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TOWN OF LEWISBORO
Westchester County, New York



Planning Board
PO Box 725
Cross River, New York 10518

Tel: (914) 763-5592
Fax: (914) 763-3637
Email: planning@lewisborogov.com

AGENDA

Tuesday May 20, 2014
7:30 P.M.

Town Offices @ Cross River
Cross River Plaza, Cross River

Note: Meeting will start at 7:30 p.m. and end at or before 11:30 P.M.

I. PUBLIC HEARING

Hazelnut Farm, 21 Waccabuc River Lane, South Salem, (Lynn Bygott, owner of record) - Application for Waiver of Site Development Plan Procedures to construct a covered riding ring - Cal # 7-13PB

Connie Plaehn, 14 Gilbert Street, South Salem – Application for Wetland Activity Permit Approval to install a 312 square foot floating dock and approximately 64 square foot garden shed at Lake Truesdale – Cal# 16-14WP

II. SKETCH PLAN REVIEW

Pinheiro Subdivision, 93 Old Post Road (Route 35), Cross River – Application for Sketch Plan Review of a two lot subdivision - Cal # 1-14PB

III. EXTENSION OF TIME

ThistleWaithe Learning Center (Lilypond Lane, LLC, owner of record), 1340 Route 35, South Salem – Request for Extension of Time to the Amended Site Plan Approval dated May 8, 2012, in order to complete the wetland and upland trails

IV. DISCUSSION

Composting Toilets – Lewisboro Town Park

V. CORRESPONDENCE AND GENERAL BUSINESS

VI. MINUTES OF April 22, 2014

HAZELNUT FARM

CAL# 7-13PB

TOWN OF LEWISBORO

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Lewisboro, Westchester County, New York will convene a Public Hearing on May 20, 2014 at 7:30 p.m., or soon thereafter, at the Town Offices @ Orchard Square Plaza, Lower Level, Cross River, New York, regarding the following:
Cal # 7-13PB.

Application for Site Development Plan Approval and Waiver of Site Development Plan Procedures submitted by Hazelnut Farm, 21 Waccabuc River Lane, South Salem, owner of record, Lynn Bygott, to permit the construction of a 60' x 80' covered riding arena and associated drainage improvements for a riding academy. The property is located at 21 Waccabuc River Lane, consists of approximately 7.6 acres of land, and is located within the Town's R4A Zoning District. The Waccabuc River traverses along the easterly property line and the subject property contains wetlands that are jurisdictional to the Town or Lewisboro, the New York State Department of Environmental Conservation (NYSDEC) and the Army Corps of Engineers (ACOE). A copy of materials and proposed site documents may be inspected at the office of the Planning Board Secretary, 20 Orchard Square, Suite L, Cross River, New York during the regular Planning Board hours. Persons wishing to object to the application should file a notice of objection with the Planning Board together with a statement of the grounds of objection prior to the closing of the Public Hearing. All interested parties are encouraged to attend the Public Hearing and all will be provided an opportunity to be heard.

**PLANNING BOARD
TOWN OF LEWISBORO
By: Jerome Kerner
Chairman**

Dated May 15, 2014

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Planning Board in advance.



From: [lynn bygott](#)
To: [Lisa Pisera](#)
Subject: fencing down
Date: Wednesday, April 09, 2014 1:59:26 PM



Lynn Bygott

Sales Specialist

Al Filippone Associates, LLC
William Raveis Real Estate
22 Old Kings Highway South 06820
203.655.5358 (office)
203.613.1146 (cell)
www.afahomes.com

TO: Town of Lewisboro Planning Board

FROM: Lewisboro Conservation Advisory Council (CAC)

SUBJECT: Hazelnut Farms
Project Review, Soil Erosion Plan and Site Plan Review

DATE: April 9, 2014

The Conservation Advisory Council (CAC) reviewed the Hazelnut Farm Project Review, Dated March 18, 2014. The submission includes the original January 2104 Stormwater Pollution Prevention Plan, prepared by AC Engineering.

Although a number of items seem to have been changed or addressed we continue to be concerned after our review at our April 7, 2014 meeting:

Summary:

We see no detail or change as to the CAC's memo last month, addressing the uncovered, and unsealed dumpster with a drain beneath that feeds directly into the storm water system. We are concerned that the verbal offer to cover the dumpster with a tarp will not be effective.

Detail

The applicant has included information in the Hazelnut Farm Horse Management Plan booklet that the concrete manure dumpster "pad complies with NYS guidelines". While this may be true, the dumpsters supplied by the applicant's stated servicer are NOT sealed, and the concrete pad shows a drain, both as pictured and on the site plans.

We note that the proposed combined drains from other higher-ground Hazelnut Farms buildings pass directly beneath this manure pad, and are joined to the pad's drain, potentially taking on manure effluent, and then flowing directly and unacceptably into the wetland buffer.

We ask that the Board clearly indicate to the applicant that they need to more effectively engineer the drains such that potential manure run-off from rain, urine, etc is completely separate from the storm drain system, and NOT feed directly into the wetland buffer as shown.

The WAC (Westchester Agricultural Council) Farm Plan supplied by the applicant states the following as possible solutions for manure run-off:

- Storage areas should also be well drained and not situated in sloped areas near water sources (streams, wetlands, wells, ponds) or where excess water can enter the area. Contact your County Soil and Water Conservation District to assist you with identifying the best site.
- Manure and farm waste are best stored on hard surfaces such as packed gravel or concrete.
- Depending on cost and conditions, you may consider building a roof over your manure pile to exclude rainfall and eliminate runoff.

We agree with the applicant's intent to incorporate the WAC suggestions, and provide an appropriate solution - either a separate system for the "pad" effluent, or simply a covering roof to exclude rain. But either way, any potential source of manure contamination must be disconnected from the stormwater system.

April 17, 2014

Jerome Kerner
Chair, Planning Board
Town of Lewisboro
20 Orchard Square, Suite L
Cross River, New York

Re: Cal #7-12PB

Dear Mr. Kerner and Planning Board members:

Regarding the application for Site Development Plan Approval and Waiver of Site Development Plan Procedures for 21 Waccabuc Lane, South Salem, we support horse farms and horse trails in Lewisboro and support what Lynn Bygott is doing to establish a horse farm there. Hazelnut Farm's horse trails are critical to the Lewisboro Horsemen's Association trails that run from Echo Farm (which the Town of Lewisboro helped preserve) to Old Field Preserve (which the Town of Lewisboro also helped preserve). We at 38 Bouton Road have always allowed riders, and hikers, to use our trail and we hope that Hazelnut Farm's trails, which have been closed recently, will again be open for use by riders.

When the County Planning Department agreed to support the preservation of Old Field Preserve in 2002 they relied on the fact that the trails at Old Field Preserve, and the private landowners' trails in the surrounding area, would be kept open to riders. The Town of Lewisboro Master Plan of 1970 specifically refers to and encourages the maintenance of the Lewisboro Trail system. Echo Farm, Old Field Preserve, the Lewisboro Horsemen's Association and the Lewisboro Trail depend on each and every landowner's willingness to maintain and keep their trails open to riders.

As neighbors living along the Waccabuc River, which runs along the eastern portion of the subject property, we want to be sure that the river is protected from stormwater pollution. The Waccabuc River is a Class A trout stream that runs directly into the Cross River Reservoir, a source of drinking water for 8 million residents of New York City and residents of Westchester County.

The subject property is constrained by steep slopes and wetland buffers, as can be seen in the accompanying maps. The 150 foot buffer for wetland soils encompasses more than half of the property, as can be seen in map 1.¹

The property, and the surrounding area, is extremely steep, dropping from an elevation of 690 feet above sea level to 450 feet above sea level at the Waccabuc River, as can be seen in map 2.² The majority of the property contains steep slopes. Since the town code deducts areas with slopes over 15% from buildable area calculations, it may be difficult to find sites for the proposed structure.

¹ Westchester County GIS, Copyright © 2012 Westchester County, White Plains, New York 10601
<http://giswww.westchestergov.com/wcgis/DataWarehouse.htm>

² Westchester County GIS

The challenge in building on this property becomes apparent when the two factors, steep slopes and wetland buffers, are combined, as can be seen in map 3³. When the constraints of steep slopes and wetland buffers are considered, only 7% of the property is not on steep slopes or in wetland buffers. This does not mean that an indoor ring cannot be built; it just means that care is needed in locating it in an area that is not impacted by steep slopes or wetland buffers.

Stormwater control is an issue that can be corrected. The recent stormwater improvements made, at great expense, by the Watershed Agricultural Council, are not preventing stormwater from flowing into the Waccabuc River. Three silt fences have been breached by stormwater runoff. Adding additional impervious surface will exacerbate stormwater erosion and pollution on the slopes and into the Waccabuc River and methods need to be developed that can contain the stormwater permanently, since silt fences are only a temporary measure and are not working currently.

Approximately 30,000 square feet (.7 acres) of native vegetation that could lessen stormwater erosion and pollution has been removed from the wetlands and wetland buffer adjacent to the Waccabuc River. Invasive Japanese stilt grass has taken advantage of the soil disturbance and the additional sunlight created by recent clearing to spread over approximately one-half acre of previously vegetated wetland buffer. Japanese stiltgrass outcompetes other vegetation; when it dies back in the fall and winter, no cover remains and soil erosion occurs along slopes adjacent to the Waccabuc River, spilling into the Waccabuc River.

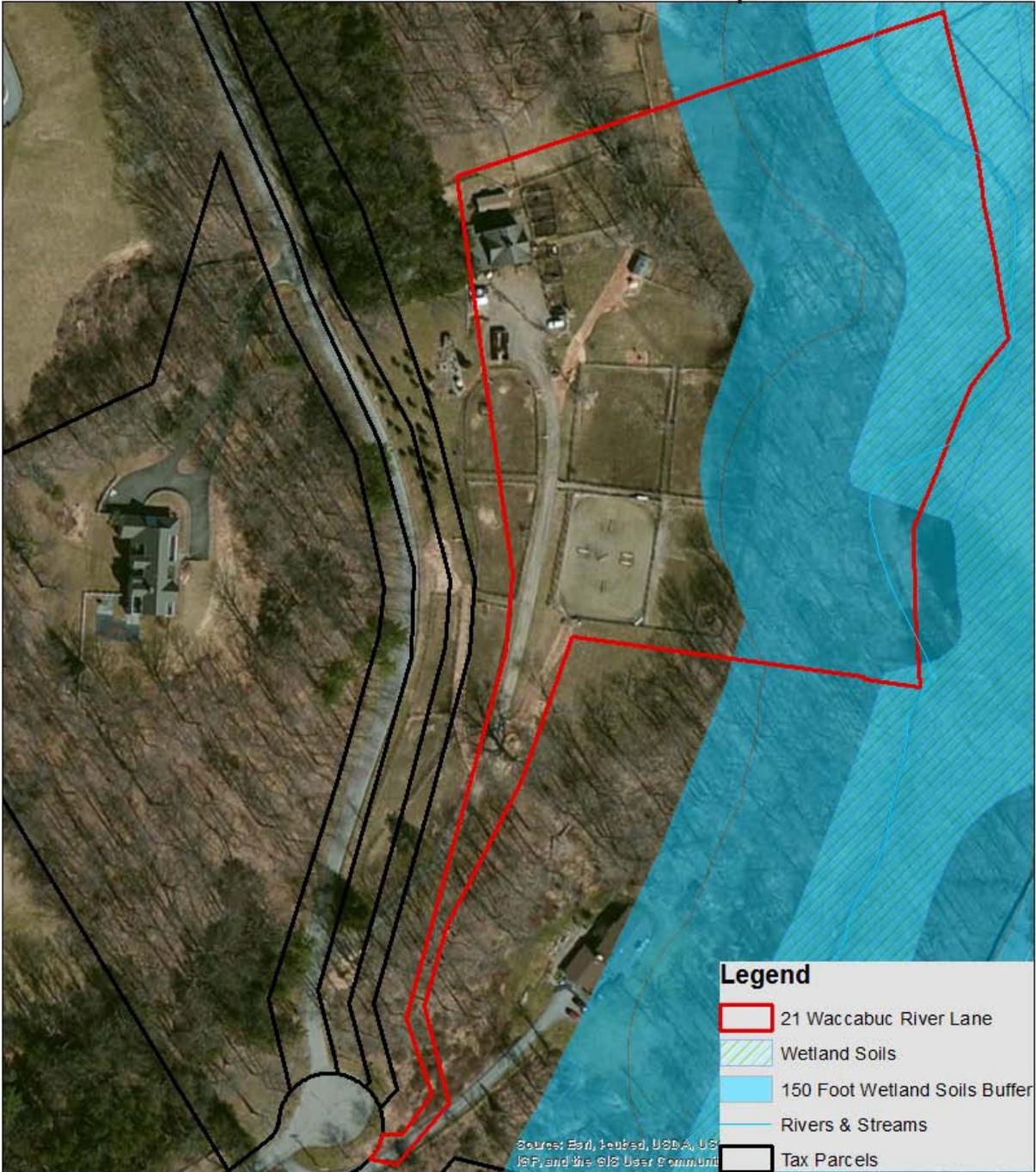
To mitigate current stormwater problems as well as future stormwater problems created by additional stormwater, vegetative buffers could be planted between the riding ring and the wetlands and in areas that have been cleared on neighboring landowners' property. Native vegetation could possibly be added to the areas outside the property boundaries that appear to have been cleared of vegetation (some evergreens and willows have recently been planted in these areas). Native plantings along Waccabuc River Road, along the eastern boundary and along the southwestern boundary, all of which have been recently cleared, would help intercept rain and slow stormwater runoff while filtering pollutants, preventing stormwater, silt, sediment, nitrogen and other pollutants from entering the Waccabuc River.

Thank you for your attention to this matter and for all the hours of effort that all of you volunteer to the Town of Lewisboro and to its citizens.

Jim Nordgren
38 Bouton Rd.
South Salem, NY

³ Westchester County GIS

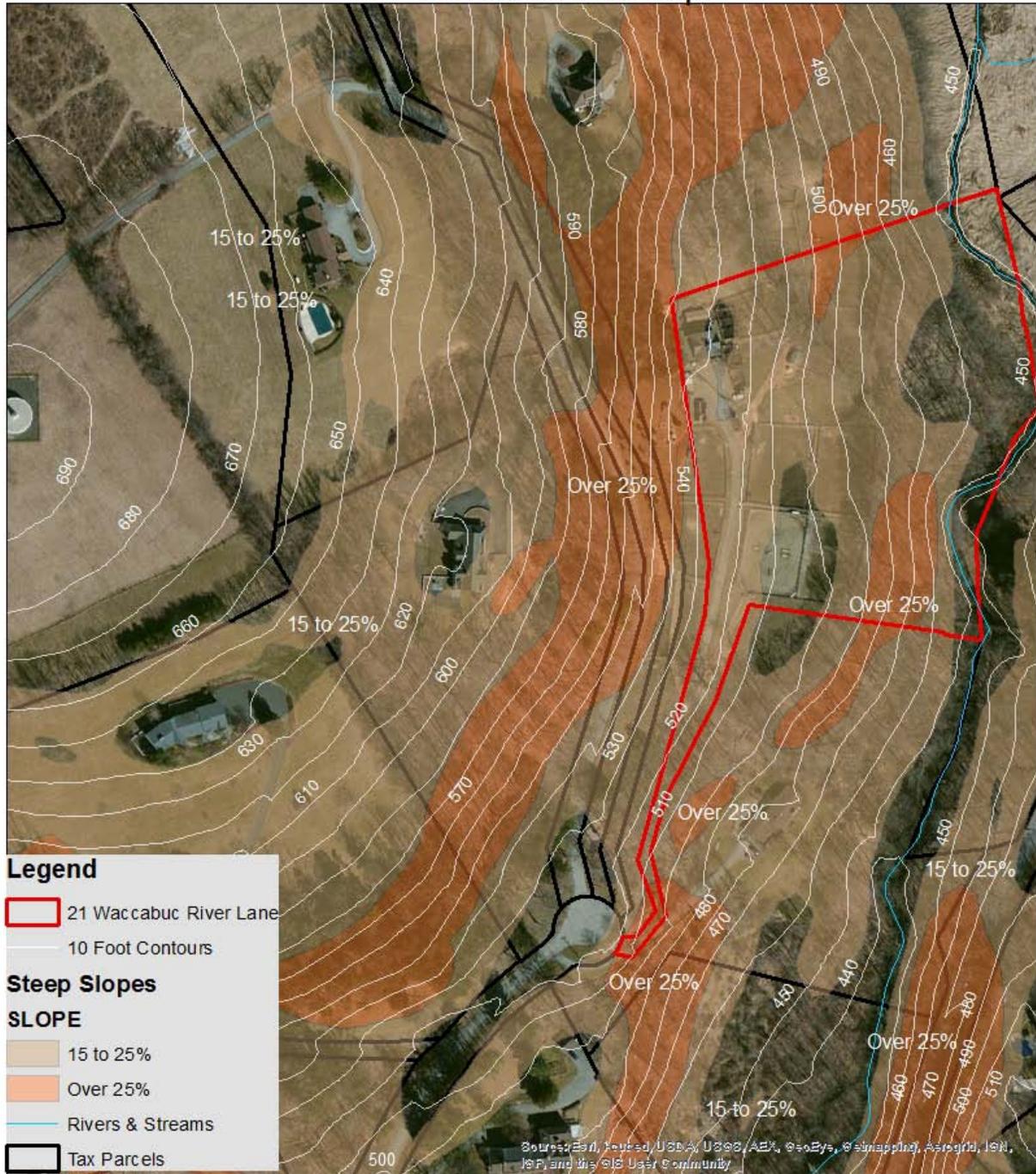
21 Waccabuc Lane 150 Foot Wetland Buffer Map



1 inch = 167 feet
180 90 0 180 Feet



21 Waccabuc Lane 10 Foot Contours Map



1 inch = 250 feet
280 140 0 280 Feet



21 Waccabuc Lane 150 Foot Wetland Buffer & Steep Slopes Map



1 inch = 167 feet
180 90 0 180 Feet



S

From: [Lia Grasso](#)
To: planning@lewisborogov.com
Cc: [Lisa Pisera](#)
Subject: Site Development Plan for 21 Waccabuc River Lane, South Salem
Date: Monday, April 21, 2014 4:07:41 PM
Attachments: [Waccabuc River Road Easment and Maintenance.pdf](#)

Jerome Kerner
Chair, Planning Board
Town of Lewisboro
20 Orchard Square, Suite L
Cross River, New York

Re: Cal #7-12PB

-
Dear Mr. Kerner and Planning Board members:

-
Regarding the application for Site Development Plan Approval and Waiver of Site Development Plan Procedures for 21 Waccabuc River Lane, South Salem, I am not in favor of this plan.

Waccabuc River lane is not a road, it is a **private driveway**. It is not wide enough to be called a road. It is indeed a private driveway with 7 owners.

I live on 24 Waccabuc River Lane, as well as 6 other owners, and share the private driveway. Our easement is from the cul-de-sac, all the way along the private driveway to each property. This is the same for the other 6 properties as well. In essence, we are all flag lots, adjacent to each other along this easement for the full length of the entire private driveway up to each owner's property. Please see the attachment enclosed, which was revised from the \$2,000,000 insurance policy we had previously. If Hazelnut Farm gets approval to further develop the property in any way, we need to bring back an insurance policy possibly more than the \$2,000,000 to protect us from liabilities.

Our private driveway (Waccabuc River Lane) of 7 owners, is shared & maintained by all of us. As neighbors on the shared, private driveway – I was not given any notification in writing about this proposed plan.

The subject property is constrained by steep slopes and wetlands, and drains into the Waccabuc River. I believe the Waccabuc River runs directly into the Cross River Reservoir, a source of drinking water for residents of New York City and residents of Westchester County. The run-off Stormwater control is an issue that needs to be considered. The slope of the property directly leads all run-off to the wetlands & the Waccabuc River.

I hope the planning board scrutinizes every aspect of this proposed plan. The current owner has knowingly already encroached on 2 of the adjacent properties. During the busy months, the cul-de-sac has been used to park various vehicles - horse trailers & equipment trucks, and many times overnight.

Our concern is that if the property is further developed, we will have more vehicles & traffic on the

cul-de-sac & our private road – which can hardly handle two way traffic as it exists today.

Currently Hazelnut Farm is in a residential zone, and building a covered arena will impact further the home values and truck and trailer traffic and parking, etc. It is an active business on a **very small strip of land already developed beyond its capacity, especially considering half is steep sloped woods and wetlands. The proposed development & future development of this property has become an elephant on a postage stamp.**

Thank you for listening to my opinion, and please do not approve this application.

Lia Grasso

24 Waccabuc River Lane, South Salem, NY 10590

PO Box 454, Waccabuc, NY 10597

lia@liagrasso.com

(914) 584-8440



U00185255

126

LH4017
LIBER 8212 PAGE 81

L. & H. Abstract Corp.
188 East Post Road
White Plains, New York 10601
(914) 428-3433

REVISED

DECLARATION AND MAINTENANCE AGREEMENT
TOGETHER WITH EASEMENT

JH
4017

WHEREAS, WACCABUC EQUITIES, a New York partnership, with offices at Cross River, New York (hereinafter referred to as "the Grantor") is the owner of certain real property located in the Town of Lewisboro, County of Westchester and State of New York more particularly described as follows: Lots #4, #6, #7, #8, #9, #10 and #11 on a certain map entitled "Subdivision Plat Waccabuc Heights, situated in the Town of Lewisboro, Westchester County, N.Y.", made by Chas. H. Sells, Inc., dated August 17, 1983, and filed in the Westchester County Clerk's Office, Division of Land Records on May 21, 1984 as Map No. 21162, and

WHEREAS, the Grantor has heretofore filed a Declaration and Maintenance Agreement Together with Easement dated the 19th day of June, 1985 and filed same in the Westchester County Clerk's Office, Division of Land Records on the 25th day of June, 1985 at Liber 8137, Page 191, and

WHEREAS, the Grantor is desirous of modifying said Declaration and Maintenance Agreement Together with Easement;

NOW, THEREFORE, in consideration of the foregoing, it is declared as follows:

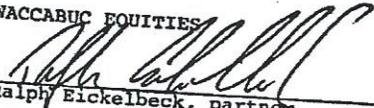
sh. 26
sk. 1083
of 105

UNIK 8212 PAGE 82

FIRST: The owners of Lots #4, #6, #7, #8, #9, #10 and #11 shall no longer be required to maintain a liability policy with a New York State insurance company with limits of not less than \$2,000,000.00. Such provision in the Declaration and Maintenance Agreement Together with Easement heretofore filed on June 24, 1985 is deleted. In all other respects the said declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Grantor has set its hand and seal this 21 day of August, 1985.

WACCABUC EQUITIES

by: 
Ralph Eickelbeck, partner

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

On the 21 day of August, 1985, before me personally came RALPH BICKELBECK, a partner in WACCABUC EQUITIES, and to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

William Holmes

Notary Public

WILLIAM HOLMES
Notary Public, State of New York
No. 30-4804125
Qualified in Westchester County
Commission Expires March 30, 1987

*Town of Lewisboro
Sheet 26
Block 10803
Lot 105*

RETURN TO:

GREENE & ZINNER
ATTORNEYS AT LAW
202 MAMARONECK AVENUE
WHITE PLAINS, NEW YORK 10601



WESTCHESTER COUNTY CLERK RECORDING PAGE
(THIS PAGE IS PART OF THE INSTRUMENT)

RECEIVED
WESTCHESTER COUNTY CLERK

1985 SEP 13 11 3 18

TYPE OF INSTRUMENT MTR DATE 9-5-85
STATUTORY CHARGE 5 MTGE AMT 31,000
RECORDING CHARGE 36 EXEMPT YES X NO

FILING CHARGE _____ REC'D TAX ON ABOVE MTGE
CROSS REFERENCE _____ BASIC \$ 155
CERT/RECEIPT _____ ADDITIONAL \$ 52.50
SUBTOTAL \$ 207.50
SPECIAL \$ 77.50
TOTAL \$ 285

DMD BY C 41

SERIAL NO C10291

- 02 BEDFORD
- 06 CORTLANDT
- 09 EASTCHESTER
- 11 GREENBURGH
- 12 HARRISON
- 16 LEWISBORO
- 17 MAMARONECK
- 19 MT KISCO
- 20 MT PLEASANT
- 21 MT VERNON
- 22 NEW CASTLE
- 23 NEW ROCHELLE
- 24 NORTH CASTLE
- 26 NORTH SALEM
- 28 OSSINING
- 30 PEEKSKILL
- 31 PELHAM
- 35 POUND RIDGE
- 36 RYE CITY
- 37 RYE TOWN
- 38 SCARSDALE
- 39 SOMERS
- 42 WHITE PLAINS
- 43 YONKERS
- 44 YORKTOWN

CONSID _____
RECEIVED
\$ _____
REAL ESTATE
TRANSFER TAX
WESTCHESTER
COUNTY

Andrew J. Spand
ANDREW J. SPAND
WESTCHESTER COUNTY CLERK

TERMINAL NO 85276000 TRANSFER FEES ND DATE RET'D

61425

06456001 09/13/85MFA 41.00

		SECTION _____ BLOCK _____ LOT _____ VILLAGE _____ TOWN _____ COUNTY _____ RECORD AND RETURN TO: _____
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THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:
 THE PROPERTY AFFECTED BY THIS INSTRUMENT IS SITUATE IN THE
 TOWN CITY OF YORKTOWN, COUNTY OF WESTCHESTER
 N.Y. A TRUE COPY OF THE ORIGINAL MORTGAGE RECORDED
 IN THE DIVISION OF LAND RECORDS OF THE COUNTY CLERK'S OFFICE OF
 WESTCHESTER COUNTY ON SEPT. 13, 1985 AT 9:18A M. IN
 LIBER 9364 PAGE 145 IN THE BOOK OF Mortgages
 WITNESS MY HAND AND OFFICIAL SEAL: *Andrew J. Spand*
 ANDREW J. SPAND, COUNTY CLERK



W00785176

LIBER 8137 PAGE 191

See Revised Declaration Liber 8212 Pg 81

112

DECLARATION AND MAINTENANCE AGREEMENT
TOGETHER WITH EASEMENT

WHEREAS, WACCABUC EQUITIES, a New York partnership, with offices at Cross River, New York (hereinafter referred to as "the Grantor") is the owner of certain real property located in the Town of Lewisboro, County of Westchester and State of New York more particularly described as follows: Lots #4, #6, #7, #8, #9, #10 and #11 on a certain map entitled "Subdivision Plat Waccabuc Heights, situated in the Town of Lewisboro, Westchester County, N.Y.", made by Chas. H. Sells, Inc., dated August 17, 1983, and filed in the Westchester County Clerk's Office, Division of Land Records on May 21, 1984 as Map. No. 21562, and

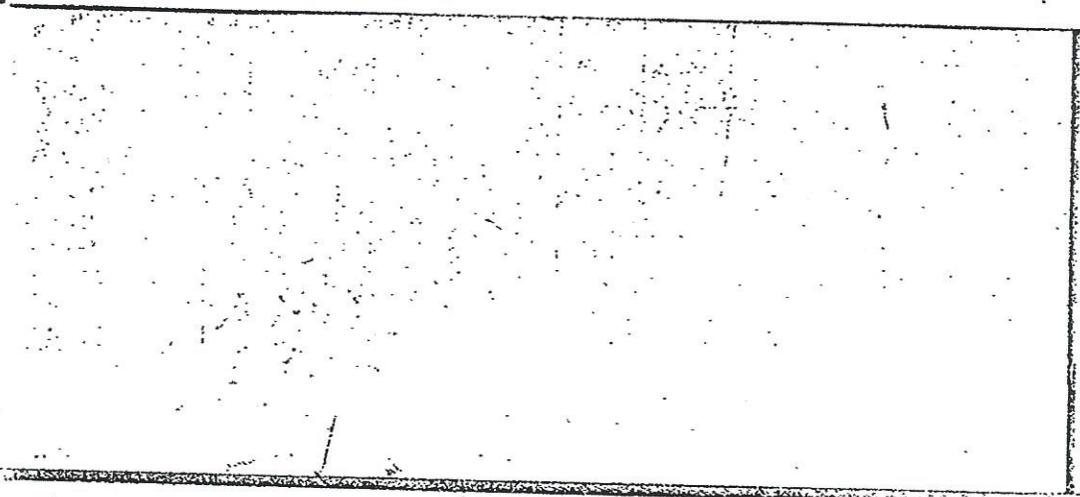
WHEREAS, pursuant to said subdivision map there exists a common driveway easement entitled, "Common Driveway Easement B", and

WHEREAS, the owner of Lot #6 is the owner in title to Common Driveway Easement B, and

WHEREAS, the Grantor desires to provide for a maintenance agreement for the continued maintenance and upkeep of the said Common Driveway Easement B including snow removal in order to secure the harmonious maintenance and upkeep of Common Driveway Easement B for any successors in interest through the Grantor, and

WHEREAS, the said Common Driveway Easement B does not presently serve Lot #11, and

WHEREAS, it is the intention of the Grantor to grant to any owner of Lot #11, its heirs, successors and assigns, an easement



over Common Driveway B and upon Lots #7, #9 and #10 for the purpose of ingress and egress to the aforescribed Lot #11.

NOW, THEREFORE, in consideration of the foregoing, it is declared as follows:

The owners of Lots #4, #6, #7, #8, #9, #10 and #11 shall maintain and upkeep Common Driveway Easement B in such a condition so as to enable free and unhampered access including snow removal along Common Driveway Easement B and they shall bear the following proportioned expense for such upkeep. Consistent with the above the owners of the lots shall maintain a liability policy with a New York State insurance company with limits of liability of not less than \$2,000,000.00.

Lot #4	11.5%	12
Lot #6	17.7%	
Lot #7	17.7%	
Lot #8	17.7%	
Lot #9	17.7%	
Lot #10	15.9%	
Lot #11	1.8%	

A committee represented by each Lot owner, exclusive of Lot #11, affected by Common Driveway Easement B shall be set up for the purpose of determining such action as may be necessary to maintain the easement area as above described. Decisions concerning the same shall be determined by a majority vote of those entitled to vote. Each owner affected by the easement shall be entitled to one vote. In the event of a deadlock, those land owners that are responsible for a majority percentage of the maintenance shall prevail.

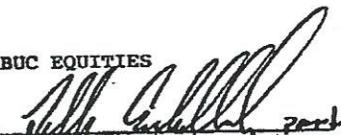
The Grantor does hereby declare an easement for the purpose of ingress and egress to Lot #11 in favor of the lot owner or any subsequent lot owner of Lot #11, its heirs, successors and assigns, over but limited to 150 feet of Common Driveway Easement B and 150 feet over Lots #7, #9, and #10 commencing at the cul de sac located on Waccabuc River Lane formerly known as Agnew Lane, Town of Lewisboro, County of Westchester, State of New York.

The owner of Lot #11 shall be entitled to make such improvements as are necessary for ingress and egress to Lot #11 upon the easement area located on Lots #7, #9 and #10 (exclusive of Common Driveway Easement B) provided that such expenses shall be borne exclusively by the owner of Lot #11.

This Declaration shall be binding upon the Grantor, its heirs, successors and assigns.

IN WITNESS WHEREOF, the Grantor has set its hand and seal this 19 day of June, 1985.

WACCABUC EQUITIES

by: 

Ralph Eickelbeck

WESTCHESTER COUNTY CLERK RECORDING PAGE

WESTCHESTER COUNTY CLERK

TYPE OF INSTRUMENT DLR DATE 1985 JUN 25 AM 9:03

STATUTORY CHARGE 3 HTGE AMT _____

RECORDING CHARGE 12 EXEMPT YES _____ NO _____

FILING CHARGE _____ REC'D TAX ON ABOVE HTGE

CROSS REFERENCE _____ BASIC \$ _____

CERT/RECEIPT _____ ADDITIONAL \$ _____

_____ SUBTOTAL \$ _____

_____ SPECIAL \$ _____

_____ TOTAL \$ _____

_____ SERIAL NO _____

EXD BY B

CONSID _____

ANDREW J. SPANO
WESTCHESTER COUNTY CLERK

02 BEDFORD
06 CORTLANDT
09 EASTCHESTER
11 GREENBURGH
12 HARRISON
16 LEWISBORO
17 MAMARONECK
19 MT KISCO
20 MT PLEASANT
21 MT VERNON
22 NEW CASTLE
23 NEW ROCHELLE
24 NORTH CASTLE
26 NORTH SALEM
28 OSSINING
30 PEEKSKILL
31 PELHAM
35 POUND RIDGE
36 RYE CITY
37 RYE TOWN
38 SCARSDALE
39 SOMERS
42 WHITE PLAINS
43 YONKERS
44 YORKTOWN

15188001 06/25/85CPA 17.00

RECEIVED
\$ _____
REAL ESTATE
TRANSFER TAX
WESTCHESTER
COUNTY

TERMINAL NO 55176W007 TRANSFER FEES NO 39217 DATE RET'D _____

		SECTION	BLOCK	LOT	VILLAGE	TOWN	COUNTY
		RECORD AND RETURN TO:					

THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

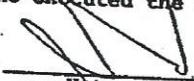
THE PROPERTY AFFECTED BY THIS INSTRUMENT IS SITUATE IN THE
 TOWN CITY OF LEWISBORO, COUNTY OF WESTCHESTER
 N.Y. A TRUE COPY OF THE ORIGINAL DECLARATION & PAYMENT AGREEMENT RECORDED
 IN THE DIVISION OF LAND RECORDS OF THE COUNTY CLERK'S OFFICE OF
 WESTCHESTER COUNTY ON JUNE 25, 1985 AT 9:03A M. IN
 LIBER 8137 PAGE 191 IN THE BOOK OF Deeds
 WITNESS MY HAND AND OFFICIAL SEAL: Andrew J. Spano
 ANDREW J. SPANO, COUNTY CLERK

STATE OF NEW YORK

COUNTY OF WESTCHESTER

) SS.:

On the 19 day of June, 1985, before me personally came RALPH EICKELBECK, a partner in WACCABUC EQUITIES, and to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.



Notary Public

ANDREW GREENE
Notary Public, State of New York
No. 60-4520689
Qualified in Westchester County
Commission Expires March 31, 1986

From: lynn_bygott
To: [Lisa Pisera](mailto:Lisa.Pisera); [Jan Johannessen](mailto:Jan.Johannessen)
Subject: Re: Hazelnut Farm
Date: Monday, April 28, 2014 12:43:49 PM

Lisa,
Please pass this along to the board - I will forward letter when Carrie drafts it.
Best,
Lynn

On Apr 25, 2014, at 10:20 AM, Carrie Davis <cdavis2@nycwatershed.org> wrote:

Hi Lynn,

Glad to hear the paddocks are looking nice and I hope you are enjoying the spring!

Thanks for reaching out to me. As for your dumpster, a roof is not necessary since all of the storm water from the pad is directed to a vegetated filter area. I would be happy to put something in writing to the Town explaining this. Requiring a roof sounds overly restrictive to me, but that would be an Ag and Markets determination.

Kind Regards,

Carrie Davis

Agricultural Program Coordinator

Watershed Agricultural Council

East of Hudson Program

1275 Hanover St., Yorktown Heights, NY 10598

914-962-6355 | 845-519-7652 (mobile) | 914-962-5436 (fax)

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From: lynn_bygott [mailto:hazelnut@aol.com]
Sent: Thursday, April 24, 2014 8:56 PM
To: Carrie Davis
Subject: Hazelnut Farm

Hi Carrie!

I hope you are well! The paddocks are coming up so nice this spring - I think because of the liming we did! (or maybe that heavy coat of snow).

The lovely town of Lewisboro is requesting that I cover my manure dumpster. Is this something that WAC would pay for if I have funds left from last years project. Or, do you want to attend our next Public Hearing for the Indoor and explain that we do not need one. It is May 20th 7pm in South Salem.

I figured I would just ask!!

Best,

Lynn

Lynn Bygott

Sales Specialist

Al Filippone Associates, LLC
William Raveis Real Estate
22 Old Kings Highway South 06820
203.655.5358 (office)
203.613.1146 (cell)
www.afahomes.com

Lynn Bygott

Sales Specialist

Al Filippone Associates, LLC
William Raveis Real Estate
22 Old Kings Highway South 06820
203.655.5358 (office)
203.613.1146 (cell)
www.afahomes.com

PLAEHN

CAL# 16-14WP

TOWN OF LEWISBORO

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Lewisboro, Westchester County, New York will convene a Public Hearing on May 20, 2014 at 7:30 p.m., or soon thereafter, at the Town Offices @ Orchard Square Plaza, Lower Level, Cross River, New York, regarding the following:
Cal # 16-14WP.

Application for Wetland Activity Permit Approval submitted by Connie Plaehn, 14 Gilbert Street, South Salem, to permit the installation of a 312 square foot floating dock, a 64 square foot storage shed and associated paver patio, electrical service to the shed, a proposed arbor to be located over an existing walkway, and landscaping. The property is located at 14 Gilbert Street, and is located within the Town's R ¼ A Zoning District. A copy of materials and proposed site documents may be inspected at the office of the Planning Board Secretary, 20 Orchard Square, Suite L, Cross River, New York during the regular Planning Board hours. Persons wishing to object to the application should file a notice of objection with the Planning Board together with a statement of the grounds of objection prior to the closing of the Public Hearing. All interested parties are encouraged to attend the Public Hearing and all will be provided an opportunity to be heard.

**PLANNING BOARD
TOWN OF LEWISBORO
By: Jerome Kerner
Chairman**

Dated May 15, 2014

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Planning Board in advance.



NOTICE
This property is the subject of an application before the
Township Planning Board.
A Public Hearing has been scheduled at which interested parties
will be afforded an opportunity to be heard.
Please contact the Planning Board Secretary at
914-763-3592
or visit
www.townoforange.com
for additional information.

THE
BEACH HOME
ESTABLISHMENT
1932

14
GILBERT STREET

SCHEINKMAN ALAN D
5 BOUTON STREET
SOUTH SALEM, NY 10590

VOSLER JAMES J &
SHIRLEY H
21 GILBERT STREET
SOUTH SALEM, NY 10590

WALDMAN ALAN &
BETH
7 BOUTON STREET
SOUTH SALEM, NY 10590

ROSSI ANASTASTO A
17 GILBERT STREET
SOUTH SALEM, NY 10590
*18 Anderson Road
Katonah, NY 10536*

SWEIGERT MARCIE &
ZOPPO DARIEN J
9 BOUTON STREET
SOUTH SALEM, NY 10590

GORTON LARA
22 GILBERT ST
SOUTH SALEM, NY 10590

TRUESDALE EST ASSOC INC C/O
MARGARET PRYOR
TRUESDALE LAKE DRIVE
SOUTH SALEM, NY 10590

RYAN DANIEL T + CHARLENE S
19 GILBERT STREET
SOUTH SALEM, NY 10590

GORTON LARA
GILBERT ST
SOUTH SALEM, NY 10590

PLAEHN CONNIE - *subject property*
14 GILBERT ST
SOUTH SALEM, NY 10590

TEGTMEIER THOMAS M &
GINA M
11 BOUTON STREET
SOUTH SALEM, NY 10590

FRIES GREGORY &
ELIZABETH
3 BOUTON STREET
SOUTH SALEM, NY 10590

BARNWELL EMANUEL R &
EILEEN C
1 BOUTON STREET
SOUTH SALEM, NY 10590

LAW LeROY MAHLER &
NANCY H
16 GILBERT ST
SOUTH SALEM, NY 10590

HARDART FRANK J III
12 GILBERT ST
SOUTH SALEM, NY 10590

SIMON PETER J &
RENEE A
15 GILBERT STREET
SOUTH SALEM, NY 10590

BARTHOLET CHARLES F &
ANNE M
9 GILBERT STREET
SOUTH SALEM, NY 10590

FARRELL JUDY
11 GILBERT STREET
SOUTH SALEM, NY 10590

TRUESDAL LAKE PROPERTY OWNERS
ASSN
GILBERT ST
SOUTH SALEM, NY 10590
*P.O. Box 193
S. Salem, NY*

Michael Fuller Sirignano
Attorney and Counselor at Law

5/7/14
Hand Delivered

Old Post Road Professional Building
892 Route 35, P.O. Box 784
Cross River, New York 10518

Tel: (914) 763-5500
Fax: (914) 763-9589
michael@sirignano.us

May 6, 2014

Jerome Kerner
Planning Board Chairman
Town of Lewisboro
@Orchard Square
Suite L (Lower Level)
Cross River, NY 10518

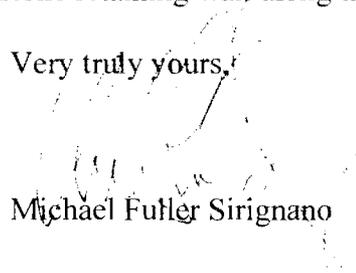
Re: Connie Plaehn, Cal. #16-14WP
Wetland Activity Permit Application
Premises: 14 Gilbert Street

Dear Chairman Kerner and
Members of the Planning Board:

A question was raised at the April 22nd meeting concerning Ms. Plaehn's right to secure her floating dock to the retaining wall along the shoreline. I asked my title company to research her ownership rights and I was provided with the chain of title for this premises going back to the original October 5, 1933 conveyance of this lot by Truesdale Lake Corporation. Copies of the following deeds are enclosed: Liber 3340, Page 421 (10/5/33); Liber 4146, Page 53 (4/27/44); Liber 7166, Page 318 (11/15/73); Liber 12182, Page 5 (7/28/98) and Control No. 501663498 (6/18/10).

The 1933 deed expressly provides in paragraph "SECOND" thereof that the Truesdale Lake Corporation conveyed all title and interest to "the land fronting said lot lying below the waters of said lake to the center line thereof...." Thus ownership of this lake front lot includes the land under the waters to the center line of Lake Truesdale. Similar language is repeated in the 1944 and 1973 deeds. The 1998 and 2010 deeds likewise conveyed all rights which run with the land including rights to lands under the lake to the center line thereof. Hence Ms. Plaehn has the right to connect her floating dock to the stone retaining wall along the shoreline and to access same from her rear yard.

Very truly yours,


Michael Fuller Sirignano

MFS/cp
Enclosure

cc: Connie Plaehn
Jeri Barrett



This Indenture made the fifth day of October in the year nineteen hundred and thirty-three, -- between TRUESDALE LAKE CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of New York and having its principal office and place of business in South Salem, Westchester County and State of New York, party of the first part, and ----- HAROLD D. BLISS ----- residing at 229 Seaman Avenue, New York City, -----

in the County of New York, in the State of New York, party of the second part:

WITNESSETH, that the party of the first part in consideration of the sum of ----- ONE HUNDRED ----- Dollars, lawful money of the United States, and other valuable considerations, paid by the party of the second part, the receipt whereof is hereby acknowledged, does hereby grant and release unto the said party of the second part, his heirs, successors and assigns forever,

ALL that certain lot or parcel of land, with the buildings and improvements thereon erected, situate in the Town of Lewisboro, County of Westchester and State of New York, being shown and designated as Lot Number Twenty-nine, on a certain map known as "Map of Section No. ONE of Truesdale Lake property, South Salem, Town of Lewisboro, Westchester County, New York," made by J. Albert Schaefer, C.E. dated April 15, 1926, ----- and filed in the office of the Register of Westchester County, as Map No. 3015, on June 29, 1926.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises, and to the roadway fronting said premises to the center line thereof, and in the event that said premises front upon Truesdale Lake, to the land under the waters thereof fronting the shore line of said premises to the legal center line of said lake, all as more particularly is hereinafter set forth, and including the

right of access to Truesdale Lake by and over the roads and streets as may from time to time be designated or re-located or set aside by the party of the first part, its successors and assigns, for the use of the colony of Truesdale Lake; and as well, under such rules, regulations and restrictions as may from time to time be prescribed by the party of the first part, its successors or assigns, to the use, in common with others, of the said Lake for the purposes of bathing, boating, fishing and ice sports:

TO HAVE AND TO HOLD the above granted premises and rights unto the said party of the second part, his heirs, successors and assigns forever, subject to the following conditions, covenants, restrictions and agreements, which the party of the second part, hereinafter in such covenants referred to as the purchaser, does for himself or herself, as the case may be, and for his or her heirs, successors, grantees and mortgagees, covenants and agrees with the party of the first part, its successors and assigns, as follows:

FIRST: That the grant of title to that portion of the roadway or street abutting the said premises by this deed conveyed, to the center line thereof is subject to the perpetual right and easement in and to the party of the first part, its successors and assigns, to the use thereof for all roadway purposes and for the installation, maintenance and operation of all character of service and utility poles, wires, conduits and pipes and their appurtenances, along, upon, through and over said road or street to the full width thereof as shown on said map.

SECOND: In the event that the lot described fronts upon Truesdale Lake, this deed includes all the title and interest of the party of the first part in the land fronting said lot lying below the waters of said lake to the center line thereof which under the law would appertain to the said upland lot, but subject to the perpetual right and easement in and to the party of the first part, its successors and assigns, to the use of the waters of such lake in its interest and in the interest of the property owners at Truesdale Lake under regulations as may be made from time to time by the party of the first part, its successors and assigns, and subject further to the perpetual restriction and condition that without the duly executed consent in writing and under seal of the party of the first part, its successors or assigns, no structure, building or obstruction of any kind, except as hereinafter provided, shall by the party of the second part, his heirs, successors or assigns, be erected or placed upon the said land lying under the waters of said lake.

THIRD: That title to land included in this conveyance which is part of any road or highway is subject to a permanent easement running with the land and for the use thereof by the Truesdale Lake Corporation, its successors and assigns for all roadway and highway purposes and for the installation, maintenance and operation of all character of service and utility poles, wires, conduits and pipes and their appurtenances, along, upon, through and over said road, street or highway, including improvements necessary or desirable in connection therewith in the discretion of said company, its successors or assigns, and the said TRUESDALE LAKE CORPORATION, its successors and assigns may in its or their discretion dedicate or transfer to the State, County, Town or Village the use of any or all of such roads, streets and highways for highway purposes.

FOURTH: That no sale, transfer or lease of the property conveyed, including improvements which may hereafter be erected thereon, shall be made by the party of the second part or his successors in title, unless and until the prospective purchaser or lessee shall be approved by the TRUESDALE LAKE CORPORATION and by the Truesdale Lake Club or the Truesdale Beach Club as eligible for membership in one or both of said clubs, such approval in the case of the TRUESDALE LAKE CORPORATION to be indicated by written consent of its President, Vice President or Secretary, and in the case of said clubs by written consent of the president or other duly constituted officer of such club, it being the purpose of this restriction to limit the re-sale of land at Truesdale Lake and of the use of such land to such persons as are acceptable to the TRUESDALE LAKE CORPORATION, its successors or assigns, and to other owners of land at TRUESDALE LAKE as the same shall be manifested by the action herein provided for.

FIFTH: That the party of the second part, his heirs, successors or assigns shall not at any time erect, make, carry on or suffer or permit in any manner upon any portion of the premises conveyed, any brewery, distillery, or other place for the manufacture or sale of intoxicating or spirituous liquors, or any business or trade of any kind or character whatsoever, including a rooming house or boarding house, hotel or restaurant, market, public garage or dog kennel, nor shall there be displayed upon any part of the premises any advertising sign, billboard, poster or display, except that the owner may display a small sign stating that the premises are for sale or to let, it being the intent and purpose of this agreement that the premises shall be used exclusively for dwelling purposes of the owner of the property or his tenant when such tenant is approved as provided for in the preceding paragraph.

SIXTH: That except with the written consent of the TRUESDALE LAKE CORPORATION, its successors or assigns, executed under seal, the party of the second part, his heirs, successors or assigns shall not use, suffer or permit to be erected, maintained or used upon any portion of the said premises any building whatsoever, except one dwelling house or residence for a single family and a garage which shall be a part of said dwelling house or residence, or to be attached thereto in such manner as to appear to be a part thereof or an extension thereof, and except for good cause shown and with such consent no part of any such dwelling house or residence or connected garage shall be erected or maintained within twenty-five (25) feet of the line of the highway, or of the lake, or within five (5) feet of any side line of the property, it being specifically understood and agreed that any and all buildings, additions, extensions or improvements erected or placed upon the property, shall in advance of construction, be subject to the approval in writing as to architecture and color thereof by the Board of Directors of the TRUESDALE LAKE CORPORATION, its successors and assigns, being directly or through the company's

architect. Upon lots having a frontage on the lake, a bathhouse and a boat or landing platform may be erected and maintained, subject to the conditions above prescribed as to architect's approval and provided that no portion thereof shall extend beyond the shore line a distance of more than fifteen (15) feet. Specifications for water connections and valve boxes and the use of water and of electric power shall in like manner meet the requirements of the TRUESDALE LAKE CORPORATION, its successors and assigns.

SEVENTH: That the party of the second part, his heirs, successors and assigns shall not at any time erect, suffer or permit to be erected or maintained upon any portion of the said premises any out-building or enclosure of any kind or character what-so-ever and that no solid fence shall be built around the said property to a height of more than three (3) feet, and then only with the approval in writing of the TRUESDALE LAKE CORPORATION, its successors and assigns.

EIGHTH: That the purchaser upon the erection of any dwelling house upon the premises shall at that time install and thereafter maintain in connection with such building a septic tank in all respects sufficient to dispose of the sewage therefrom in a sanitary and adequate manner.

NINTH: That the TRUESDALE LAKE CORPORATION reserves to itself and its successors and assigns the right to prescribe and from time to time to amend or rescind rules and regulations governing the use of the roadways and benches at Truesdale Lake and as well all use of the waters of Truesdale Lake, including bathing, boating, fishing and winter sports therein and thereon as the said company may determine to be to the best interests of those entitled to use Truesdale Lake, and which rules and regulations the party of the second part and his heirs, successors and assigns agree to abide by. But nothing therein contained shall be construed as an obligation on the part of the TRUESDALE LAKE CORPORATION, its successors or assigns to prescribe or enforce such rules and regulations.

TENTH: That the TRUESDALE LAKE CORPORATION reserves to itself, its successors and assigns, either for the purpose of meeting an emergency or for bettering or improving the shore front or the lake bottom, the right to lower temporarily the waters of Truesdale Lake.

ELEVENTH: That if any improvements, repairs or alterations have been commenced and have not been completed at least four months before the recording of this deed, the grantor will receive the consideration for this conveyance as a trust fund to be applied first for the purpose of paying the cost of improvement and that it will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

TWELFTH: That these restrictions and covenants and each of them, except where otherwise specifically stated or as modified as herein provided, are hereby declared and agreed to be, by the parties hereto and their heirs, successors and assigns, covenants running with the land until January 1, 1950.

This conveyance is subject to rights heretofore granted telephone and electric light companies for the erection and maintenance of wire lines to serve the colony, and subject to any other state of facts which an accurate survey would show.

And the said TRUESDALE LAKE CORPORATION does covenant with the said party of the second part as follows:

- FIRST: That said TRUESDALE LAKE CORPORATION is seized of the said premises in fee simple and has good right to convey the same.
- SECOND: That the party of the second part shall quietly enjoy the said premises.
- THIRD: That the said premises are free from incumbrances, except as stated.
- FOURTH: That the party of the first part will execute and procure any further necessary assurance of the title to said premises.
- FIFTH: That the said TRUESDALE LAKE CORPORATION will forever warrant the title to said premises.

IN WITNESS WHEREOF, the said TRUESDALE LAKE CORPORATION has caused these presents to be signed by its President and its corporate seal to be hereto affixed the day and year first above written.



WITNESSES:
7. 1. 1928
Secretary
Herbert J. Selony

TRUESDALE LAKE CORPORATION
By: *John F. Selony* President
Herald D. Bling (L. S.)

STATE OF NEW YORK, } ss.
County of NEW YORK

On this 15th day of October, nineteen hundred and thirty-three before me personally appeared JOHN F. O'RYAN

to me known, who being by me duly sworn did depose and say that he resides in the Borough of Manhattan, City, County and State of New York that he is the President of the TRUESDALE LAKE CORPORATION, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporation seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



STATE OF NEW YORK, } ss.
County of Westchester

MANORNEY, P. DAILY
Notary Public Westchester Co. No. 471, Res. No. 5124
Cant. West N. Y. Co. No. 127, Exp. Nov. 22, 1934
Com. Civil Westchester Co.
Catharine's Landing - 5124 & 21 103

On this 7th day of October, nineteen hundred and thirty-three, before me personally appeared HOWARD D. BLISS, of 229 Seaman Avenue, New York City, N.Y.

the person mentioned and described as the party of the second part in the foregoing deed, to me known, and known to me to be the person so described and who executed the said deed, and he acknowledged to me that he executed the same for the purposes therein stated.

Robert J. Blong
Notary Public
Westchester County, N.Y.
Commission expires March 30, 1935

The foregoing instrument was endorsed for record as follows: The property affected by this instrument is situate in the TOWN OF LEWISBORO in the County of Westchester, N. Y. A true copy of the original DEED RECORDED OCT. 10, 1933, at 10:40AM at request of WEST TITLE & TRUST CORP.
FEE: \$ 5.20 No. 20550 ARTHUR S. MAUDLIN, Registrar.

ORIGINAL

~~NO~~ TRUES
HOVA 2 R
||| M F
THE LAND AT
MENT LIES IN
Lot No. Room
- House
- 229
- TRUES

100.0 AND 100.00 EAST 41st Street
100.00 AND 100.00
100.00 AND 100.00
100.00 AND 100.00

5.20 A - 00044 10-10-33

10-10-33
10-10-33
10-10-33

THIS INDENTURE, made the 27th day of April, nineteen hundred and forty-four, BETWEEN

HAROLD D. BLISS, residing at South Salem, Town of Lewisboro, Westchester County, State of New York,

HAROLD D. BLISS and HELEN party of the first part, and KENNEALEY BLISS, his wife, residing at South Salem, Town of Lewisboro, Westchester County, State of New York, as tenants by the entirety with right of survivorship

party of the second part.

WITNESSETH, that the party of the first part, in consideration of ONE HUNDRED

and no/100 - - - - Dollars, lawful money of the United States, and other good and valuable consideration,

paid by the party of the second part, does hereby grant and release unto the parties second part their heirs, administrators, executors and assigns forever.

ALL that certain lot or parcel of land, with the buildings and improvements thereon erected, situate in the Town of Lewisboro, County of Westchester and State of New York, being shown and designated as Lot Number Twenty-nine, on a certain map known as "Map of Section No. One of Truesdale Lake Property, South Salem, Town of Lewisboro, Westchester County, New York", made by J. Albert Schaefer, C.E., dated April 15, 1926 and filed in the office of the Register of Westchester County, now known as the Westchester County Clerk's Office, Division of Land Records, as Map No. 3015, on June 29, 1926.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises, and to the roadway fronting said premises to the center line thereof, and in the event that said premises front upon Truesdale Lake, to the land under the waters thereof fronting the shore line of said premises to the legal center line of said lake, including the right of access to Truesdale Lake by and over the roads and streets

-Together with the benefits of and subject to covenants and restrictions record affecting said premises, if any.

Revenue Stamp Attached

Handwritten initials

FO

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, her heirs, executors, administrators and assigns forever,

AND the party of the first part, in compliance with Section 13 of the Lien Law, hereby covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND said party of the first part covenants as follows:

- FIRST.—That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;
- SECOND.—That the party of the second part shall quietly enjoy the said premises;
- THIRD.—That the said premises are free from incumbrances, except as above set forth
- FOURTH.—That the party of the first part will execute or procure any further necessary assurance of the title to said premises;
- FIFTH.—That said party of the first part will forever warrant the title to the said premises.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed.

In presence of:

Hugh Doyle

Harold D. Bliss L.S.



STATE OF NEW YORK, COUNTY OF Westchester ss.:

On this 27th day of April, in the year one thousand nine hundred and forty-four, before me personally came

HAROLD D. BLISS

to me known to be the individual described in and who executed the foregoing instrument, and duly acknowledged that he executed the same.

Hugh Doyle
Notary Public West. County

The foregoing instrument was endorsed for record as follows. The property affected by this instrument is situate in the TOWN OF LEWISBORO County of Westchester, N. Y. A true copy of the original DEED at request of HAROLD D. BLISS RECORDED APR. 26, 1944, at 11 AM

FEE: \$ 2.70

No. 9859

ROBERT J. FIELD, County Clerk.

444
8570 40

THIS INDENTURE, made this 15th day of November, nineteen hundred and seventy-three
BETWEEN

GEORGE W. STECKLER, JR. and LAURA STECKLER, his wife, both
residing at 15 Thelma Place, White Plains, New York

party of the first part, and

MARJORIE S. HOLMES, residing at Pound Ridge Road (no number)
Pound Ridge, New York

party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the town of Lewisboro, County of Westchester and State of New York, being shown and designated as Lot No. 29 on a certain map known as "Map of Section No. One of Truesdale Lake property, South Salem, Town of Lewisboro, Westchester County, New York", made by J. Albert Schaefer, C.E., dated April 15, 1926 and filed in the Office of the Register of Westchester County, now known as the Westchester County Clerk's Office, Division of Land Records, as Map No. 3015, on June 29, 1926.

TOGETHER with all right, title and interest of seller of, in and to the land under the waters of Truesdale Lake, if any, and together with riparian rights of seller to the use of Truesdale Lake in common with others.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:
Harold Blum

George W. Steckler, Jr.
George W. Steckler, Jr.
Laura Steckler
Laura Steckler

18183
TAX STAMPS
ATTACHED
70 NOV 1973



STATE OF NEW YORK, COUNTY OF WESTCHESTER 481

On the 15th day of November 1973, before me personally came George W. Steckler, Jr. and Laura Steckler, his wife

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Harold Starr
HAROLD STARR
Notary Public in the State of New York
Commission Expires 12/31/74

STATE OF NEW YORK, COUNTY OF

LIBR 7166 PAUL 319

On the _____ day of _____ 19____, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

WESTCHESTER COUNTY
REAL ESTATE TRANSFER TAX STATE OF NEW YORK
Amount of Taxation \$70.40
By _____

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTS AS TO IS
FILE NO. 12-187-10116

GEORGE W. STECKLER, JR. and
LAURA STECKLER, his wife

TO

MARGORIE S. HOLMES

SECTION 36F
BLOCK 10806
LOT 29
TOWN OF LEWISBORO, County of Westchester

Recorded At Request of The Title Guaratee Company
RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Guaranteed by
THE TITLE GUARANTEE COMPANY

IONE P. BARRETT
Attorney at Law
107 Katonah Avenue 10536
Katonah, New York
Zip No.

1100 B - CPa 00180 11-19-73

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

RECEIVED
WESTCHESTER COUNTY CLERK
NOV 19 1973 1:29 PM

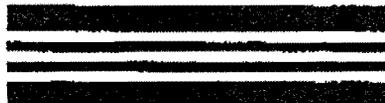
55634

The foregoing instrument was endorsed for record as follows: The property affected by this instrument is situated in the **TOWN OF LEWISBORO** County of Westchester, N. Y. A true copy of the original **DEED** recorded **NOV. 19, 1973 at 1:29 PM**

EDWARD H. YETRANO, County Clerk.



W06498348



DED2



*** DO NOT REMOVE ***

WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT DED-DEED FEE PAGE 5 TOTAL PAGES 5
(SEE CODES FOR DEFINITIONS)

STAT'Y CHARGE 5.25
REC'ING CHARGE 15.00
RECMGT FOND 4.75
EA 5217 25.00
TP-584 5.00
CROSS-REF. 0.00
MISC. _____

MORTGE. DATE _____
MORTGE. AMT _____
EXEMPT YES _____ NO _____
REC'D TAX ON ABOVE MTGE:
YONKERS \$ _____
BASIC \$ _____
ADDITIONAL \$ _____
SUBTOTAL \$ _____
MTA \$ _____
SPECIAL \$ _____
TOTAL PAID \$ _____

LIBER: 12182
PAGE : 5

THE PROPERTY IS SITUATED
IN WESTCHESTER COUNTY,
NEW YORK IN THE:
TOWN OF LEWISBORO

TOTAL PAID
55.00

\$ 32000.00
CONSIDERATION

SERIAL NO. _____
DWELLING 1-6 OVER

RECEIVED:
TAX AMOUNT \$ 1280.00
TRANSFER TAX \$ 0007453

___ DUAL TOWN
___ DUAL COUNTY/STATE
___ HELD
___ NOT HELD _____

TITLE COMPANY NUMBER: 01

EXAMINED BY LR16 RECORDING DATE 12/14/98

TERMINAL CTRL# 983489064 TIME 14:15

DATE RETURNED _____

Handwritten mark

WITNESS MY HAND AND OFFICIAL SEAL
Signature of Leonard N. Spano
LEONARD N. SPANO
WESTCHESTER COUNTY CLERK

State of New York County of Westchester

§§:

On July 28, 1998 before me, the undersigned, a Notary Public in and for said State, personally appeared

John Clark Holmes, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of person taking acknowledgment)

State of New York County of

§§:

On before me, the undersigned, a Notary Public in and for said State, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of person taking acknowledgment)

State of New York County of

§§:

On before me, the undersigned, a Notary Public in and for said State, personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof):

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(signature and office of person taking acknowledgment)

Margain and Hale Beach
WITH COVENANTS AGAINST QUANTON'S ACTS

FILE No. 98/8-2050

ARJORIE S. HOLMES

SECTION 36F
BLOCK 10806
LOT 29
COUNTY OR TOWN Lewisboro, Westchester County

TO

ARIS F. TREANTAFELES and
NNE TREANTAFELES

RETURN BY MAIL TO:

William R. Lonergan, Jr., Esq.
96 Spring Street, P.O. Box 478
South Salem, New York 10590

Zip No.

Reserve this space for use of Recording Office.

SCHEDULE A DESCRIPTION

Title No.: 9810-01059

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Lewisboro, County of Westchester and State of New York, being shown and designated as Lot No. 29 on a certain map known as "Map of Section No. One of Truesdalc Lake property, South Salem, Town of Lewisboro, Westchester County, New York", made by J. Albert Schacter, C.E., dated April 15, 1926 and filed in the Office of the Register of Westchester County, now known as the Westchester County Clerk's Office, Division of Land Records, as Map No. 3015, on June 29, 1926, being more particularly bounded and described as follows;

BEGINNING at a point on the easterly side of Gilbert Street where the same is intersected by the division line between Lots 28 and 29 on said map;

RUNNING THENCE along the above mentioned division line, North 89° 58' East 139.75 feet to the easterly line of Lot 29 on said map;

RUNNING THENCE along the easterly line of said Lot 29, South 21° 15' West 53.66 feet to the division line between Lots 29 and 30 on said map;

RUNNING THENCE along the last mentioned division line, South 89° 58' West 120.27 feet to the easterly side of Gilbert Street;

RUNNING THENCE along the easterly side of Gilbert Street, North 0° 02' West 50.00 feet to the point or place of BEGINNING.

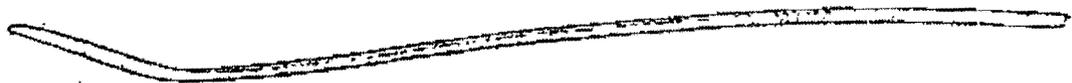
ACKNOWLEDGEMENT FOR ATTORNEY-IN-FACT

STATE OF NEW YORK)
) s.s.:
COUNTY OF WESTCHESTER)

On this 28th day of July, 1998, before me personally came John Clark Holmes, Jr., to me known to be the individual described in and who executed the foregoing instrument, and to me known to be the Attorney-in-Fact of Marjorie S. Holmes, the individual(s) described in, and who by said Attorney-in-Fact executed the said instrument, and duly acknowledged that he executed the same as the act and deed of said by virtue of a Power of Attorney dated November 5, 1991 to be recorded in the Office of the Clerk of Westchester County simultaneously herewith.


Notary Public

PATRICIA A. AMATO
NOTARY PUBLIC, State of New York
No. 02AM5028607
Qualified in Westchester County
Commission Expires May 31, 1998 *2008*



The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



501663498DED0036

Westchester County Recording & Endorsement Page

Submitter Information

Name: CHICAGO TITLE INSURANCE COMPANY (PICK UP) Phone: (914) 684-3661
 Address 1: 245 MAIN STREET Fax: (914) 949-5845
 Address 2: 2ND FLOOR Email: sabrina.kessler@cti.com
 City/State/Zip: WHITE PLAINS NY 10601 Reference for Submitter: 3710-00231 treantafeles

Document Details

Control Number: **501663498** Document Type: **Deed (DED)**
 Package ID: 2010051500210001001 Document Page Count: 3 Total Page Count: 4

Parties

Additional Parties on Continuation page

1st PARTY		2nd PARTY	
1: TREANTAFELES PARIS	- Individual	1: PLAETHN CONNIE	- Individual
2: TREANTAFELES ANNE K	- Individual	2:	

Property

Additional Properties on Continuation page

Street Address: 14 GILBERT STREET Tax Designation: 36F-10806-29
 City/Town: LEWISBORO Village:

Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: RP-5217 2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$20.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$125.00
 TP-584 Filing Fee: \$5.00
Total Recording Fees Paid: \$190.00

Transfer Taxes

Consideration: \$500,000.00
 Transfer Tax: \$2,000.00
 Mansion Tax: \$0.00
 Transfer Tax Number: 10850

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
Total Mortgage Tax: \$0.00

Dwelling Type: Exempt:
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 07/01/2010 at 02:58 PM
 Control Number: **501663498**
 Witness my hand and official seal

Timothy C. Idon
 Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

WILLIAM R. LONERGAN
 96 SPRING STREET

SOUTH SALEM, NY 10590

371000231
Tlo Lewisboro

Section 36F
Block 10806
Lot 229

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made as of June 18, 2010

BETWEEN

PARIS TREANTAFELES and ANNE KELLY TREANTAFELES
14 GILBERT STREET
SOUTH SALEM, NEW YORK 10590

party of the first part, and

CONNIE J. PLAEMN ^{RES.}
64 RANDOM FARMS DRIVE
CHAPPAQUA, NEW YORK 10514

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

SEE ATTACHED SCHEDULE "A"

BEING and intended to be the same premises conveyed to the party of the first part from Marjorie S. Holmes by deed dated 7/28/98 recorded in the Office of the Clerk of Westchester County on 12/14/98 in Liber 12182 cp 5.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


PARIS TREANTAFELES


ANNE KELLY TREANTAFELES

✓

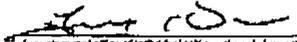
ACKNOWLEDGMENT IN NEW YORK STATE (RPL 368-a)

STATE OF NEW YORK,
COUNTY OF WESTCHESTER SS:

On June 18, 2010 before me, the undersigned,
personally appeared

PARIS TREANTAPELES and ANNE KELLY TREANTAPELES
personally known to me or proved to me on the basis of satisfactory evidence
to be the individual(s) whose name(s) is (are) subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in
his/her/their capacity(ies), and that by his/her/their signature(s) on the
instrument, the individual(s), or the person upon behalf of which the
individual(s) acted, executed the instrument.

Frank J. Veith
Notary Public, State of New York
Qualified in Westchester County
Commission 6018081
Commission Expires 02/23/11


(Signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 368-b)

On _____ before me, the undersigned,
personally appeared

personally known to me or proved to me on the basis of satisfactory evidence
to be the individual(s) whose name(s) is (are) subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in
his/her/their capacity(ies), and that by his/her/their signature(s) on the
instrument, the individual(s), or the person upon behalf of which the
individual(s) acted, executed the instrument, and that such individual made
such appearance before the undersigned in

(Over 600 or judicial subdivision and zone or zoning or other place within (inserted below))

(Signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS

STATE OF _____)
COUNTY OF _____) SS:

On _____ before me, the undersigned,
personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am
personally acquainted, who, being by me duly sworn, did depose and say that
he/she/they read (or) (if the place of residence is in a city, include the street and house
number, if any, thereof):

that he/she/they know(s)
to be the individual(s) described in and who executed the foregoing instrument, that said subscribing
witness(es) was (were) present, and saw said

execute the same, and that said witness(es) at the same time subscribed his/her/their name(s) as a
witness(es) thereto.
(If of other than New York State insert city or judicial subdivision and zone or zoning or other
place acknowledgment is taken. And this said subscribing witness(es) made such appearance before the
undersigned in _____)

(Signature and office of individual taking acknowledgment)

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

Title Number: 3718-80231

SECTION: 36F
BLOCK: 10806
LOT: 29
COUNTY OR TOWN: Westchester/Lewisboro
Address: 14 Gilbert Street, S. Salem, NY 10590

PARIS TREANTAPELES and ANNE KELLY TREANTAPELES
TO
CONNIE J. FLAHEIN

William R. Lonergan, Esq.
96 Spring Street
South Salem, New York 10590

Reserve this space for use of Recording
Office.

CHICAGO TITLE INSURANCE COMPANY

SCHEDULE A DESCRIPTION

Title No.: 3710-00231

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Lewisboro, County of Westchester and State of New York, being shown and designated as Lot No. 29 on a certain map known as "Map of Section No. One of Truesdale Lake Property, South Salem, Town of Lewisboro, Westchester County, New York", made by J. Albert Schaefer, C.E., dated April 15, 1926 and filed in the Office of the Register of Westchester County, now known as the Westchester County Clerk's Office, Division of Land Records, as Map No. 3015, on June 29, 1926, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Gilbert Street where the same is intersected by the division line between Lots 28 and 29 on said map;

RUNNING THENCE along the above mentioned division line,
North 89° 58' East 139.75 feet to the easterly line of Lot 29 on said map;

RUNNING THENCE along the easterly line of said Lot 29,
South 21° 15' West 53.66 feet to the division line between Lots 29 and 30 on said map;

RUNNING THENCE along the last mentioned division line,
South 89° 58' West 120.27 feet to the easterly side of Gilbert Street;

RUNNING THENCE along the easterly side of Gilbert Street,
North 0° 02' West 50.00 feet to the point or place of BEGINNING.

May 7, 2014

5/8/14

Mr. Jerome Kerner, Chairman
Town of Lewisboro Planning Board (PB)
P.O. Box 725
Cross River, NY 10518

**Re: New and Revised Information
14 Gilbert Street
Sheet 43.11, Block 2, Lot 19**

Dear Chairman Kerner and Members of the Planning Board:

Following our discussion with the Planning Board at the April 22, 2014 PB meeting and following our review of the Kellard Sessions Project Review Memorandum, dated April 15, 2014, we have prepared a revised Site Plan, dated April 25, 2014, to reflect comments discussed with the Planning Board as well as comments contained in the Kellard Sessions memo. Additionally, Attorney Sirignano has prepared and filed information related to the property's legal description that supports the dock use on the property.

We enclose 10 copies of the following information for your continued review of this application.

- This explanatory **Cover Letter**, prepared by J.D. Barrett & Associates, LLC, dated May 7, 2014.
- **List and Map of Property Owners** and **Certified Mailing Receipts** to the owners within 250' of the property that were sent the **Notice of Public Hearing** for Wetland Permit consideration of this project.
- A **Revised Site Plan** for the project, entitled "Site Plan", prepared by J.D. Barrett & Associates, LLC, dated March 17, 2014, and revised April 25, 2014.

Plan Updates

We have modified the Site Plan to show additional information requested, including:

- A proposed "**limit of disturbance**" line has been added to the plan in a red dashed line. The affected area measures approximately 445 SF.
- A plant list has been added to the plan tabulating all the proposed plantings associated with this project, including shrubs, groundcovers and emergent plantings.
- Notes have been added to the plan stating that all bare root emergent plantings shall be washed in the driveway with a garden hose prior to installation. In addition, notes on the

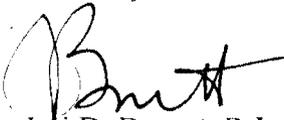
plan stipulate that emergent plantings shall be installed and managed to occur only at the base of the lake wall along the lake front. Spreading of the emergent plantings beyond the subject lake frontage shall be controlled by mechanical removal, i.e., cutting and removing plantings using a rake, etc.

- A planting note on the plan also stipulates that the emergent plantings will be installed along the subject lake front with the Lake Association's permission, however, it is not clear that same would now be necessary, given the legal property description provided by Attorney Sirignano for this submittal.
- Typical planting details for the proposed plantings have been added to the Site Plan.
- A Bulk Zoning Table has been prepared and added to the Site Plan that compares the existing and proposed site conditions to the requirements for the R-1/4 acre zoning district. We note that the property appears to be a legally non-conforming lot with respect to lot area, width, side yard area. The property is compliant with respect to building coverage, building lot, rear yard and front yard setbacks.
- A typical paving detail/cross-section has also been added to the Site Plan.
- We have also added to the plan the (approximate) dimensions of the existing shed on the adjacent beach property and we have added the proposed dimensions for the new garden shed on the subject property. We note that the size of the sheds on both properties are similar.
- Approximate dimensions for the proposed arbor have also been added to the Site Plan.

Summary

We trust that this information will be helpful to the PB's continued review of this project. We look forward to discussing the project with the PB at the May 2014 PB meeting. We are appreciative of the PB's consideration for this project.

Sincerely,



Jeri D. Barrett, R.L.A.

JDB:lj

Enc.

Cc: Connie Plaehn
Michael Sirignano, Esq.
Sylvain Coté

PINHEIRO SUBDIVISION

CAL# 1-14PB

ZARIN & STEINMETZ
ATTORNEYS AT LAW
81 MAIN STREET
SUITE 415
WHITE PLAINS, NEW YORK 10601

DAVID S. STEINMETZ*
MICHAEL D. ZARIN
DANIEL M. RICHMOND
BRAD K. SCHWARTZ

TELEPHONE: (914) 682-7800
FACSIMILE: (914) 683-5490
WEBSITE: WWW.ZARIN-STEINMETZ.NET

DAVID J. COOPER
JODY T. CROSS°
JEREMY E. KOZIN
KRISTA E. YACOVONE

* ALSO ADMITTED IN D.C.
° ALSO ADMITTED IN CT
△ ALSO ADMITTED IN NJ

MARSHA RUBIN GOLDSTEIN
HELEN COLLIER MAUCH[△]
LISA F. SMITH[°]
OF COUNSEL

April 23, 2014

Via Electronic Mail

Hon. Jerome Kerner
and Members of the Town of Lewisboro Planning Board
Cross River Shopping Center at Orchard Square
Suite L (Lower Level)
20 North Salem Road
Cross River, NY 10518

**Re: Fernando and Maria Pinheiro
Sketch Plan Application for Subdivision Approval
930 Rte. 35, Sheet 20, Block 10801, Lot 13 (the "Property")**

Dear Chairman Kerner and Members of the Planning Board:

As you know, this firm represents Fernando and Maria Pinheiro, owners of the Property located at 930 Old Post Road (Route 35) in Cross River. We respectfully request that this Application be placed on the Agenda for your meeting on May 20, 2014. We are hopeful that at that meeting the Board will endorse the revised plan submitted herein, thereby ending sketch review, and advise us to submit a formal Application for Preliminary Subdivision Approval.

We believe we had a productive Site Visit with your Board on April 19th. During this visit, the Pinheiros informally presented the revised sketch plan. The plan was revised according to the Board's comments made at the March 18th meeting. Importantly, the plan now shows the primary and expansion septic systems for the new home on proposed Lot 2 entirely out of both the Town and State wetland buffers, trees to be removed and protected, and wetland mitigation. We will respond to and address all of the Town Planner's comments in our Preliminary Subdivision Application.

Hon. Jerome Kerner and Members of the Planning Board
April 23, 2014
Page 2

We look forward to appearing before your Board on May 20th. Please do not hesitate to contact us should you have any questions.

Respectfully submitted,

ZARIN & STEINMETZ

By: 
Krista E. Yacovone

Encls.

cc: Jan Johannessen, AICP
Fernando and Maria Pinheiro
Tim Cronin III, P.E./Keith C. Staudohar, CPESC, CPSWQ (Cronin Engineering)
Stephen Coleman
Brad K. Schwartz, Esq. (Zarin & Steinmetz)

THISTLEWAITHE LEARNING
CENTER

CAL# 2-07PB



ThistleWaithe
Learning Center

April 4, 2014

Lisa Pisera
Planning Board Secretary
Town of Lewisboro Planning Board
PO Box 725
Cross River, NY 10518

Dear Ms. Pisera,

Thank you for your letter reminding me of the upcoming deadlines for the Amended Site Development Plan Approval.

We are in place to have the wetland mitigation inspection report by May 31, 2014.

We do expect to have the footbridge installed by May 8, 2014. However, we regrettably do not expect to be able to have the wetland trail and upland trails ready. We would like to request an extension for the completion of those two trails until August 31, 2015, to give us more time during suitable weather for the project. We would greatly appreciate your consideration of this request.

We look forward to providing you the wetland mitigation inspection report by May 31, 2014 and if there is anything else you need, please do not hesitate to contact us.

Sincerely yours,

Maria Fitzgerald

Director



ThistleWaithe
Learning Center

OFFICE

1340 Route 35
South Salem, NY 10590

PHONE

914.977.3662

FAX

914.977.3665

EMAIL

ThistleWaitheLC@gmail.com

WEB

ThistleWaithe.org

RECEIVED
5/13/14
Mail

May 6, 2014

Lisa Pisera
Planning Board Secretary
Town of Lewisboro Planning Board
PO Box 725
Cross River, NY 10518

Dear Ms. Pisera,

I am writing to provide you with the necessary documentation for the Amended Site Development Plan, including the final wetland mitigation inspections.

The footbridge was installed on May 3rd, 2014. I plan to attend the meeting on May 21st, as suggested, to request an extension for the completion of the wetland trail and upland trail.

If there is anything else you need, please do not hesitate to contact me.

Sincerely yours,

Maria Fitzgerald

Director

RECEIVED
5/13/14
Mail

April 27, 2014

Town of Lewisboro Planning Board
PO Box 725
Cross River, NY 10518

To Whom It May Concern:

I conducted a walkthrough of ThistleWaithe Learning Center's wetland areas with Director, Ms. Maria Fitzgerald on April 23, 2014.

The overall condition of the wetland areas was excellent. Additional mitigation species that were planted since my 2013 inspection were in good condition.

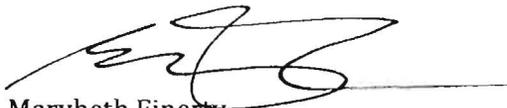
At the time of the inspection, most plantings exhibited expected early spring buds as well as new growth shoots from the base of the plantings. No deceased plants were observed during the inspection.

No invasive species were observed and the pond exhibited good water quality with no soil erosion.

Overall, the wetland and mitigation areas support a great diversity of species including invertebrates, amphibians, reptiles, migratory birds and small mammals.

No further action is recommended at this time.

Sincerely,



Marybeth Finerty



Tel: (914) 242-1999

Tel: (914) 242-1909

UNITED SEPTIC & EXCAVATION CORP.

*A Union of Costa & Ferreira, Inc and S.A.F. Septic Systems, Inc.
(Family owned business since the early 60's)*

RECEIVED
5/13/14
Mail

311 Railroad Avenue. Bedford Hills, N.Y. 10507

RE: THISTLEWAITHE LEARNING CENTER
1340 ROUTE 35
SOUTH SALEM, NY. 10590

4-30-2014

TO WHOM THIS MAY CONCERN,

THIS LETTER IS TO INFORM YOU THAT ON 4/10/2014 A SITE VISIT WAS MADE TO THE ABOVE MENTIONED PROPERTY. A VISUAL INSPECTION AND PROBING OF EXISTING CATCH BASINS AND SEDIMENT PONDS WAS MADE. THEY WERE FOUND TO BE CLEAN AND IN NO NEED OF MAINTENANCE. ON 8/5/2013 OUR FIRM PERFORMED A CLEANING AND GENERAL MAINTENANCE OF THESE SYSTEMS. INCLUDING CLEANING OF ALL DEBRIS AND SILTS FROM FOREBAY POND AND CATCH BASINS. AS WELL AS A CLEANING OF STORM FILTER UNIT IN REAR PARKING AREA. NO OTHER MAINTENANCE IS NEEDED AT THIS TIME.

ANTONIO FERREIRA (PRES.)

**TOWN PARK
COMPOSTING TOILETS**

Application No.: _____

Fee: _____ Date: _____

TOWN OF LEWISBORO WETLAND PERMIT APPLICATION

Town Offices @ Orchard Square, Suite L (Lower Level), 20 North Salem Road, Cross River, NY 10518
Phone: (914) 763-3060
Fax: (914) 533-0097

Project Information

Project Address: TOWN PARK, ROUTE 35, SOUTH SALEM,

Sheet: 21 Block: 10541 Lot(s): 5

Project Description (identify the improvements proposed within the wetland/wetland buffer and the approximate amount of wetland/wetland buffer disturbance): INSTALLATION OF COMPOSTING TOILETS IN PLACE OF PORTO' JOHN'S

Owner's Information

Owner's Name: TOWN OF LEWISBORO Phone: 914 763-3151

Owner's Address: 11, MAIN STREET, PO BOX 500, SOUTH SALEM, NY 10590 Email: ~~townoflewisboro@lewisborogov.com~~ supervisor@lewisborogov.com

Applicant's Information (if different)

Applicant's Name: _____ Phone: _____

Applicant's Address: _____ Email: _____

Authorized Agent's Information (if applicable)

Agent's Name: _____ Phone: _____

Agent's Address: _____ Email: _____

To Be Completed By Owner/Applicant

- What type of Wetland Permit is required? (see §217-5C and §217-5D of the Town Code)
 - Administrative Planning Board
- Is the project located within the NYCDEP Watershed? Yes No
- Total area of proposed disturbance: < 5,000 s.f. 5,000 s.f. - < 1 acre ≥ 1 acre
- Does the proposed action require any other permits/approvals from other agencies/departments? (Planning Board, Town Board, Zoning Board of Appeals, Building Department, Town Highway, ACARC, NYSDEC, NYCDEP, WCDOH, NYSDOT, etc): Identify all other permits/approvals required: _____

Note: Initially, all applications shall be submitted with a plan that illustrates the existing conditions and proposed improvements. Said plan must include a line which encircles the total area of proposed land disturbance and the approximate area of disturbance must be calculated (square feet). The Planning Board and/or Town Wetland Inspector may require additional materials, information, reports and plans, as determined necessary, to review and evaluate the proposed action. If the proposed action requires a Planning Board Wetland Permit, the application materials outlined under §217-7 of the Town Code must be submitted, unless waived by the Planning Board. The Planning Board may establish an initial escrow deposit to cover the cost of application/plan review and inspections conducted by the Town's consultants.

For administrative wetland permits, see attached Administrative Wetland Permit Fee Schedule.

Owner/Applicant Signature: [Signature]

Date: 5/7/2014



Model M54 Double Specification Sheet

NSF Certification

The Clivus Model M54 is certified by the National Sanitation Foundation under Standard 41 (day-use, park).

Capacity

The M54 Double is comprised of two M54 Composters set side by side.

VOLUME FOR EACH M54:

Solids storage capacity: 81 cubic feet; 604 US gallons

Liquid storage capacity: 40 cubic feet; 300 US gallons

Daily capacity at average temp. >65°F: 60 visits

Annual capacity at average temp. >65°F: 22,000 visits. Total annual capacity for M54 Double: 44,000 visits

Specifications and Materials

DIMENSIONS

Kit Shipping Dimensions: Length: 122"; Width: 85.5"; Height: 114"

Pre-fabricated Shipping Dimensions (2 pcs):

Base: Length: 118"; Width: 65"; Height: 48"

Building: Length: 122"; Width: 85.5"; Height: 114"

Shipping Weight: 4,800 lbs (ships in several pieces; maximum weight of any piece is 2,400 pounds)

Assembled Building Dimensions:

Outside Length: 118"; Width: 132"; Height: 110"

Building Enclosure (inside)

Inside Length: 84"; Inside Width: 61.5"

Composter Base

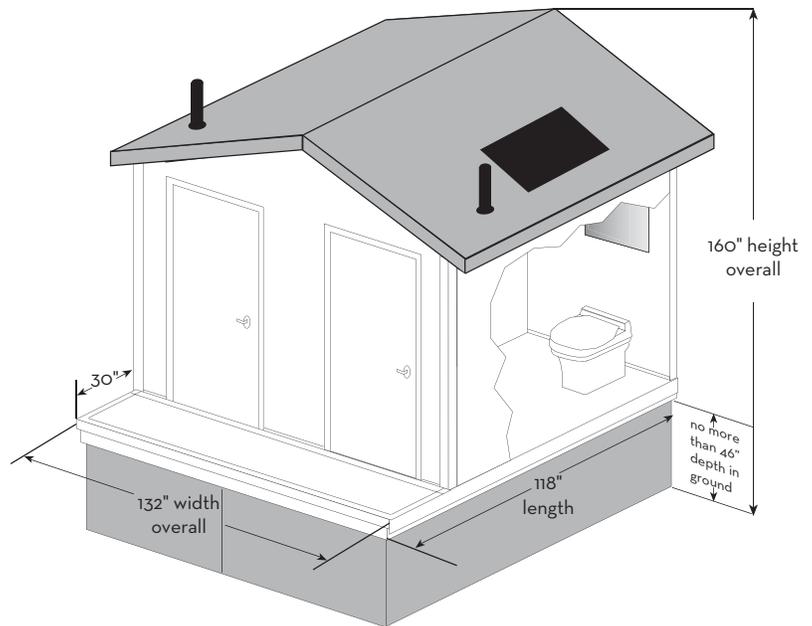
Length: 118"; Width: 65"; Height: 48"

MATERIALS

Composter Base

Composter Base is rotationally molded high-density linear polyethylene resin that conforms with the following specifications:

- Density (ASTM TEST 4883): 0.942 g/cm³
- Tensile Strength at Yield (ASTM D638): 2,950 psi
- Dart Impact (-40°C, 250 mils thickness): 108 ft-lbs
- Env. Stress Crack Resistance, 100% Igepal (D1693): 550 hrs



Building

Building walls are eight structural insulated panels (SIP) with expanded polystyrene core with fiberglass reinforced plastic over OSB interior finish and OSB exterior surface finished with 1" rough-sawn pine board-and-batten (other exterior finishes optional). Doors are 24 gauge cold rolled steel with zinc coating, factory painted medium gloss white, foamed-in-place polyurethane core; steel hinges; adjustable strike; frame milled from 5/4 kiln-dried pine; door opening: 36" x 80". Fixed window is 36" x 24" frosted lexan. Standard exterior is board and batten and custom painted.

Roof is two structural insulated panels (SIP) of 4" virgin expanded polystyrene faced with white fiberglass reinforced panels inside and OSB plywood outside for application of asphalt shingles or other finish.

Floor is expanded polystyrene core with 7/16" plywood underside with painted .016 aluminum skin and 7/16" plywood top surface with .08" non-skid rubber coating surface.

Standard package ships as a kit. Pre-fabrication is an option.

VENTILATION

DC: 12V fan. Maximum free air is 100 cfm. Power input is 5 watts. CSA & UL approved. DC fan is powered by an optional photo-voltaic system customized for location and site requirements. Call for quotation. AC fan also available.

TOILETS

Waterless toilets constructed of impact resistant fiberglass with sanitary white finish. Seat and lid are made of plastic; the liner is rotationally molded polyethylene. Grab bars and toilet paper holder included.

Toilet Height: 18"; Width: 18.5"; Length: 24.25"

ADA COMPLIANT

The M54 Trailhead conforms to the requirements for universal access of the Americans with Disabilities Act.

Legend

 NYSDEC 100' Buffer

 Town 150' Buffer

 Wetland



REMOVE TWO (2) PORTA POTTIES

118 feet

PROPOSED CLIVUS MODEL M54 DOUBLE COMPOSTING TOILET (9.8' X 11')

EXISTING FOOT BRIDGE

N



1 in = 50 ft

LOCATION MAP

TOWN PARK COMPOSTING TOILETS

TOWN OF LEWISBORO WESTCHESTER COUNTY, NY
KELLARD SESSIONS CONSULTING, P.C.