

MINUTES OF THE PLANNING BOARD OF
QUOGUE HELD IN THE VILLAGE OFFICE
BUILDING, VILLAGE OF QUOGUE, 7
VILLAGE LANE, QUOGUE, NEW YORK ON
FEBRUARY 17, 2018, AT 4:00 PM.

PRESENT: Bill Berrien, Chair
Paul Mejean
Steve Farrell
Dick Gardner

Stanley Picheny, Applicant
Francis Yakoboski, Applicant's Counsel

Dan & Carla Messina, visitors

Picheny Property Subdivision

1. Mr. Picheny related his disappointment at not being informed earlier of the Park Fee required by the Village Code. He is negotiating with the Mayor. No Planning Board action was requested.
2. On motion by Chairman Berrien, Conditional Final Approval of the Plat last dated November 29, 2017, was unanimously VOTED. The full Resolution, including the conditions, is attached.
3. Recognizing the 180 day limit of the Village Code, section 162-29(D) and Condition 21, it was agreed that the conditions would be processed in accordance with the attached procedure "Resolution of the Conditions."

R. Gardner, Acting Secretary

Attachments

1. Resolution, "Conditional Final Plat Approval - February 17, 2018 - Subdivision Map of Picheny Property - Last dated November 29, 2017.
2. Picheny Property - 6 Lot Subdivision - Conditional Final Plat Approval - Resolution of Conditions

Conditional Final Plat Approval
February 17, 2018

Subdivision Map of Picheny Property
Last dated November 29, 2017

RESOLVED that the Planning Board hereby grants conditional final plat approval for the proposed Subdivision Map of Picheny Property (last dated 11/29/2017) subject to the following conditions:

1. No lot line shall be changed in any manner at any future date unless authorized by the Village of Quogue Planning Board.
2. All residential structures shall be at least 75 feet from the upland edge of the tidal wetland line.
3. All sanitary systems shall be at least 100 feet from the upland edge of the tidal wetland line.
4. No stormwater runoff resulting from the development and improvement of the subdivision or any of its lots shall be discharged into the tidal wetlands.
5. Prior to construction of buildings upon any lot, the then owner must submit a plan for sedimentation control near wetlands and other ecologically sensitive areas. All sediments resulting from construction or construction-induced erosion must be contained within the construction site. Site preparation by clearing must be kept to a minimum. To minimize erosion, soils which are piled should be stabilized by planting with various grasses. A building permit shall not be granted until a satisfactory sedimentation control plan is submitted to the Zoning Administrator and approved by the Village Engineer.
6. All tidal wetlands and associated vegetation must be maintained in its present condition. Dredging or excavation for new construction must not disturb tidal wetlands either by direct removal of vegetation or removal of soil substrata.
7. The applicants have submitted a stormwater pollution prevention plan (SWPPP) consisting of an erosion and sediment control component whereby the maximum amount of impervious coverage at total site build out shall not exceed 25% of the overall subdivision tract. In furtherance thereof, the recommendation of the Village Engineer with respect to covenants and restrictions specifically limiting the maximum permitted impervious coverage for each of the 6 lots and for the private road (see the Village Engineer's 1/10/17 memo) is hereby imposed as a condition of this approval.
8. Vehicular access to and from Bay Road for Lot 6 shall be located and taken from the existing asphalt pavement spur at Bay Road, a distance of 65 feet from the center line of the private

road created by this subdivision, as noted on the final plat.

9. The subdivision map shows a temporary access easement to and from Bay Road over the asphalt driveway traversing Lot 1 and Lot 2 in favor of Lot 2 and Lot 3. Upon termination of such temporary access easement, access to and from Bay Road for Lot 3 shall be over the private road created by this subdivision, and access to and from Bay Road for Lot 2 shall be over the pole portion of Lot 2 (Lot 2 being a flagpole lot). The temporary access easement shall terminate upon completion of the required private road improvements.

10. Consistent with §162-42 of the Village Code, no building permit shall be issued with respect to Lots 2, 3, 4 or 5 until the required fire protection water supply service and hydrant have been installed, except in an emergency affecting existing structures. The owners of Lots 2, 3, 4 and 5 shall be obligated to maintain the required fire protection water supply service and hydrant. Lots 2, 3, 4 and 5 shall have an easement for installation and maintenance of the required fire protection water supply service and hydrant.

11. The initial 30 feet of the private road created by this subdivision, starting at the northerly line of Bay Road, shall be unobstructed and shall serve as a fire apparatus access road turnaround. No gate or other obstruction shall be installed within such initial 30 feet.

12. Conditions 1 –11 above shall be recorded in the Suffolk County Clerk's Office as covenants and restrictions.

13. Public water shall be provided to all lots within this subdivision.

14. The public improvements required for this subdivision are as shown and identified on the final road and drainage plans approved by the Village Engineer, the performance bond estimate (covering required improvements other than fire protection water supply service and hydrant) prepared by the Village Engineer and the final plat. The final road and drainage plans approved by the Village Engineer are the following:

(a) Private Road Plan & Profile prepared by Nathan Taft Corwin III, Land Surveyor and Young and Young last dated November 29, 2017. In accordance with the recommendation of the Village Engineer, the center (crown) of the proposed fire hydrant shown thereon shall be installed a minimum of four feet from the edge of the proposed roadway pavement.

(b) Roadway Plan (Page 1 of 2) last dated June 2, 2011 and Grading and Drainage Plan (Page 2 of 2) last dated May 3, 2011 prepared by Nathan Taft Corwin III, Land Surveyor and Jeffrey T. Butler, P.E., P.C.

15. The total land area to be subdivided is listed on the final plat as 586,001 square feet. However, the sum of the areas listed for the proposed lots and the private road right-of-way is 585,795 square feet. This discrepancy of 206 square feet shall be addressed.

16. Correct at least the following apparent dimensional errors on the plat and confirm that all other dimensions have been reviewed and are correct.

(a) Along the southern boundary, parallel to Bay Road, the dimensions along the inside of the line do not add to the same sum as those outside.

- (b) There appears to be a missing dimension on the inside of the eastern boundary.
- (c) In Lot 1, the dimension "OA=310.48" appears to be incorrect.
- (d) The existing monuments near the Northwest and Southeast corners of the property appear to require locating dimensions.

17. A note shall be added to the final plat indicating that the initial 30 feet of the proposed private road, starting at the northerly line of Bay Road, shall be unobstructed and shall serve as a fire apparatus access road turnaround. A note shall be added to the final plat indicating that the owners of Lots 2, 3, 4 and 5 shall have an easement for installation and maintenance of the required fire protection water supply service and hydrant.

18. The final plat shall contain the seals and signatures of both Howard W. Young, L.S. and Nathan Taft Corwin III, L.S. and the approval (signature) of the Suffolk County Department of Health Services.

19. The subject property currently consists of 4 lots as shown and designated on a previously approved minor subdivision map filed in the Suffolk County Clerk's Office. Pursuant to §335 of the Real Property Law, such prior subdivision must be abandoned and cancelled prior to the filing of the final plat in the Suffolk County Clerk's Office.

20. The following items shall be submitted prior to the signing of the final plat:

(a) A performance bond (including adequate security for same) in the amount of the performance bond estimate (\$165,000). Such performance bond shall cover installation of required improvements (other than fire protection water supply service and hydrant). Such performance bond shall be subject to the approval of the Village Attorney.

(b) Payment of the review fee in the sum of \$8,250 (amounting to 5% of the performance bond estimate).

(c) Payment of the park fee in the sum of \$256,771 (as determined by the Board of Trustees).

(d) Declaration of covenants and restrictions in accordance with condition 12 (covering conditions 1 – 11) to be recorded in the Suffolk County Clerk's Office on or prior to the filing of the final plat. Such Declaration shall be subject to the approval of the Village Attorney. Such Declaration shall provide that it may not be annulled, waived, changed, or modified unless and until approved by resolution of the Planning Board of the Village of Quogue, by a vote of a majority plus one of said Planning Board after a public hearing. Such Declaration shall terminate the Declaration recorded April 9, 2003 in Liber 12245 cp 329 (the Declaration recorded pursuant to the Planning Board's prior minor subdivision approval).

(e) Declaration of covenants and restrictions in accordance with the August 13, 2016 decision of the Zoning Board of Appeals (such decision granted a temporary variance with respect to walkways and arbors/trellises on Lot 3 and required covenants and restrictions with respect thereto) to be recorded in the Suffolk County Clerk's Office on or prior to the filing of the final plat. Such Declaration shall be subject to the approval of the Village Attorney. Such Declaration shall provide that

it may not be annulled, waived, changed, or modified unless and until approved by a resolution of the Zoning Board of Appeals of the Village of Quogue, by a vote of a majority plus one of said Zoning Board after a public hearing.

(f) A revised final plat in accordance with conditions 15, 16 and 17.

21. This conditional final plat approval shall expire 180 days after the date of its adoption by the Planning Board, unless the requirements for obtaining the signature of the Chairman or Secretary are completed within such time period. The Planning Board may extend such time for two additional periods of 90 days each. Extensions would be granted only upon written request including adequate reasons for the delay.

VILLAGE OF QUOGUE PLANNING BOARD

Picheny Property - 6 Lot Subdivision
Conditional Final Plat Approval
Resolution of Conditions

Basis and Purpose

Conditional Final Plat Approval has been granted for the Picheny Property as of February 17, 2018. Approval is based on the Final Plat last dated November 29, 2017. The Conditions are as approved by the Planning Board at its regular meeting on February 17, 2018.

Schedule – The Village Code, 162-29(D), reads as follows:

Conditional approval of a final plat shall expire 180 days after the date of the conditional approval, unless the requirements for obtaining the signature of the Chairman or Secretary are completed within such time period. The Planning Board may extend such time for two additional periods of 90 days each.

As noted in Condition #21, any extensions will be granted only upon written request including adequate reasons for the delay.

Thus the Conditional Approval will expire on August 16, 2018, unless all conditions have been satisfied and the plat is ready for the signature of the Planning Board Chairman by that date.

The purpose of this procedure is to provide for an orderly flow of proposed resolutions to the conditions and the resulting Planning Board actions so that status is apparent at all times and all conditions are satisfied within the 180 day limit.

Procedure

Resolution of Conditions will be by letters addressed to the Planning Board Chairman. Such letters will refer by number to the specific Condition(s) involved. (Letters are not limited to single Conditions, but may be grouped.) The action taken to resolve the Condition will be described, with copies of the required documents or drawings attached.

The Planning Board and/or other appropriate Village agency will normally review proposed resolutions at its regular monthly meetings and will take acceptance action, which may include returning the proposal to the Applicant with comments. The Applicant will be notified of actions taken and the Planning Board will update and distribute by email a running status report.

The Applicant will be welcome to attend or be represented at any regular meeting of the Planning Board to discuss progress or specific Conditions.