

RESOLUTION

GREAT OAK LANE, LLC – 2 GREAT OAK LANE

APPLICATIONS FOR PRELIMINARY AND FINAL SUBDIVISION AND SITE PLAN APPROVAL

After due discussion and deliberation, on motion by _____, seconded by _____ and carried, the following resolution was adopted:

WHEREAS, application has been made to the Planning Commission of the Village of Pleasantville for approval of a preliminary and final subdivision plat as depicted on a plat labeled entitled “Subdivision of Property Plat Prepared for Great Oak Lane, LLC,” dated July 10, 2023, prepared by TC Merritts Land Surveyors, said property being located at 2 Great Oak Lane, in the Two-Family Residence “R-2A” Zoning District and is designated on the tax map of the Village of Pleasantville as Section 106.06, Block 2, Lot 64; and

WHEREAS, the project includes the subdivision of the existing property into four lots (4) lots with proposed Lot 1 being 12,638 square feet in size with a proposed two-family house, proposed Lot 2 being 12,425 square feet in size with a proposed two-family house, proposed Lot 3 being 15,506 square feet in size with a proposed single-family house, and proposed Lot 4 being 13,238 square feet in size with a proposed single-family house, plus an additional non-buildable lot at the north side of the property consisting of 1,475.364 square feet which is the location of an existing dirt and gravel walkway extending from Great Oak Lane to Rebecca Lane and is offered for dedication to the Village of Pleasantville (the “Project” or “Proposed Action”); and

WHEREAS, in connection with the current applications the Applicant has submitted the following materials, among others, for the Planning Commission's review:

- Application for Subdivision;
- Application for Site Plan Approval;
- Short Environmental Assessment Form;
- Overview letter to the Planning Commission from Michael Guillaro, dated February 8, 2023;
- Letter from Garrison Tree Inc. regarding a Tree Risk Assessment;
- Memoranda from the Village Planning Consultant dated June 13, 2023, June, 28, 2023 and July 7, 2023;

- Memoranda from Village Superintendent of Public Works/Village Engineer;
- A set of plans generally entitled, “Great Oak Lane,” last revised December 12, 2023, prepared by Site Design Consultants:
 - Sheet C-101, “Site Plan”
 - Sheet C-102, “Existing Conditions”
 - Sheet C-103, “Improvement Plan”
 - Sheet C-104, “Erosion and Sediment Control Plan”
 - Sheet C-105, “Sight Distance Plan”
 - Sheet C-106, “Sight Distance Profile”
 - Sheet G-1, “Notes”
 - Sheet C-501, “Site Details”
 - Sheet C-502, “Utilities Details”
 - Sheet C-503, “Erosion and Sediment Control”
 - Sheet C-504, “Storm Water”
 - Sheet C-505, “Water Details;”
- A plan labeled “L-1” entitled, “Great Oak Lane Development, Landscape Plan,” last revised July 6, 2023, prepared by Blades & Goven Landscape Architects;
- A set of plans generally entitled, “Great Oak Lane,” last revised July 7, 2023, prepared by Joseph G. Thompson Architect, PLLC:
 - Sheet G0.01, “Title Sheet”
 - Sheet A1.01, “Lot 1 – Schematic Plans & Elevations”
 - Sheet A1.02, “Lot 2 – Schematic Plans & Elevations”
 - Sheet A1.03, “Lot 3 – Schematic Plans & Elevations”
 - Sheet A1.03.1, “Lot 3 – Schematic Plans & Elevations”
 - Sheet A1.04, “Lot 4 – Schematic Plans & Elevations”
 - Sheet A1.04.1, “Lot 4 – Schematic Plans & Elevations”
 - Sheet AR1.01, “Great Oak Lane”
 - Sheet AR1.02, “Great Oak Lane”
 - Sheet AR1.03, “Great Oak Lane”
 - Sheet AR1.04, “Great Oak Lane”
 - Sheet AR1.05, “Great Oak Lane”
 - Sheet AR1.06, “Great Oak Lane;” and

WHEREAS, the Applicant’s original proposal for Proposed Lot 1 included a double-wide driveway and two (2) garage doors directly facing Bedford Road; and

WHEREAS, the Planning Commission opined that this would be out of character with the area and requested that the Applicant create a single-wide driveway at the west

edge of the new lot so the garage access would not face directly to the Bedford Road streetscape; and

WHEREAS, the revision improved site configuration and aesthetics but resulted in the need for a development coverage variance for Proposed Lot 1; and

WHEREAS, on April 27, 2023, the Village of Pleasantville Zoning Board of Appeals approved an area variance from the criteria of § 185-36.B(1) Schedule I “Bulk Requirements” of the Village Zoning Law, allowing the Applicant to have a development coverage of thirty-nine percent (39%) where thirty percent (30%) is required on Proposed Lot 1; and

WHEREAS, a duly advertised public hearing on the application for Preliminary Subdivision and Site Plan Approval was held by the Planning Commission on July 26, 2023 at the Village Hall, 80 Wheeler Avenue, Pleasantville, New York; and

WHEREAS, on July 26, 2023, on motion by Mr. MacDonald, seconded by Mr. Keller and carried, the public hearing on said application was closed; and

WHEREAS, the Planning Commission determined that the Proposed Action is an Unlisted Action with respect to the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Commission is familiar with and has inspected the premises; and

WHEREAS, the Planning Commission has carefully considered all of the comments raised by the public and other interested agencies, organizations and officials, including those presented at the meetings of the Commission; and

WHEREAS, the Planning Commission has determined that the proposed addition of six (6) new residences on four (4) parcels will contribute to the existing unmet need for additional park and recreational facilities in the Village, which need cannot be met on the subject site in accordance with the provisions of § 159-24A(4) of the Code of the Village of Pleasantville given its size and characteristics, and on that basis, has determined that the best interests of the Village and future residents of the proposed subdivision will be better served by requiring a cash payment to be earmarked for park, playground and/or other recreational purposes; and

WHEREAS, under the Village Law the approval of said application for approval by this Planning Commission does not affect the power of the Village to change zoning regulations, nor act as an assurance of the granting of any building permits; and

NOW, THEREFORE, BE IT RESOLVED, pursuant to the State Environmental Quality Review Act regulations, the Planning Commission hereby adopts a Negative Declaration on the grounds that the Proposed Action will not result in any significant adverse environmental impacts since any construction and land disturbance associated with the development will be controlled and will be mitigated through proper drainage and erosion control, existing trees on the property will be preserved to the greatest extent practicable and additional plantings will be provided for screening.

BE IT FURTHER RESOLVED, that the Planning Commission hereby grants Preliminary Subdivision Plat Approval to the Project as herein defined.

BE IT FURTHER RESOLVED, that the Planning Commission hereby waives the Public Hearing on the Final Subdivision Plat because the Final Subdivision Plat is in substantial conformance with the Preliminary Subdivision Plat.

BE IT FURTHER RESOLVED, that the Planning Commission hereby grants Final Subdivision Plat Approval to the Project which consists of subdividing an existing property into four (4) lots, as herein defined and as shown on the subdivision plat entitled “Subdivision of Property Plat Prepared for Great Oak Lane, LLC,” dated July 10, 2023, prepared by TC Merritts Land Surveyors, said property being located at 2 Great Oak Lane, in the Two-Family Residence “R-2A” Zoning District and is designated on the tax map of the Village of Pleasantville as Section 106.06, Block 2, Lot 64, subject to the following conditions and modifications which must be satisfied prior to the signing of the Final Subdivision Plat by the Chairman of the Planning Commission:

1. All references to “the Applicant” shall include the Applicant’s successors and assigns.
2. The preparation and submission to the Village of Pleasantville, subject to the approval of the Village of Pleasantville Building Inspector and the Village of Pleasantville Superintendent of Public Works, of a plat in final form suitable for filing, to be signed by the Planning Commission Chairman within one hundred eighty (180) days of the date of this resolution granting conditional final subdivision plat approval, showing all items of information enumerated in §§A-1 and A-3 of Appendix A of Village Code Chapter 159 and submission of final construction drawings showing all items of information enumerated in §A-4 of Appendix A of Village Code Chapter 159. Two (2) n The Planning Commission may extend for periods of ninety (90)-days each the time in which the conditionally approved final subdivision plat must be submitted for signature if, in the Planning Commission’s opinion, such extension is warranted by the particular circumstances, extensions may be granted by the Planning Commission provided that the Applicant makes application to the Planning Commission not less than thirty (30) days prior to the expiration of the original approval. A request for an extension of time to submit a final plat must include information regarding the date that the Planning Commission granted final subdivision approval and a statement as to whether any prior application for extension of time had been made by the Applicant

and the action taken by the Planning Commission on such application. The Applicant shall file the final subdivision plat in the Office of the Westchester County Clerk, Land Records Division, no less than sixty-two (62) days after the final subdivision plat has been signed by the Planning Commission Chairperson. The Applicant shall submit five (5) copies of the filed final subdivision plat, or such other amount as determined by the Building Inspector, with proof of filing to the Building Inspector within thirty (30) days of the date of filing with the County Clerk's Office.

3. The Applicant shall secure approval and endorsement of the subdivision plat by the Westchester County Department of Health. A copy of the plan containing the endorsement of the Westchester County Department of Health shall be submitted to the Village Building Inspector prior to the signing of the final subdivision plat.
4. Prior to the signing of the final subdivision plat by the Planning Commission Chairperson, payment of all fees for the cost of engineering, planning, environmental or other technical services required in connection with the review of this application shall be required.
5. Prior to the signing of the final subdivision plat by the Planning Commission Chairperson, the Applicant shall submit in a form acceptable to the Village Attorney the following documents:
 - a. Irrevocable Offer of Cession and Dedication for the 0.034-acre non-building lot offered to be conveyed to the Village of Pleasantville.
 - b. Termination documents for the abandonment of the existing easement as per Deed Liber 8112, Page 346.
 - c. Proposed 20' Wide Utility Easement over Lot 2 for the benefit of Lot 1
6. Prior to the signing of the final subdivision plat by the Planning Commission Chairperson, the Applicant shall secure approval from the Village Board of Trustees for the abandonment of the portion of Rebecca Lane located on the Property.
7. Except as otherwise provided herein, all agreements that are intended to be recorded in the office of the Westchester County Clerk shall be recorded simultaneously with the filing of the final subdivision plat.
8. Prior to the filing of the final subdivision plat with the Village of Pleasantville, the Applicant shall furnish a certificate from the tax collecting officer of the Village of Pleasantville stating that all taxes levied and, in addition, all taxes that are a lien against the property, have been paid.
9. Prior to the signing of the final subdivision plat by the Planning Commission Chairperson, the plat shall be revised to indicate the parcel to be conveyed to the Village of Pleasantville is a non-building lot.

10. Prior to the signing of the final subdivision plat by the Planning Commission Chairperson, the Applicant shall submit an inspection fee, as required by the Building Inspector of Village Engineer, in an amount set forth in the Village Master Fee Schedule.
11. Final maps of the subdivision shall be filed with the Village of Pleasantville, subject to approval of the Village of Pleasantville Building Inspector and the Village of Pleasantville Superintendent of Public Works.
12. Compliance with all applicable local laws and ordinances of the Village of Pleasantville and any conditions attached to the permits issued thereunder.
13. All improvements on the Site shall be undertaken consistent with the approved Site Plan, and shall be completed to the satisfaction of the Village Superintendent of Public Works and Village Building Inspector per Section 159-15 of the Village Subdivision Regulations.; and

BE IT FURTHER RESOLVED, that if said conditions be not fully complied with within the above time limit, that said preliminary subdivision plat and final subdivision plat shall be disapproved.

BE IT FURTHER RESOLVED, that the Planning Commission hereby grants Site Plan Approval to the Project, as shown on the Site Plan Drawings and other application materials enumerated above, subject to compliance with the following condition and any other requirements which must be met by law:

14. Based on the current and anticipated future need for park and recreational opportunities in the Village of Pleasantville and the demands of the future population of the Project, the Planning Commission hereby finds that additional recreation/parkland should be created as a condition of approval. However, the Planning Commission hereby determines that recreation/parkland of adequate size and location cannot be provided on the Project Site. Therefore, prior to the issuance of a building permit for each new dwelling unit and consistent with the Village of Pleasantville Master Fee Schedule and Sections 159-24 of the Village Code, the Applicant shall be required to pay a fee in lieu of parkland for such dwelling units in an amount as set forth on the Village of Pleasantville Master Fee Schedule in effect at the time of payment. Prior to the issuance of a building permit, the Applicant shall submit payment of the recreation fee to the Village of Pleasantville in an amount as set forth on the Village of Pleasantville Master Fee Schedule.
15. The Applicant shall be responsible for maintaining in perpetuity all stormwater management measures as indicated in the approved Site Plans. Such maintenance

shall ensure that the functionality and effectiveness of all stormwater management measures are preserved.

16. Prior to the issuance of a building permit, the Applicant shall submit proof of recording of the offer of cession and dedication, termination documents and proposed 20' wide utility easement referenced above in the Westchester County Clerk's Office, Land Records Division along with a copy of such recorded documents.

VOTE: Ayes –
 Noes -
 Abstentions -
 Absent –

DATE: December 13, 2023

CERTIFICATION:

Russell Klein, Chairman
Village of Pleasantville Planning Commission