, as set forth herein. As provided pursuant to the Town Wetlands and Watercourses Law, this

Wetland Activity Permit is subject to revocation should the applicant not comply with the terms and conditions of this Resolution; and

**BE IT FURTHER RESOLVED THAT,** this Wetland Activity Permit shall expire two (2) years from the date of this Resolution (February 26, 2021), unless a Wetland Certificate of Compliance has been obtained prior thereto; and

**BE IT FURTHER RESOLVED THAT,** a Town Stormwater Permit is required from the Planning Board in accordance with Section 189-5A of the Town of Lewisboro Town Code; and

**BE IT FURTHER RESOLVED THAT,** the submitted SWPPP has been prepared to comply with the requirements of the NYSDEC, NYCDEP and the Town of Lewisboro; and

**BE IT FURTHER RESOLVED THAT,** the Planning Board finds that the applicant has complied with Chapter 189, Stormwater Management and Erosion and Sediment Control, of the Town Code of the Town of Lewisboro and a Town Stormwater Permit is hereby issued, subject to the conditions set forth below; and

**BE IT FURTHER RESOLVED THAT,** this Town Stormwater Permit shall expire upon completion of work and shall be valid for a period of two (2) years from the date of this Resolution (February 26, 2021); and

**BE IT FURTHER RESOLVED THAT,** Conditions #1 - #16 must be fulfilled within six (6) months of the date of this Resolution (on or before August 26, 2019). Should these conditions not be satisfied within the allotted time frame, this Resolution shall become null and void unless an extension is requested by the applicant (in writing) with said 6-month period and granted by the Planning Board.

**Conditions to be Satisfied Prior to the Signing of the Approved Site Development Plans by the Secretary and Chairman:**

1. All applicable Town, County, City, State and Federal permits/approvals shall be obtained by the owner/applicant and copies of same submitted to the Planning Board and Building Department. Should the plans approved herein differ from those previously approved by an agency having jurisdiction, the applicant shall be responsible for obtaining amended permits/approvals, as determined necessary. The applicant has identified the following outstanding outside agency approvals, which shall be obtained prior to the signing of the approved plans, unless otherwise noted:
  - a. WCHD approval of the water and sewage systems.

- b. NYSDEC SPDES General Permit for Stormwater Discharges to Construction Activity (GP-0-15-002). This Permit shall be issued prior to commencement of construction.
2. The proposed walking trail shall be illustrated and noted on the plan; the surface material of the trail shall be specified as being "earthen."
3. The name of the proposed road and the name of the proposed development (as it will appear on any project related signage) shall be identified on the Site Development Plans.
4. The applicant shall submit to the Planning Board Secretary an engineering/inspection fee equal to 5% of the estimated cost of construction (site work only as determined by the Town Engineer). Said estimate shall be prepared by a Licensed Professional Engineer and shall include unit costs, total costs and quantities for proposed site improvements; said estimate shall be provided by the applicant, in writing, and approved by the Town Engineer.
5. In accordance with Section 220-46G of the Zoning Code, the applicant shall supply a performance bond, or other form of security, to guarantee completion of project infrastructure in a sum approved by the Town Engineer based on a cost estimate to be prepared by the applicant's design engineer. The form of the bond or performance security shall be acceptable to the Planning Board Attorney. The delivery and acceptance of this security does not relieve the applicant of the obligation to complete the project infrastructure. Said bond or performance security shall provide for project infrastructure to be completed within eight (18) months of commencement of work and for the retention by the Town of 10% of the originally fixed amount for a period of one (1) year after the last Certificate of Occupancy has been issued.
6. The wetland mitigation plantings shall be bonded in the amount approved by the Town Wetland Consultant based on a wetland planting cost estimate to be provided by the applicant. Said bond shall be released after a period of three (3) years, measured from the date of the Wetland Certificate of Completion, provided that the Town Wetland Inspector verifies that a minimum of 85% of the planted species have survived.
7. The center of the cul-de-sac shall be identified as being surfaced with pavers, stamped concrete, or other acceptable finish; a detail shall be provided.
8. The plans shall be revised to include a proposed bike rack in the vicinity of the clubhouse (Building 4).

9. Each and every sheet of the approved Site Development Plans shall contain a common revision date; shall contain an original seal and signature of the Design Professional; shall contain the Town's standard signature blocks; and shall contain an original signature of the applicant(s) and owner(s).
10. The applicant shall submit a "check set" (2 copies) of the approved Site Development Plans, prepared in final form and in accordance with the conditions of this Resolution, for review by the Planning Board's consultants.
11. Following review and revision (if necessary) of the final plans, the applicant shall furnish the Planning Board with two (2) complete mylar sets of the approved Site Development Plans for final review by the Town's consultants and endorsement by the Town Engineer, Planning Board Chairman and Secretary.
12. The applicant shall obtain a Wetland Implementation Permit, as issued by the Town Wetland Inspector.
13. The applicant shall provide a written statement identifying the professional engineer or engineer firm responsible for oversight and inspection during construction.
14. The applicant shall provide a written statement identifying the person or firm responsible for mandatory SWPPP inspections required under the NYSDEC SPDES General Permit (GP-0-15-002). A copy of all inspection reports shall be submitted on a weekly basis to the Planning Board, Town Engineer and Building Inspector during construction.
15. The applicant shall provide a written statement to the Planning Board Secretary acknowledging that they have read and will abide by all conditions of this Resolution.
16. The applicant shall pay to the Town of Lewisboro, by certified check, all outstanding professional review fees.

**Conditions to be Satisfied Prior to the Issuance of a Building Permit:**

17. Following the endorsement of the approved Site Development Plans by the Town Engineer, Planning Board Chairman and Secretary, one (1) mylar set will be returned to the applicant for copying and the second mylar set will be retained by the Planning Board as a record copy.
18. Within ten (10) days after endorsement of the approved Site Development Plans by the Town Engineer, Planning Board Chairman and Planning Board Secretary,

the applicant shall deliver to the Planning Board Secretary nine (9) printed sets of the signed plans, collated and folded.

19. A conservation easement agreement shall be submitted, in form and content satisfactory to the Town Planner and Planning Board Attorney, and shall then be filed in the Office of the Westchester County Clerk. The applicant shall pay all recording charges and shall provide proof of filing to the Planning Board Secretary.
20. The applicant shall prepare and submit a stormwater maintenance easement and agreement, prepared in accordance with Section 189-13A and B of the Town Code, for review and approval by the Town Engineer and Planning Board Attorney. Said easement and maintenance agreement shall be filed in the office of the Westchester County Clerk. The applicant shall pay all recording charges and shall provide proof of filing to the Planning Board Secretary.
21. All proposed retaining walls more than four (4) feet in height shall be fully designed by a New York State Licensed Professional Engineer and to the satisfaction of the Building Inspector.
22. The applicant shall demonstrate that coverage has been obtained under the NYSDEC SPDES General Permits GP-0-15-001 and GP-0-15-002, as referenced above.

**Conditions to be Satisfied Prior to Commencement of Work:**

23. Prior to commencement of any site work or construction activity, a site visit shall be conducted with the applicant, contractor, design engineer, Building Inspector, and the Town's consultants. Prior to the site visit, all erosion and sedimentation controls shall be properly installed and the limits of disturbance shall be staked in the field by a licensed land surveyor as specified on the approved Site Development Plans. All trees to be preserved in proximity to the limit of disturbance line shall be marked in the field and protected in accordance with the Site Development Plans.

**Conditions to be Satisfied During Construction:**

24. During construction, the Town's consultants may conduct site inspections, as necessary, to determine compliance with the provisions of this Resolution and the approved Site Development Plans.
25. A copy of this Resolution, approved Site Development Plans, Wetland Implementation Permit, and SWPPP shall be kept on site at all times during construction.

26. In the event blasting is required, the applicant shall comply with the Blasting Mitigation Plan, prepared by Tim Miller Associates, Inc., dated March 30, 2016, shall obtain a Blasting Permit from the Building Inspector and shall demonstrate compliance with Section 91-17 of the Town Code.
27. Unless otherwise authorized by the Town Planner, all plant material shall be installed between April 1<sup>st</sup> and October 15<sup>th</sup>. Plant substitutions, if any, must be previously approved by the Town Planner.
28. The applicant shall employ the services of a NYS Licensed Professional Engineer to supervise and inspect site work during construction.
29. The applicant shall employ the services of a Qualified Inspector, as defined by the NYSDEC SPDES General Permit, who shall conduct bi-weekly site inspections and shall deliver reports of each inspection to the Building Inspector and Town Engineer, all in compliance with the aforementioned Permit.

**Conditions to be Satisfied Prior to the Issuance of the first Certificate of Occupancy:**

30. Substantial completion of the road, driveways, and parking areas (including curbing and binder course of asphalt), to the satisfaction of the Town Engineer and Building Inspector.
31. Completion of the water and sewer systems, to the satisfaction of the WCDH, Building Inspector and Town Engineer.
32. The applicant shall provide certificates of completion from the WCDH.
33. Substantial completion of the drainage systems to the satisfaction of the Town Engineer and Building Inspector.
34. Submission of an as-built survey of the building within which the unit(s) for which a Certificate of Occupancy is to be issued, prepared by a New York State Licensed Land Surveyor and to the satisfaction of the Town Engineer, demonstrating compliance with the approved Site Development Plans.
35. The applicant shall demonstrate that the three (3) existing tax lots that comprise the subject property have been merged into one (1) parcel, to the satisfaction of the Town Assessor and Planning Board Attorney.
36. The underground water storage tank shall be filled with water and a flow test shall be conducted by either the Goldens Bridge Fire District or an outside vendor approved by the Town Engineer; written verification shall be provided.



37. Development and approval of an off-site well and on-site surface water monitoring protocol and plan, as required in Condition # 53 below.

**Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy within the Last Building to be Constructed:**

38. No Certificate of Occupancy shall issue until all proposed improvements, both site and building related, are complete to the satisfaction of the Building Inspector and the Town's consultants.
39. Completion of the road, driveways and parking areas, including the final course of asphalt, to the satisfaction of the Town Engineer and Building Inspector.
40. An as-built plan of the stormwater management practices and associated improvements shall be submitted and shall be certified by a New York State Professional Engineer.
41. Certification by a New York State Professional Engineer that all stormwater management practices and associated improvements have been installed in conformance with the approved Site Development Plans shall be submitted to the Building Inspector and Planning Board.
42. Submission of an as-built survey of the entire site, prepared by a New York State Licensed Land Surveyor and to the satisfaction of the Town Engineer, demonstrating compliance with the approved Site Development Plans shall be submitted to the Building Inspector and Planning Board.
43. Completion of all on-site landscaping and wetland mitigation. In the event that the request for a certificate(s) of occupancy within the last building to be constructed is made outside of the growing season and this condition cannot be satisfied due to weather conditions, the applicant may elect to establish a landscaping bond (8-month maximum expiration date), or other form of security found acceptable to the Planning Board Attorney, for the full plant and installation costs (plus 10% contingency), all to the satisfaction of the Town Engineer and Planning Board Attorney. Prior to the issuance of a certificate of occupancy or the release of the bond, an as-built planting plan shall be prepared to the satisfaction of the Town's consultants and submitted to the Planning Board.
44. The Building Inspector and Town's consultants shall conduct a final site visit to determine conformance with the approved Site Development Plans and this Resolution. A final inspection report shall be prepared by the Town Consulting Engineer.

45. The applicant shall obtain a Wetland Certificate of Compliance from the Town of Lewisboro Wetland Inspector.
46. The applicant shall obtain and submit all applicable certificates of compliance from the NYSDOT, NYSDEC, WCHD, NYCDEP or any other regulatory agency having jurisdiction (to the extent said agencies require issuance of same).
47. The applicant shall pay to the Town of Lewisboro, by certified check, all outstanding professional review and inspection fees.

**Other Conditions:**

48. The applicant is responsible for the implementation of all plans and documents referenced herein.
49. Following completion and stabilization of all land construction activities, the owner/operator shall submit a completed Notice of Termination (NOT) to the NYSDEC, Division of Water and the Planning Board Secretary.
50. All on-site infrastructure, utilities, facilities and systems shall be privately owned and maintained by the applicant.
51. One (1) of the units shall be occupied by an on-site (full time) site manager/superintendent who shall be employed by the applicant. The name(s) and contact number(s) for on-site personnel shall be provided to the Building Inspector and the GBFD by the applicant.
52. There shall be no change in unit or bedroom count or change of use without the prior approval of the Planning Board through an amended Site Development Plan application.
53. The applicant shall monitor the off-site wells and on-site surface water body for a period of two (2) years following full occupancy, subject to a written monitoring protocol and plan to be approved by the Town Engineer and Town Hydrogeologist prior to the issuance of the first certificate of occupancy. The off-site monitoring program shall include the four (4) existing supply wells monitored during the 72-hour test and the on-site nested piezometers set in the wetland. Pressure transducer dataloggers shall be set in these wells to monitor water levels at a minimum interval of hourly. The collected water level readings from the data loggers shall be downloaded on a quarterly basis and the datalogger function should be checked during each quarterly visit by collecting manual measurements using an electronic water level indicator (M-Scope). The water level data shall be compiled and plotted on hydrographs and an annual summary report shall be submitted to the Town Engineer for review.

54. The underground water storage tank, to be used as a water source for fire suppression, shall be maintained by the applicant, including ensuring that the tank is filled with water and conducting annual flow tests. The Goldens Bridge Fire District shall have the right, but not the obligation, to utilize the tank for training purposes with a minimum of 48 hours' notice given to the applicant.
55. Wetland mitigation areas shall be monitored for the next three (3) growing seasons, in accordance with the NYSDEC's Freshwater Wetlands Enforcement Guidance Memorandum. Monitoring reports shall detail the success of the plantings (survival rate), success of the invasive species removal program, and shall provide recommendations/action items for the next year (if any). Monitoring reports shall be submitted to the Town Wetland Inspector and Planning Board no later than December 1<sup>st</sup> of each year and shall be based upon site reconnaissance conducted by the qualified professional prior to October 15<sup>th</sup>. The first year of monitoring will be the first year that the mitigation areas have completed a full growing season. For monitoring purposes, a growing season starts no later than May 31<sup>st</sup>.
56. Landscaping shall be maintained for the life of the facility and in accordance with the approved landscaping plan. The applicant shall be responsible for any re-grading, replanting, or irrigation necessary to ensure that the landscaping is installed and maintained in accordance with the approved plan.
57. The applicant shall be responsible for proper irrigation of trees, shrubs and herbaceous plantings shown on the landscaping and mitigations plans. The applicant shall initiate an irrigation program immediately following plant installation through the month of November and shall resume watering throughout an additional full growing season.
58. The applicant shall comply with Section 220-60 of the Zoning Code which regulates noise levels as taken from the property line.
59. All signage, if any, shall be fully compliant with Chapter 185, Signs, of the Town Code of the Town of Lewisboro. No signs, lights or other materials or devices, except as approved and detailed on the approved plans, shall be permitted to be supported, hung, flown, or otherwise attached to site buildings, structures or the site grounds. The applicant shall obtain any and all approvals from the ACARC relating to signage.
60. The applicant shall implement the IPM, prepared by Tim Miller Associates, Inc., dated August 30, 2016. The applicant shall manage the site in accordance with this IPM for the life of the project, unless an amended IPM is approved by the Planning Board.

61. The applicant shall maintain an on-site shuttle bus service for its residents which shall provide daily service to the Goldens Bridge/Metro-North Railroad Train Station, local shopping opportunities and medical service providers.
62. The applicant shall be responsible for keeping the driveways, parking areas, sidewalks, and walkways clear of snow and ice in a reasonable amount of time following a storm event.
63. An Automated External Defibrillator (AED) shall be located within the clubhouse.
64. Each building shall be served by an automatic emergency back-up generator. At a minimum, the generators shall provide emergency lighting to each building and shall power the fire suppression (sprinkler) system and the central alarm systems. The generator to serve Building 4 shall also provide lighting, heating, air conditioning, and hot water to the clubhouse. The generator to serve Building 5 shall also power the elevator.
65. Mailboxes shall be located within Building 4 (the clubhouse) or, if located outside, in proximity to Building 4.
66. The proposed buildings shall include fire sprinkler systems meeting all applicable building and fire code requirements and regulations.
67. Each building shall be equipped with an additional fire connection and dry line to service sprinkler heads in the building attics.
68. The proposed buildings shall include central station monitored fire alarm systems with smoke and carbon monoxide detectors, including heat detectors in unfinished, non-habitable attic spaces.
69. All proposed buildings shall include a Knox Box Rapid Entry System and truss construction placards.
70. All proposed buildings shall be outfitted with fire connections at locations to be coordinated with the Goldens Bridge Fire District.
71. Oversized vehicles (length greater than 18 feet) shall not be permitted to be parked on the site other than in those parking spaces specifically labeled as "Oversized Vehicle Parking Permitted".
72. The applicant, through its on-site manager/superintendent, shall be responsible for ensuring that parking spaces are utilized in a manner consistent with the approved site development plan and the requirements of this resolution.

73. The designated open space area, to be preserved by conservation easement, shall be open to the general public.
74. The septic areas, once established, shall be designated as "limited mow areas" and shall not be mowed more than twice per year. Once established, the meadow areas and "Buffer Enhancement Areas", as denoted on the Site Development Plans, are not intended to be mowed. Stormwater basins are intended to be maintained in accordance with the project SWPPP and the Permanent Stormwater Facilities Maintenance Schedule provided on the Site Development Plans.
75. The continued validity of a Certificate of Occupancy shall be subject to continued conformance with the approved Site Development Plans and the conditions of this Resolution.
76. All commitments, conditions and requirements set forth in this Resolution shall be binding upon the applicant, its agents, affiliates, transferees, successors and assigns.

#### ADOPTION OF RESOLUTION

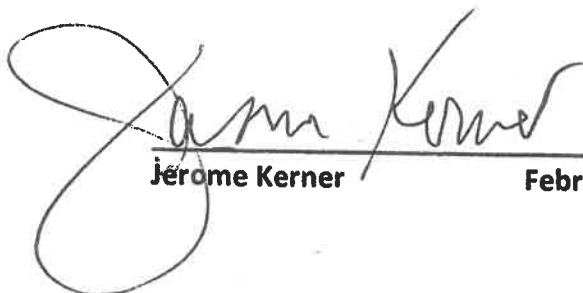
WHEREUPON, the Resolution herein was declared adopted by the Planning Board of the Town of Lewisboro as follows:

The motion was moved by: Janet Andersen

The motion was seconded by: Jerome Kerner


The vote was as follows:

JEROME KERNER	<u>aye</u>
GREG LASORSA	<u>against</u>
RICHARD SKLARIN	<u>aye</u>
JANET ANDERSEN	<u>aye</u>
MAUREEN MAGUIRE	<u>abstain</u>

  
Jerome Kerner February 26, 2019

#### 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 26<sup>th</sup> day of February, 2019 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 27<sup>th</sup> day of February, 2019

**RESOLUTION  
LEWISBORO PLANNING BOARD  
FINAL SUBDIVISION PLAT APPROVAL  
LOT LINE CHANGE**

**PARRIS & STEPHANIE SANZ AND THE  
NORTH SALEM OPEN LAND FOUNDATION, INC.  
15 SULLIVAN ROAD AND WACCABUC ROAD**

Sheet 12, Block 11137, Lots 31 and 117  
Cal. #10-18 P.B

**February 26, 2019**

**WHEREAS**, the proposed action involves the conveyance of land between two (2) adjacent properties owned by (1) Parris and Stephanie Sanz and (2) the North Salem Open Land Foundation, Inc. (hereafter referred to as "the proposed action"); and

**WHEREAS**, the lots involved in the application include Sheet 12, Block 11137, Lots 31 and 117 (hereafter referred to as "the subject property"); and

**WHEREAS**, Lot 31 is owned by Parris and Stephanie Sanz and Lot 117 is owned by the North Salem Open Land Foundation, Inc. (collectively referred to hereafter as "the applicants"); and

**WHEREAS**, Lot 31 currently consists of  $\pm 11.84$  acres of land and is developed with a single-family residence; Lot 117 currently consists of  $\pm 99.9$  acres of land and is vacant open space; and

**WHEREAS**, the proposed action involves the conveyance of  $\pm 1.6$  acres of land from Lot 31 to Lot 117 and  $\pm 0.95$  acre of land from Lot 117 to Lot 31; and

**WHEREAS**, as a result of the proposed action, Lots 31 and 117 will total  $\pm 11.15$  acres and  $\pm 99.92$  acres, respectively, and no construction or physical improvements to the subject property is proposed; and

**WHEREAS**, the applicants have represented that the  $\pm 0.95$  acre of land to be made part of Lot 31 will be subject to a conservation easement; and

**WHEREAS**, the subject property is located within the R-4A Zoning District; and

**WHEREAS**, the proposed action does not include any form of land disturbance, construction or development and will not result in any new or exacerbate any existing zoning nonconformity; and



**WHEREAS**, the Planning Board has considered the submitted application, other materials submitted by the applicants in support of their proposal, the written and verbal comments from the Board's professional consultants, and the verbal commentary made during Planning Board meetings.

**NOW THEREFORE BE IT RESOLVED THAT**, the proposed action is an Unlisted Action under the State Environmental Quality Review Act (SEQRA) and the Planning Board in conducting an uncoordinated SEQRA review, hereby issues the attached Negative Declaration of Significance; and

**BE IT FURTHER RESOLVED THAT**, in accordance with Section 195-13 of the Subdivision Regulations, the Planning Board hereby waives the requirement of a public hearing and waives submission of the Step II Application and a Preliminary Subdivision Plat; and

**BE IT FURTHER RESOLVED THAT**, the Planning Board hereby approves the Final Subdivision Plat entitled "Lot Line Change Map prepared for Paris and Stephanie Sanz and North Salem Open Land Foundation, Inc.", prepared by Insite Engineering, Surveying and Landscape Architecture, P.C., dated October 25, 2017, subject to the below listed conditions; and

**BE IT FURTHER RESOLVED THAT**, Conditions #1 and #2, enumerated below, must be completed within 180 days of the date of this Resolution (February 26, 2019). Should said conditions not be completed within the allotted time frame, this Resolution shall become null and void unless a 90-day extension is requested, in writing, by the applicants within said 180-day period and granted by the Planning Board.

**Conditions to be Satisfied Prior to the Signing of the Plat by the Planning Board Chairman:**

1. The applicants shall provide a letter to the Planning Board Secretary acknowledging that they have read and will abide by the Conditions of this Resolution.
2. The applicants shall submit two (2) original mylar copies of the Final Subdivision Plat, complete with all required original signatures, for final review by the Planning Board's consultants and endorsement by the Town Consulting Engineer, Planning Board Secretary and the Planning Board Chairman.

**Conditions to be Satisfied Subsequent to the Signing of the Plat by the Planning Board Chairman:**

3. Following the endorsement of the Final Subdivision Plat by the Planning Board Chairman and Secretary, one (1) mylar plat will be returned to the applicants for copying and the second mylar plat will be retained by the Planning Board as a record copy.

4. Within ten (10) days after endorsement of the Final Subdivision Plat by the Planning Board Chairman and Secretary, the applicants shall deliver, to the Planning Board Secretary, nine (9) printed copies of same, collated and folded.
5. The applicants shall demonstrate proof of filing the Final Subdivision Plat with the Westchester County Clerk's Office. The applicants shall deliver to the Planning Board Secretary three (3) 18" x 14" copies of the Final Subdivision Plat, as filed, showing all signatures and acknowledgements of filing.
6. The applicants shall provide, to the Planning Board Secretary, a copy of the conservation easement filed with the Westchester County Clerk, Division of Land Records, with regard to the ±0.95 acres of land to be incorporated into Lot 31.

**ADOPTION OF RESOLUTION**

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

The motion was moved by: Janet Andersen

The motion was seconded by: Greg La Sorsa

The vote was as follows:

JEROME KERNER  
GREG LASORSA  
RICHARD SKLARIN  
JANET ANDERSEN  
MAUREEN MAGUIRE

aye  
aye  
aye  
aye  
aye

  
Jerome Kerner, Chairman

February 26, 2019

**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 26<sup>th</sup> day of February, 2019 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 27<sup>th</sup> day of February, 2019



**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

**Date:** February 26, 2019

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lewisboro Planning Board has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Sanz and the North Salem Open Land Foundation, Inc.  
Lot Line Change

**SEQRA Status:** ☐ Type 1

☒ Unlisted

**Conditioned Negative Declaration:** ☐ Yes

☒ No

**Coordinated Review:** ☐ Yes

☒ No

**Description of Action:** The proposed action involves the conveyance of land between two (2) adjacent properties owned by Parris and Stephanie Sanz (Lot 31) and the North Salem Open Land Foundation (Lot 117). Lot 31 currently consists of  $\pm 11.84$  acres of land and is developed with the single-family residence; Lot 117 currently consists of  $\pm 99.9$  acres of land and is vacant open space. As proposed, Lot 31 will convey  $\pm 1.6$  acres of land to Lot 117 and Lot 117 will convey  $\pm 0.95$  acre of land to Lot 31. As a result of the proposed action, Lots 31 and 117 will total  $\pm 11.15$  acres and  $\pm 99.92$  acres, respectively. No construction or physical improvements to the subject parcels are proposed.

**Location:** 15 Sullivan Road and Waccabuc Road, Town of Lewisboro,  
Westchester County, NY

**Reasons Supporting This Determination:** The Planning Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c). Specifically:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality or quantity, traffic or noise levels or a substantial increase in solid waste production.

*The proposed action involves a lot line realignment between two existing parcels. The proposed action does not include any form of land disturbance, construction or development and will not result in any new or exacerbate any existing zoning nonconformities.*

2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impact a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources.

*See response to Finding #1 above*

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR Part 617.14(g).

*See response to Finding #1 above*

4. The proposed action will not result in a material conflict with the Town's officially approved or adopted plans or goals.

*See response to Finding #1 above*

5. The proposed action will not result in the impairment of the character or quality of important historical, archaeological, architectural, aesthetic resources or the existing character of the community or neighborhood.

*See response to Finding #1 above*

6. The proposed action will not result in a major change in the use of either the quantity or type of energy.

*See response to Finding #1 above*

7. The proposed action will not create a hazard to human health.

*See response to Finding #1 above*

8. The proposed action will not create 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.

*See response to Finding #1 above*

9. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action.

*See response to Finding #1 above*

10. The proposed action will not create a material demand for other actions that would result in one of the above consequences.

11. The proposed action will not result in changes in two (2) or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

12. When analyzed with two (2) or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).

13. The Planning Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.

**For further information and a copy of this notice contact:**

Planning Board Secretary  
Town of Lewisboro Planning Board  
79 Bouton Road  
South Salem, New York 10590