

AMENDED RESOLUTION OF APPROVAL
FINAL SUBDIVISION
FOR
EAGLE CREST
DRIVEWAY CONNECTION PLAN

Nature and History of Application

The Eagle Crest Subdivision has heretofore received final subdivision approval and the subdivision plat has been filed in the Office of the Orange County Clerk.

This approval is limited to a change that the applicant now proposes to make to a 50-foot strip of land that was originally proposed to be part of a town road to connect the property owned by the applicant in the Town of Warwick and was to serve single family residential homes at such time as the creation of lots to support those homes were approved by the Town of Warwick Planning Board.

The applicant now seeks to modify the prior issued approval to the extent of removing the town road from the 50-foot strip of land and converting that land into a single common driveway that will service 2 homes in the Town of Warwick. The creation of the lots that would utilize the shared driveway remain subject to the review and approval of the Town of Warwick Planning Board.

Property Involved

The property affected by this resolution is shown on the Tax Maps of the Town of Chester as parcel(s) 17-1-5

Zoning District

The property affected by this resolution is located in the AR-3 zoning district of the Town of Chester.

Plans

The Subdivision Plat materials being considered consist of the following:

1. Completed application form dated May 2, 2006 and Full Environmental Assessment Form dated April 28, 2006.
2. Plans prepared by Kirk Rother, P.E., Consulting Engineer, PLLC, entitled “*Eagle Crest Sections 2 & 3*” dated March 15, 2015, last revised April 24, 2015 consisting of 3 sheets.

History

Date of Application

A request was filed with the Planning Board on April 1, 2015.

Public Hearing

A public hearing on this application was waived by the Planning Board on April 1, 2015.

SEQRA

Type of Action:

This matter constitutes an unlisted action under the State Environmental Quality Review Act.

Lead Agency:

The Town of Chester Planning Board is the lead agency in regard to this action. The Planning Board’s status as lead agency was established on July 2, 2008.

Declaration of Significance:

A negative declaration was issued on July 2, 2008 and was reconfirmed on May 6, 2015.

Preliminary Approval

Preliminary Subdivision approval was issued on November 5, 2008.

GML 239 Referral

This application is not required to be referred to the Orange County Planning Department for review and report.

Findings

The Planning Board has determined that approval of this subdivision will substantially serve the public convenience, safety and welfare in that the land to be subdivided is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Further, the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the possible future development of adjoining land as yet un-subdivided are all appropriate and consistent with the requirements of the master plan, the official map, the Town of Chester Subdivision Regulations and applicable zoning regulations, subject to compliance in full with conditions hereinafter imposed.

Resolution of Approval

THIS APPLICATION NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve final subdivision application of Eagle Crest as said proposal is depicted on the plans identified above and upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the plat upon satisfaction of those conditions below noted to be conditions precedent to such signing.

Specific Conditions

1. This application – which consists simply of the conversion of a proposed town road to private property to consist of one private driveway supporting 2 single family residential homes – is approved in strict compliance with the conformity of the plans described hereinabove.
2. To the extent applicable, all prior requirements imposed in the Resolutions of Approval from this board for Sections 1, 2 and 3 are herein incorporated by reference.
3. This application is approved subject to compliance with the requirements imposed in correspondence from the Town Engineer, Fusco Engineering and Land Surveying, P.C., dated May 6, 2015.

General Conditions

This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, including mylars when required, to the Town of Chester Planning Board within one hundred eighty days of the date of this approval.

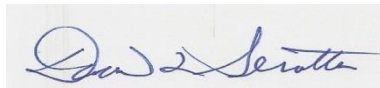
This approval is further conditioned upon the applicant delivering (prior to signing of the plat) proof, in writing, that all fees—engineering, planning, legal and otherwise—in regard to this project have been fully paid. The plans shall not be signed until proof, satisfactory to the Chair, has been presented showing that all fees have been paid.

Before signing of the Final Plat, the applicant shall deliver appropriate offer(s) of dedication, in duplicate, executed and acknowledged by the owner of the property affected, in form suitable for filing in the Orange County Clerk's Office and the Town Clerk's Office for all such lands as are shown on the plat to be so offered. The offer shall include a *metes and bounds* description of said parcel(s).

A FAILURE to comply with any such condition in a timely manner shall result, without further action, in a lapsing of this approval.

In Favor 7 Against 0 Abstain 0 Absent 0

Dated: May 6, 2015



DONALD L SEROTTA, CHAIRMAN
TOWN OF CHESTER PLANNING BOARD