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PUBLIC NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Harrison at its meeting to be held on October 16, 20 13 at 7:30 P.M. at the Municipal Building, 1 Heineman Place, Harrison, New York, to hear and consider and application of Aron & Robin Ponticelli (name of applicant) for a Special Exception Use Permit pursuant to Sections 235-14, 235-16 and 235-17 of the Zoning Ordinance of the Town of Harrison, proposing the following: guest facility at 8 Lincoln Lane, Harrison, NY

(explain proposal) on property more specifically known and designated as Block 651, Lot 21 on the Tax Assessment Map of the Town of Harrison. This Special Exception Use Permit received a Negative Declaration for the purposes of the State Environmental Quality Review Act.

ALL PERSONS HAVING AN INTEREST IN THIS MATTER ARE INVITED TO ATTEND AND BE HEARD.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HARRISON.

Jacqueline Greer
Town Clerk

Dated: 20
Harrison, New York

Submission Form to the Westchester County Planning Board
For Planning and Zoning Referrals
REQUIRING NOTIFICATION ONLY

County Ref. No. HAR N13-002

The Westchester County Planning Board has predetermined that certain categories of planning and zoning applications are matters for local determination only. For any application listed below, submission of this completed form will satisfy the requirements of NYS General Municipal Law and the Westchester County Administrative Code that the local board provided adequate notification to the County Planning Board in accordance with Planning Board procedures. No other material need be sent. Upon receipt, the County Planning Board will complete the bottom section of this form and return it to you to for your records to indicate compliance with referral requirements.

When completed save this form and e-mail to: muniref@westchestergov.com or print and fax to 914-995-3780.

Municipality: Town/Village of Harrison

Referring Agency (check one):
[] Planning Board or Commission
[] Zoning Board of Appeals
[X] City or Common Council/Town Board/Village Board of Trustees

Application Name and Local Case Number: Aron & Robin Ponticelli Guest Facility

Address: 8 Lincoln Lane

Section: [] Block: 651 Lot: 21

Submitted by (name and title): Town of Harrison

E-mail address (or fax number): Jgreer@harrison-ny.gov

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The above referenced application qualifies for the notification only procedure to the County Planning Board because it falls within the category of action checked below:

- [] Zoning Area Variance to decrease front yard setback, decrease minimum street frontage or decrease average lot width for property abutting a State or County road or park
[X] Special Use Permit or Use Variance to allow less than 5,000 square feet of new or renovated floor area and less than 10,000 square feet of land disturbance.
[] Site Plan to allow less than 5,000 square feet of new or renovated floor area and less than 10,000 square feet of land disturbance on property within 500 feet of:
• The boundary of a city, town or village
• The boundary of an existing or proposed state or county park, recreation area or road right-of-way
• An existing or proposed county drainage channel line
• The boundary of state- or county-owned land on which a public building/institution is located or
• The boundary of a farm located in an agricultural district.

(Please note: All applications given a Positive Declaration pursuant to SEQOR must be referred as a complete application. Do not use this form.)

Do not write below this line.

Date received by the Westchester County Planning Board: 10/8/13

Notification acknowledged by (name and title): Kay Eisenman, Planner

**PLANNING BOARD RESOLUTION PB2013/37
SEPTEMBER 24, 2013**

**SPECIAL EXCEPTION USE RESOLUTION APPROVAL FOR
QUITTELL-PONTICELLI RESIDENCE – GUEST COTTAGE
FOR PROPERTY LOCATED AT
8 LINCOLN LANE, KNOWN & DESIGNATED
AS BLOCK 651, LOT 21**

WHEREAS, Aron Ponticelli and Robin Quittell-Ponticelli (hereinafter referred to as “The Applicant”) have submitted a Special Exception Use application for property located at 8 Lincoln Lane, more specifically known and designated as Block 651 Lot 21; and

WHEREAS, the project involves the construction of a guest cottage on the grounds of an existing single-family residence; and

WHEREAS, the subject site is located within the R-2 Residential Zoning District; and

WHEREAS, guest facilities are classified as Special Exception Uses in the R-2 Zoning District; and

WHEREAS, the proposed project has been classified as an Unlisted Action.

WHEREAS, the Planning Board serving as Lead Agency for the SEQR Review of the action has determined that the proposed action will not result in any significant negative environmental impacts. This determination is set forth in Planning Board SEQR Negative Declaration resolution dated 9/24/13; and

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of Section 235-14E, the Planning Board finds that the proposal:

1. Will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood. The proposal is not inconsistent with the Master Plan.
2. The disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by either the neighborhood or the Town by authorizing this Special Exception Use Permit.
3. To the extent that the Town has authority to address applicable issues, the health, safety, welfare, comfort, convenience, and order of the Town will not be adversely affected by the use.

4. Such use will be in harmony with, and promote the general purpose and intent of the Special Exception Use provisions established in the Zoning Ordinance.

BE IT FURTHER RESOLVED, that the proposed project complies with Special Exception Use General Considerations established in Section 235-16 of the Zoning Ordinance as follows:

1. The proposed guest cottage is located on the property of an existing single-family residence, and is intended for the use of immediate family members. As such, the site represents a particularly suitable location for such use within the community.
2. The plot area is sufficient, appropriate and adequate for the proposed use. The proposed guest cottage is located well within all applicable setback requirements.
3. The proposed project is not located near a place of public assembly.
4. No change to existing access facilities is proposed.
5. No change to the existing curb cut is proposed.
6. Emergency access has been adequately addressed. The guest cottage meets all applicable fire code requirements.
7. No special setbacks are necessary.
10. The provision of public recreational areas is not required on this site.
11. The proposed improvements will have no impact on the site's existing stormwater management system. No impacts are anticipated.
12. The project will not result in any increase in the site's demand on municipal services.
13. The project will not generate excessive amounts of dirt, refuse or any other type of environmental pollution, including vibration, noise, electrical discharges, odors, smoke or irritants.
14. The hours of operation of the guest cottage will not require regulation.
15. The special conditions and safeguards established in §235-17 K apply to this use.

BE IT FURTHER RESOLVED, that the proposed project complies with Special Exception Use General Considerations established in Section 235-17 K of the Zoning Ordinance as follows:

1. The site is not located in the SB-0 zoning district.
2. The site is located in the R-2 zoning district. The site supports a pre-existing residential use.

BE IT FURTHER RESOLVED, that this resolution shall have an effective date of September 24, 2013.

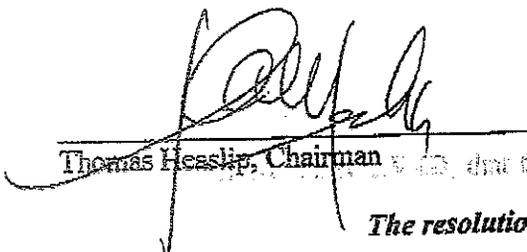
On the motion of Anthony Spano, seconded by Kate Barnwell, it was adopted by the following vote:

AYES: Thomas Heaslip, Anthony Spano, Raymond A. Kraus, Marshall Donst, and Kate Barnwell

NAYS: None

ABSTAINED: Noni Reich

ABSENT: Mark Rinaldi,


Thomas Heaslip, Chairman

The resolution was thereupon duly adopted.

Thomas Heaslip, Anthony Spano, Raymond A. Kraus, Marshall Donst, and Kate Barnwell

Noni Reich

Mark Rinaldi

Mark Rinaldi

HARRISON, N.Y.

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**PLANNING BOARD RESOLUTION PB2013/38
SEPTEMBER 24, 2013**

**SEQR DETERMINATION OF SIGNIFICANCE FOR THE
QUITTELL-PONTICELLI RESIDENCE - GUEST COTTAGE
FOR PROPERTY LOCATED AT
8 LINCOLN LANE, KNOWN & DESIGNATED
AS BLOCK 651, LOT 21**

WHEREAS, the Planning Board of the Town of Harrison, as Lead Agency, is conducting a uncoordinated SEQR Review of an Unlisted Action submitted by Aron Ponticelli and Robin Quittell-Ponticelli for property located at 8 Lincoln Lane, more specifically known and designated as Block 651, Lot 21; and

WHEREAS, the project involves the construction of a guest cottage on the grounds of an existing single-family residence; and

WHEREAS, the project is defined as an Unlisted Action; and

WHEREAS, the Planning Board has reviewed the Environmental Assessment Form ("EAF"), the criteria for determining significance set forth in 6 NYCRR Sections 617.7(c), and all other information in the Planning Board's administrative record, which is incorporated herein by reference in its entirety, to identify the relevant areas of environmental concern; and

WHEREAS, the Planning Board has thoroughly analyzed the identified relevant areas of environmental concern to determine if the Action may have a significant adverse impact on the environment.

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Town of Harrison Planning Board hereby designates itself as the Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

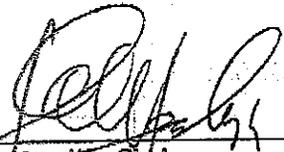
On the motion of Raymond Krauss, seconded by Kate Barnwell, it was adopted by the following vote:

AYES: Thomas Heaslip, Anthony Spano, Raymond A. Kraus, Marshall Donat, and Kate Barnwell

NAYS: None

ABSTAINED: Nomi Reich

ABSENT: Mark Rinaldi,


Thomas Heaslip, Chairman

The resolution was thereupon duly adopted.

Thomas Heaslip, Anthony Spano,
Donat, and Kate Barnwell

None

Nomi Reich

Mark Rinaldi



The resolution was thereupon duly adopted.

PHOENIX CAPITAL PARTNERS
MARRISON, N.Y.

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617.21
Appendix F
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number _____ Date September 24, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Harrison Planning Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Quittell-Ponticelli Residence – Guest Cottage

SEQR Status:

Type I
Unlisted

Conditioned Negative Declaration:

Yes
No

Description of Action:

The project involves the construction of a guest cottage on the grounds of an existing single-family residence.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

8 Lincoln Lane, Harrison, Westchester County, Block 651, Lot 21.

SEQR Negative Declaration

Page 2

REASONS SUPPORTING THIS DETERMINATION:

(See 617.6(g) for requirements of this determination; see 617.6(h) for Conditioned Negative Declaration)

See Attached

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: Rosemarie Cusumano, Planning Board Secretary
 Address: Town Hall, 1 Heineman Place, Harrison, NY 10528
 Telephone Number: 914-670-3077

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

Commissioner, Dep't of Environmental Conservation, 626 Broadway, Albany, NY 12233
 NYSDEC Region 3, 21 South Putt Corners Road, New Paltz, NY 12561
 Supervisor, Town Harrison, 1 Heineman Place, Harrison, NY 10528
 Applicant (if any)
 Other Involved Agencies (if any)

SEQR Negative Declaration

Rosemarie Cusumano, Planning Board Secretary

Town Hall, 1 Heineman Place

Telephone Number

914-670-3077

Reasons Supporting This Determination

The project involves the construction of a guest cottage on the grounds of an existing single-family residence.

Specific impacts relating to the proposed site plan (the Action) are addressed below:

1. The site is located within the R-2 Single-Family Residence zoning district. The proposed guest facility is permitted as a Special Exception Use in accordance with the provisions of §235-16 & 17K. It can therefore be concluded that the proposed action is consistent with the community's current development plans and goals.
2. No significant negative traffic impacts are anticipated to be created by the project. The new guest cottage will support a disabled family member. Trip generation is therefore anticipated to be below that typically associated with a guest cottage. It can be concluded that the proposed action will not significantly affect the area roadways, nor will it result in adverse traffic impacts.
3. The 3 acre site is currently developed and supports an existing two-story, 4,632 square foot single-family residence, gravel driveway, in-ground swimming pool and associated site improvements. The construction of the new guest cottage will result in the potential to increase soil erosion and sedimentation specifically during the construction build-out period. These potentially adverse impacts will be mitigated by the installation of soil erosion and sedimentation control devices. These devices will be designed and installed in accordance with the New York State Standards and Specifications for Erosion and Sediment Control as well as all requirements and regulations of the Town of Harrison.

The Sediment & Erosion Control Plan will minimize the downstream erosion hazard by controlling runoff at its source, minimizing runoff from disturbed areas and de-concentrating stormwater runoff.

4. The Action will not result in a significant adverse change in existing air quality. The primary source of long term air quality impacts is air pollution attributable to vehicle trips. The proposed action will not generate a proportionally significant number of new vehicle trips. It can therefore be concluded that the project will not result in a proportionally discernable increase in long term air quality impacts beyond existing background levels.

The Action will result in a short-term temporary change in existing air quality as a result of the construction of the new guest cottage, however this activity is not expected to result in a significant negative impact. These temporary impacts to air quality will be carefully monitored by the Building Department and will be mitigated through the implementation of standard site development protocols and construction management techniques, as well as a continual reliance on construction Best Management Practices and equipment repair and

maintenance. These measures will emphasize minimizing fugitive dust. No significant adverse air quality impacts are anticipated as a result of the proposed Action.

5. The proposed action will not result in any wetland impacts. No wetlands are located in the vicinity of the site.
6. Stormwater management features proposed for the project including the installation of subsurface "Cultec" recharge chambers will assure that the post development runoff rate from the site will be equal or less than the pre-development rates for the various storm events. These measures will assure that the proposed action will not result in any significant adverse environmental impacts to surface water features.
7. The project will not create any new flooding impacts. The proposed guest cottage will be constructed above the base flood elevation. As a result, no significant adverse flooding impacts are anticipated.
8. The guest cottage has been sited to minimize the removal of on-site trees. No negative vegetation impacts are anticipated.
9. There will be no impact on a significant habitat area or any particular species of wildlife as a result of this project. No threatened or endangered species of animals or the habitat of such species have been identified on the site according to the NYS Natural Heritage Inventory.
10. The proposed guest cottage is proposed at the rear of the property, in a secluded location that will have limited visibility from Lincoln Lane and the surrounding properties. Additionally, the guest cottage will present a complimentary architectural appearance that is consistent with the character of the neighborhood. As a result, the project will not result in significant negative aesthetic impacts.
11. The water and electrical utility services for the guest cottage will be provided directly from the main dwelling. New services are not proposed. No adverse impacts will result.
12. A new subsurface sanitary disposal system is proposed for the new guest cottage. This system has been approved by the Westchester County Department of Health. As a result, no impacts associated with project-generated sewage will result from this action.
13. Long-term noise impacts are not anticipated as a result of the proposed Action. The guest cottage will not produce noise in excess of the local ambient background noise levels, and its mechanical equipment shall be designed and sound-attenuated to meet Town noise regulations. As a result, no permanent long term noise impacts are anticipated.

Short term noise impacts associated with the construction of the guest cottage are envisioned. These short term noise impacts shall be mitigated by maintaining construction equipment in good working order and providing mufflers. In conformance with the Town noise ordinance, noise levels from construction activities on this site between the hours of 8:00 am to 6:00 pm shall not exceed an L₁₀ of 65 dBA when measured at the property line. Interior construction activities may take place at other hours, in accordance with Town regulations.

14. The proposed action will not impair the character or quality of important historical, archaeological, or architectural resources. No such resources have been identified on or in the immediate vicinity of the site.
15. The project will generate additional solid waste, however, the amount is projected to be negligible. All solid waste generated by the project shall be collected on site, and shall be disposed of at an approved disposal facility. Similarly, all recyclables shall be similarly disposed of. No adverse impacts associated with solid waste generation are anticipated.
16. The proposed guest cottage will not create a hazard to human health.
17. The action will not result in changes in two or more elements of the environment, which alone would not have a significant effect on the environment, but when considered together, would result in a substantial adverse impact on the environment.
18. The proposed action is not related to another action which would be funded or approved by an agency which, when considered cumulatively, would meet one or any of the aforementioned criteria.