

DRAFT

**TOWN OF CORTLANDT
PLANNING BOARD
PB 2019-17**

RESOLUTION NO. 22-19

WHEREAS, an application for Planning Board approval for the renewal of a Junkyard Special Permit pursuant to Chapter 307-61 of the Town of Cortlandt Zoning Ordinance was submitted by Brookfield Resource Management Inc., for the property of 2114 APR, LLC, as shown on a drawing entitled” Brookfield Resource Management Site Plan” prepared by Nosek Engineering dated October 22, 2010, and

WHEREAS, the subject property of approximately 8.7 acres is located on the east side of New York and Albany Post Road, 300 feet north of Dutch Street and is designated on the Town of Cortlandt Tax Maps as Section 54.08, Block 2, Lots 29 and 30, and

WHEREAS, pursuant to Part 617 of the implementing regulations of Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law the subject application is a Type II action, and

WHEREAS, the subject application was referred to the Westchester County Planning Board and the Town Engineering Division, and

WHEREAS, responses to the above mentioned referrals were considered by the Planning Board, and

WHEREAS, the front part of the subject property is zoned HC/9A, Highway Commercial/Multi Family to a depth of 200 feet and the remainder of the property is zoned M-1, Light Industrial, and

WHEREAS, the Planning Board considered this renewal of a Junkyard Special Permit pursuant to the requirements, conditions and standards contained in Sections 307-40, 307-41, 307-42 and 307-61 of the Town of Cortlandt Zoning Ordinance, and

WHEREAS, the Planning Board conducted a thorough review of a new Site Plan and Junkyard Special Permit application by PB Case No. 9-09 and issued Site Development Plan approval and a Junkyard Special permit by PB Resolution 56-10 adopted on December 7, 2010 and the first (3) year renewal

(continued on page 2)

of the Special Permit by PB Res. 44-13 adopted on October 1, 2013 and the second (3) year renewal by PB Res. 24-16 adopted on November 1, 2016, and

WHEREAS, the Planning Board considered possible long-term, short-term and cumulative impacts and found no significant effects which would result as a consequence of the proposed action.

NOW THEREFORE BE IT RESOLVED that the Planning Board as lead agency in this matter finds the application is considered a Type II action pursuant to the Article 8 of the New York State Environmental Conservation Law and Type II actions are not subject to SEQR review and the proposed action will have no significant adverse environmental impact, and

FURTHER BE IT RESOLVED, that the application of **Brookfield Resource Management Inc.** for the property of 2114 APR, LLC for the renewal of the Junkyard Special Permit pursuant to Section 307-61 of the Town of Cortlandt Zoning Ordinance to allow the continued operation of Brookfield Resource Management is **approved** for a period of three years subject to the conditions listed below, and

FURTHER BE IT RESOLVED, that the granting of this special permit is in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood and will not change the character thereof, or otherwise be detrimental to the public welfare.

CONDITIONS & MODIFICATIONS:

- 1. The applicant is to reapply for renewal of said permit three months prior to the December 7, 2022 Planning Board meeting. (The original Special Permit was issued on December 7, 2010). The Special Permit shall remain valid during the renewal process.**
- 2. The applicant shall maintain his property in compliance with all laws, regulations and ordinances of the Town of Cortlandt as determined by the Division of Code Administration and Enforcement and all other governmental agencies having jurisdiction.**
- 3. The applicant shall file an operating permit with the Division of Code Administration &**

(continued on page 3)

Enforcement to be renewed yearly subject to an inspection of the site by the Code Enforcement Office and the Town Fire Inspector.

4. The applicant shall provide to the Department of Technical Services, Code Enforcement Division current copies of all permits from agencies with approval authority and regulatory oversight (i.e. NYSDEC) for waste management and storm water runoff.

TO BE CONSIDERED FOR ADOPTION: OCTOBER 10, 2019