

RESOLUTION OF APPROVAL
FINAL SUBDIVISION
FOR
PAUL GUANERI & LINDA GUANERI

Nature and History of Application

Paul Guaneri and Linda Guaneri, hereinafter referred to as the “applicants,” and/or “Guaneri” have applied for subdivision approval allowing the creation of one additional building lot from an existing lot on a ±7.00 acre tract of land. The property is located at 18 Natures Trail. Natures Trail is a private road. Accordingly, the Planning Board referred this matter to the Town of Chester Zoning Board of Appeals for review of the proposal in light of the requirements of Section 280-a. By Decision duly adopted in June of 2015, the Zoning Board of Appeals determined that “Natures Trail is a private road recognized on an official or plan of the Town.” As a result of the actions by the Town of Chester Zoning Board of Appeals, the application was returned to the Planning Board for further action on the subdivision.

Property Involved

The property affected by this resolution is shown on the Tax Maps of the Town of Chester as parcel(s) 18-1-25.

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 February 18, 2015.
2. Plans prepared by MJS Engineering and Land Surveying, entitled “*Subdivision Plan – Paul and Linda Guaneri*” dated July 24, 2015, consisting of 2 sheets, last revised September 23, 2015.

History

Date of Application

The application was filed with the Planning Board on February 18, 2015.

Public Hearing

A public hearing on this application was convened on September 16, 2015 and closed on that same date.

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.

Declaration of Significance:

A negative declaration was issued on October 7, 2015.

GML 239 Referral

This application has been referred to the Orange County Planning Department for review and report. The Planning Department has reported that this matter is one for local determination, there being no significant inter-municipal or countywide considerations found to exist.

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

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve final subdivision application of Paul Guaneri and Linda Guaneri 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 approval is subject to compliance with the requirements set forth in correspondence from the Planning Board Engineer, Fusco Engineering and Land Surveying, P.C., dated October 1, 2015.
2. The Planning Board has determined, based upon the present and anticipated future need for park and recreational facilities in the Town as calculated from projected population growth to which this subdivision will contribute, that parklands should be created as a condition of approval of this subdivision. However, because parks of size adequate to meet the Town's requirements cannot be properly located on the subdivision plat, the Planning Board, pursuant to Section 83-24 the Subdivision Regulations of the Town of Chester and Section 277 of the Town Law of the State of New York, requires that the applicant deliver payment, by cashier's check or certified check drawn to the order of the Town of Chester the sum of \$2000.00 for each new lot created by the subdivision in lieu of dedication of such required parklands to the Town before the Chairman shall affix his signature to the final subdivision plat.

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 6 Against 0 Abstain 0 Absent 1

Dated: October 7, 2015



DONALD SEROTTA, CHAIRMAN
TOWN OF CHESTER PLANNING BOARD