

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION REAPPROVING
THE SUBDIVISION TITLED
ARROWHEAD SUBDIVISION**

RESOLUTION NUMBER: #13-02

DATE: JANUARY 14, 2013

On the motion of _____, seconded by _____, and unanimously voted in favor by Fon, Flynn, Savoca, Rivera, and Kincart, the following resolution was adopted:

WHEREAS in accordance with the Planning Board's Land Development Regulations adopted February 13, 1969 and as last revised December 14, 2010, a formal application for the approval of An 8-lot subdivision plat entitled "Arrowhead Subdivision," Section 48.13 Block 1 Lot 6, prepared by J. Henry Carpenter & Co., consisting of two sheets, dated August 27, 2007 (hereinafter the "original subdivision approval"), was submitted to the Planning Board on October 9, 2007, by the applicant Christopher O'Keefe of 708 Underhill Avenue Corp., the applicant, and the applicant has represented to this board that they are the lawful owners of the land within said subdivision; and

WHEREAS said plat was approved by Planning Board Res #07-23 on **October 15, 2007**; and
WHEREAS said resolution expired on **April 14, 2008**; and
WHEREAS this resolution was granted two ninety (90) day time extensions; and
WHEREAS said extensions lapse on **October 13, 2008**; and

WHEREAS said plat was reapproved by Planning Board Res #08-20 on **October 6, 2008**; and
WHEREAS said resolution expired on **April 11, 2009**; and
WHEREAS this resolution was granted two ninety (90) day time extensions; and
WHEREAS said extensions lapse on **October 8, 2009**; and

WHEREAS said plat was reapproved by Planning Board Res #09-26 on **October 5, 2009**; and
WHEREAS said resolution expired on **April 7, 2010**; and
WHEREAS this resolution was granted two ninety (90) day time extensions; and
WHEREAS said extensions lapse on **October 5, 2010**; and

WHEREAS said plat was reapproved by Planning Board Res #11-05 on **March 14, 2011**; and
WHEREAS said resolution expired on **April 4, 2011**; and
WHEREAS this resolution was granted two ninety (90) day time extensions; and
WHEREAS said extensions lapse on **October 1, 2011**; and

WHEREAS said plat approval was amended and reapproved by Planning Board Res #11-26 dated October 17, 2011 to allow for the subdivision to be filed in two Phases and no other conditions of the original plat approval were waived or amended; and

WHEREAS the Applicant filed the plat entitled "Subdivision Plat showing Phase I of Arrowhead Subdivision," Sheets No. 226 & 227, prepared by Scott Chamberlain, LS of J. Henry Carpenter & Co., dated October 12, 2011 on February 7, 2012 as Plat #28551 Sheets 1 and 2; and

WHEREAS Planning Board Resolution #11-26 expired on **March 29, 2012**, and
WHEREAS this resolution was granted two ninety (90) day time extensions; and
WHEREAS said extensions lapsed on **September 25, 2012**; and

WHEREAS the Planning Board finds there has been no substantial change in the environmental findings leading to the approval of the subject subdivision based on the correspondence of the applicant's attorney of December 10, 2012; therefore

BE IT FURTHER RESOLVED that Wetland Permit #**WP/E-089-05** is reapproved subject to the requirements and conditions contained therein; and

BE IT FURTHER RESOLVED that no conditions of Planning Board Res#07-23 are waived by the approval of this resolution;

BE IT FURTHER RESOLVED If said plat for Phase I is not filed within 180 days from September 25, 2012, which is **March 24, 2013**, the plat shall be deemed disapproved.