

**TOWN OF SOUTHEAST, NY
PLANNING BOARD RESOLUTION
AFFIRMATION OF FINDINGS STATEMENT**

INTRODUCED BY:

LaPerch

DATE: April 9, 2018

SECONDED BY:

Armstrong

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for Site Plan approval, Special Permit and Wetland Permit, and other supporting documents, for a project entitled **STATELINE RETAIL CENTER**; and

WHEREAS, the Applicant, PLI, LLC, proposes the construction of an approximately 184,800 square foot retail center and a 14,800 square foot, 2-story office building on two undeveloped parcels of land totaling approximately 44 acres and land located on US Route 6/202 to the east of Old Nichols Road, to the west of Dingle Ridge Road and immediately north of Interstate 84, in the Town of Southeast, Putnam County, New York, and identified as tax map numbers 68.-2-48.1 ("Lot 1") and 68.-2-48.2 ("Lot 2"), and zoned Special Route 6 (SR-6); and

WHEREAS, the Planning Board, as Lead Agency, previously conducted a Coordinated Review for a project identical to this current Proposed Project, which is a Type I Action, and issued a Statement of Findings on or about September 28, 2009; and

WHEREAS, the Planning Board issued Site Plan Approval for the proposed project on or about April 26, 2010; and

WHEREAS, the Applicant exhausted all extensions and was granted a new Site Plan Approval for the Stateline Retail Center on Lot 2 on or about June 9, 2014; and

WHEREAS, the third and final one-year extension of such approval was granted on or about May 8, 2017; and

WHEREAS, pursuant to §617.6 of the State Environmental Quality Review Act (SEQRA), the Planning Board affirmed its continued Lead Agency status on or about March 26, 2018; and

WHEREAS, no changes to the original project approvals are proposed; and

WHEREAS, the Planning Board has considered whether changes in background conditions, including: land use, zoning, public policy, and community character; community services; economic conditions; cultural resources; natural resources; geology; water resources and wetlands; stormwater management; traffic and transportation; air quality; noise; construction; infrastructure and energy; growth inducement and cumulative impacts; and energy consumption and conservation would alter the conclusions presented in the Findings Statement; and

WHEREAS, the applicant has submitted documentation supporting the position that changes in background conditions would not materially affect the conclusions of the Findings Statement, and in many cases the potential impacts would be less than previously considered; and

WHEREAS, in 2013 the Town of Southeast amended its sign ordinance to permit larger signs, which lessened the extent of the variances previously granted; and

WHEREAS, in 2015 the Town of Southeast amended its Zoning Map and the project site was rezoned from GC-2 to SR-6, however the Proposed Project complies with the new zoning designation and no new variances are required; and

WHEREAS, in 2016 the Town of Southeast amended its Zoning Ordinance to transfer the discretionary approval authority of all “large retail establishments” to the Town Board per § 138-41.1; and

WHEREAS, the applicant has submitted recent traffic data which confirms that current traffic levels on Route 6 are less than or equal to traffic levels previously analyzed; and

WHEREAS, the applicant’s wetland consultant and the Town Wetland Inspector inspected the wetland conditions on the property in 2014 and found that the wetlands are substantially unchanged; and

WHEREAS, the wetlands will be re-inspected by the Town Wetland Inspector prior to final site plan approval; and

WHEREAS, the Planning Board has reviewed the following documents in support of this determination:

1. Letter from Jeff Contelmo, Insite Engineering, to Chairman LaPerch and Members of the Board dated April 2, 2018
2. Evaluation of Potential Impacts, Final Site Plan Re-Approval Application, prepared by Insite Engineering, dated March 28, 2014 and last revised March 5, 2018
3. Memorandum Re: Stateline Wetlands, prepared by Steve Marino, PWS, Tim Miller Associates, dated March 28, 2014
4. Memorandum Re: Threatened and Endangered Species, prepared by Steve Marino, PWS, Tim Miller Associates, dated March 28, 2014
5. Letter Re: Stateline Traffic Count Update, prepared by Tim Miller, AICP, Tim Miller Associates, dated April 3, 2014
6. Letter Re: Updated Route 6 Traffic Counts, Stateline Project, Town of Southeast, prepared by Tim Miller, AICP, Tim Miller Associates, dated April 21, 2014
7. Memorandum Re: Stateline Retail Center – Wetlands Review, prepared by Stephen W Coleman, dated April 3, 2014
8. The following drawings, prepared by Insite Engineering, Surveying, & Landscape Architecture, PC, related to the site plan application:

Drawing No. & Title	Last Revised
SP-1 Overall Site Plan	3/5/2018
SP-2.1 Layout and Landscape Plan	3/5/2018
SP-2.2 Layout and Landscape Plan	3/5/2018
SP-3.1 Grading and Utilities Plan	3/5/2018
SP-3.2 Grading and Utilities Plan	3/5/2018
SP-4.1 Overall Phasing Plan	3/5/2018
SP-4.2 Sediment and Erosion Control Plan	3/5/2018
SP-4.3 Sediment and Erosion Control Plan	3/5/2018
PR-1 Profiles and Cross Sections	3/5/2018
LP-1 Lighting Plan	3/5/2018
D-1 Site Details	3/5/2018
D-2 Site Details	3/5/2018
D-3 Site Details	3/5/2018
D-4 Site Details	3/5/2018

Drawing No. & Title	Last Revised
D-5 Site Details	3/5/2018
D-6 Site Details	3/5/2018
Stormwater Pollution Prevention Plan	3/5/2018

9. The following drawings, prepared by DCAK-MSA Architecture, related to the site plan application:

Drawing No. & Title	Last Revised
SA-1 Proposed Sign Area Buildings A,B & C	3-09-10
SA-2 Proposed Sign Area Buildings A,B & C	3-09-10
SA-3 Proposed Sign Area Buildings A,B & C	3-09-10
SA-4 Proposed Sign Area Buildings A,B & C	3-09-10
SA-5 Proposed Sign Area Building D	3-09-10
MS-1 Proposed Freestanding Signs	4-22-10
MS-2 Proposed Freestanding Signs	4-22-10
MS-3 Proposed Freestanding Signs	4-22-10
SW-1.0 Proposed Plaza Sidewalk Plan	11-18-09
SW-2.0 Proposed Elevations for Buildings A,B & C	11-18-09
SW-2.1 Proposed Elevations for Buildings A,B & C	11-18-09
SW-2.2 Proposed Elevations for Buildings A,B & C	12-02-09
SW-2.3 Proposed Elevations for Buildings A,B & C	11-18-09
SW-3.0 Proposed Elevations for Building D	12-02-09

; and,

WHEREAS, the Planning Board has evaluated the Proposed Project and found that it does not have the potential to generate any new significant adverse impacts not previously identified;

NOW, THEREFORE BE IT RESOLVED, that the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), and having reviewed the Proposed Project and changes in background conditions finds that the Findings Statement issued on or about September 28, 2009, subject to all conditions therein, is hereby affirmed, and a Supplemental Environmental Impact Statement pursuant to §617.9(a)(7) is not required.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>absent</u>
E. Larca, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 5 to 0, with 2 absent.

T. LaPerch
T. LaPerch, Chairman
Southeast Planning Board