

VILLAGE OF BUCHANAN PLANNING BOARD RESOLUTION
DECLARING THE BOARD WILL ACT AS LEAD AGENCY
FOR PROPOSED C1/C-2 OVERLAY DISTRICT SPECIAL PERMIT
AND SITE PLAN APPROVAL FOR THE DEVELOPMENT OF UNIMPROVED
PROPERTY LOCATED ON 3095 ALBANY POST ROAD

Introduced by: Nicolas Zachary
Seconded by: Eileen Absenger
Dated: March 23, 2023

WHEREAS, on or about December 2, 2022, representatives of Carbone Brothers 3095 LLC (the “Applicant”) did submit a facially complete application to the Village of Buchanan Planning Board (the “Planning Board”) for C-1/C-2 Overlay District Special Permit and Site Plan approval and other related approvals for the development of approximately 4.87 acres of real property located at 3095 Albany Post Road (the “Subject Site”) in the Village of Buchanan; and

WHEREAS, the Applicant seeks to develop the Subject Site with 51 multi-family residential units proposed in three separate buildings supported by 102 at-grade parking spaces, a 2,275± square foot commercial building supported by 10 at-grade parking spaces and a 17,358± s.f. stormwater wetland system design consistent with NYS DEC Stormwater Design Manual (collectively the “Proposed Action”); and

WHEREAS, on January 26, 2023, at a regularly scheduled meeting of the Planning Board, the Board did review and discuss the Proposed Action; and

WHEREAS, the Planning Board, under Article VI.§211-24.1 and Article VII – Site Development Plan Approval of the Code of the Village of Buchanan, is a duly authorized agency that has the authority to approve the proposed Special Permit use and site development plan approval; and

WHEREAS, after a review of the application, the Planning Board acknowledges that there are other Interested and Involved Agencies, as those terms are defined under the State Environmental Quality Review Act (“SEQRA”), that should be notified of the Planning Board’s Intent to Act as Lead Agency; and

WHEREAS, the Planning Board pursuant to Article 8 of the Environmental Conservation Law (“SEQRA”), Part 617 of the General Regulations adopted pursuant thereto (“Part 617”) and, hereby determines that the Proposed Action is subject to SEQRA and based on an initial review of the Village Code classifies the action as a Type 1; and

BE IT FURTHER RESOLVED, that the following agencies identified by the EAF, and using all due diligence, are Interested or Involved Agencies for the Proposed Action and should be provide a copy of this Notice of Intent to Act as Lead Agency:

Village of Buchanan Village Board
Village of Buchanan Zoning Board
Town of Cortlandt
Westchester County Department of Health
Westchester County Department of Planning
New York State Department of Environmental Conservation
New York State Department of Transportation; and

NOW BE IT RESOLVED, that the required time for seeking input on Lead Agency status has passed, and the only Agencies to comment were NYS DOT (correspondence dated January 31, 2023) and Westchester County (correspondence dated February 3, 2023), neither of which objected to the Planning Board assuming the role of Lead Agency, and as such the Planning Board does hereby assume the role of Lead Agency and will coordinate an environmental review as required by SEQR Part 617.7.

Upon Roll Call

Jeffrey Faiella	<u>Yes</u>
Eileen Absenger	<u>Yes</u>
Tracey Armisto	<u>Abstained</u>
Jennifer Bakker	<u>Yes</u>
Nicolas Zachary	<u>Yes</u>

Vote: Resolution carried by a vote of 4 to -0-, with one abstained.

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)

I, CYNTHIA KEMPTER, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Planning Board of the Village of Buchanan at a meeting of said Board held March 23, 2023.



CYNTHIA KEMPTER, Village Clerk