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**NOVEMBER 17, 2015 MEETING**

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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](mailto:planning@lewisborogov.com)

AGENDA

Tuesday, November 17, 2015

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

**Cal# 12-10PB**

Hayes/Stein Subdivision, 124 North Salem Road, South Salem, NY, Sheet 15, Block 10533, Lots 7, 8 & 9 (Jocelyn Hayes and Janet Stein, owners of record) - Application for Preliminary and Final Subdivision Plat Approval in connection with a three-lot subdivision.

II. PROJECT REVIEW

**Cal #8-15PB**

Wild Oaks Storage Tank Replacement, Fairmount Road, Goldens Bridge, NY 10526, Sheet 7H, Block 11139, Lot 23 (Wild Oaks Water Company, owner of record) - Application for Site Plan Review for the proposed construction of a new water storage for the Wild Oaks Water System. The replacement tank would be placed on the same site as the existing tank, on a Wild Oaks Water System property located on Fairmount Road.

**Cal# 9-15PB**

Kempo Academy of Martial Arts - 20 North Salem Road, Cross River, NY 10518, Sheet 17, Block 10533, Lot 89 (EK Cross River, LLC, owner of record) - Application for Change of Use/Waiver of Site Development Plan Procedures to convert existing space from office/retail to indoor recreation, specifically a martial arts academy.

**Cal#3-15PB**

Orchard Square Site Restoration Plan - 20 North Salem Road, Cross River, NY 10518, Sheet 17, Block 10533, Lot 89 (EK Cross River, LLC, owner of record) - Application for Waiver of Site Development Plan Procedures for the restoration of the plaza area, including tree plantings and new lighting.

III. SKETCH PLAN REVIEW

**Cal #10-15 PB**

Wilder Balter Partners, NY State Route 22, Goldens Bridge, NY 10526, Sheet 5, Block 10776, Lots 19, 20 & 21 (Wilder Balter Partners, Inc., owner of record) - Application for a 49 unit MF development on a ±35.4 acre parcel.

IV. WETLAND VIOLATION

**Cal #3-15WV**

**Cal #4-15WV, 68-15WP**

Childs, Ted - 19-11 Lost Nations Road, Pound Ridge, NY 10567, Sheet 45A & 46, Block 9825, Lot 21 (Ted Childs, owner of record)

V. EXTENSION OF TIME

**Cal # 39-14 WP and Cal#15-45SW**

J-2 Boniello Builders, property fronting Bouton Road, South Salem, NY 10590 Sheet 26, Block 10803, Lot 18 (Gus Boniello, owner of record) - Request for Extension of Time to resolution granting Wetland Activity Permit approval and Town Stormwater Permit dated May 19, 2015.

**Cal# 8-02PB**

Popoli Subdivision, 1437 Route 35, South Salem, NY 10590 Sheet 0040, Block 10552, Lot 003 (Pasquale Popoli & Angelo Sicuranza, owners of record) - Request for extension of time to meet requirements of Amended Approval Resolution dated September 28, 2010.

**Cal# 9-13PB**

JT Farm 1125 Route 35, South Salem, NY 10590 Sheet 26, Block 10541, Lots 27 & 28 (Peace & Carrots, LLC, owner of record) Request for extension of time granting Final Subdivision Plat Approval Subdivision - Lot Line Change - Resolution dated November 18, 2014.

**Cal# PB 12-13PB and Cal# 13-14SW**

Guillermo Arias, 411 Smith Ridge Road, South Salem, NY 10590 Sheet 0050, Block 09834, Lot 28, & Lexus Holding Company, LTD, Smith Ridge Road, South Salem, Sheet 0050, Block 09834, Lot 162 - Request for extension of time granting Final Subdivision Plat Approval and Stormwater Permit Approval for a two (2) lot subdivision. Applicant also requests amendment to Condition #24 of the approved Resolution.

**Cal# 115-12WP**

**397 Smith Ridge Road, LLC, 397 Smith Ridge Road, South Salem, NY 10590, Sheet 50A, Block 9848, Lot 2 (397 Smith Ridge Road, LLC, owner of record)** Request for extension of time to Wetland Activity Permit, dated November 16, 2012.

**Cal# 9-10PB, Cal #84-14WP, Cal # 14-14SW**

**Bacio Trattoria, 12 North Salem Road, Cross River, NY 10518 Sheet 0017, Block 10799, Lot 003 (K + K Real Estate, Inc., owner of record)** Request for extension of time to Resolution granting Site Development Plan approval, Wetland Activity Permit Approval and Town Stormwater Permit Approval, dated February 17, 2015.

**VI. SITE VISIT REPORTS**

**Cal# 31-15WP**

**Fortune Home Builders - Duffy's Bridge Road, Goldens Bridge, NY, Sheet 2, Block 10516, Lot 1 (Glickenhau Bedford Development, owner of record)**

**Cal# 8-14PB, Cal# 95-14WP, Cal# 20-14SW**

**Goldens Bridge Village Center, NYS Route 22, Goldens Bridge (Stephen Cipes, owner of record)**

**VII. CORRESPONDENCE AND GENERAL BUSINESS**

Local Law Amendment of Town Code to Chapter 220, Section 220-10, entitled "Building Lots."

**VIII. MINUTES OF October 20, 2015**

**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 November 17, 2015 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# 12-10PB**

Application for Preliminary and Final Subdivision Plat Approval by Jocelyn Hayes and Janet Stein (owner of record) for a proposed three (3) lot subdivision (Parcel identified as Sheet 15, Block 10533, Lots 7, 8 and 9 and situated within the R-4A Zoning District). The subject property consists of three (3) tax parcels; however, it has been determined that these parcels were created by deed and never formally subdivided. Tax Lot 7 (Stein) consists of  $\pm 24.6$  acres and is currently vacant, Tax Lot 8 (Stein) consists of  $\pm 38.1$  acres and is currently vacant, and Tax Lot 9 (Hayes) consists of  $\pm 4.8$  acres and is developed with a single-family residence, detached accessory dwelling and related accessory residential improvements. The applicants are proposing to legalize and modify the existing tax lot line configuration. Tax Lot 9, which is currently landlocked, will be increased from  $\pm 4.8$  acres to  $\pm 13.1$  acres and will contain suitable road frontage. Tax Lot 7 will be reduced from  $\pm 24.6$  acres to  $\pm 20.6$  acres and Tax Lot 8 will be reduced from  $\pm 38.1$  acres to  $\pm 33.8$  acres. No development or land disturbance is proposed at this time and it is proposed that any the future development of Lots 7 and 9 will require Site Plan Approval from the Planning Board. A copy of the application materials and proposed subdivision documents may be inspected at the Office of the Planning Board, located at 20 Orchard Square, Suite L, Cross River, New York during 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: October 26, 2015

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 Office of the Planning Board in advance.

October 23, 2015

**BY FIRST CLASS MAIL  
AND E-MAIL**

Chairman Jerome Kerner  
and Members of the Planning Board  
Town of Lewisboro  
P.O. Box 725  
Cross River, New York 10518

Re: Hayes/Stein Preliminary Subdivision Plat Approval  
Premises: North Salem Road (NYS Route 121)  
Parcel ID/Tax Map Designation: Sheet 15, Block 10533, Lots 7, 8, & 9

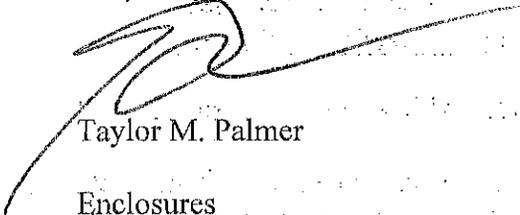
Dear Chairman Kerner and Members of the Planning Board:

On behalf of Jocelyn Hayes and Janet Stein (the "Applicants"), the owners of the above-referenced Premises, we respectfully submit this letter supplementing our prior submission to include nine (9) copies of the following:

- 1) A letter from George Hunter Roberts, Esq., dated October 23, 2015, as Counsel for the Golden's Bridge Fire District regarding no objections to Hayes/Stein Subdivision; and
- 2) Facsimile Correspondence from Town of Lewisboro Highway Superintendent Peter Ripperger, dated October 21, 2015, consisting of six (6) pages, regarding the proposed curb cut for Lot 7 and including a signed acknowledgement page dated October 20, 2015.

We look forward to appearing before this Board at the November 17, 2015 meeting. Thank you in advance for your consideration in this matter.

Very truly yours,



Taylor M. Palmer

Enclosures

cc: Jan Johannessen, Town Planning Consultant; Joseph Cermele, Town Engineering Consultant; Judson Siebert, Esq, Special Counsel to the Planning Board; Ed Delaney, Bibbo Associates, LLP; Jeri Barrett, JD Barrett & Associates, LLC; Janet Stein; Jocelyn Hayes

**TAB 1**

**Covey, Roberts & Carmody-Roberts, LLC**

200 Katonah Avenue

Katonah, New York 10536

Telephone: 914-232-2222 Fax: 914-232-0574

[yourattorneys@crclaw.com](mailto:yourattorneys@crclaw.com)

[www.crclaw.com](http://www.crclaw.com)

George Hunter Roberts  
(Admitted New York and Florida)

Linda Carmody-Roberts, CELA  
(1949-2004)

Loriann M. Low, Associate

FOUNDED 1905

c/o Michael R. Tilley  
7999 N. Federal Hwy, Ste. 102  
Boca Raton, FL 33487  
561-368-6020

*Paralegals*  
Linda G. Collica  
Linda Cheek  
Jayne Hinchcliffe

October 23, 2015

Taylor M. Palmer, Esq.  
Cuddy & Feder  
445 Hamilton Ave., 14<sup>th</sup> Floor  
White Plains NY 10601

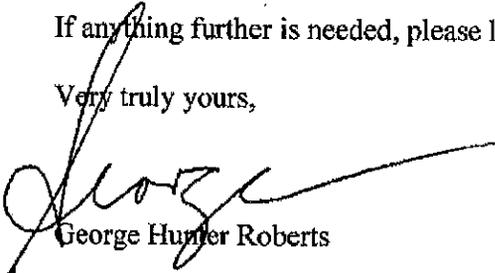
***Re: Golden's Bridge Fire District  
Hayes/Stein Subdivision***

Dear Taylor:

As Counsel for the Golden's Bridge Fire District, I am advising you that the Fire Commissioners for the Fire District have no objections to the boundary line adjustment for the Hayes/Stein Subdivision.

If anything further is needed, please let me know.

Very truly yours,

  
George Hunter Roberts

cc: Joann Vasi, Secretary  
Golden's Bridge Fire District Secretary

**TAB 2**

Town of Lewisboro  
Highway Department  
11 Main Street - PO Box 500  
South Salem, NY 10590  
914-763-3166  
914-763-8134 (FAX)  
800-662-1220 (TTY)

# Fax

To: TAYLOR PALMER	Fax: 761-5372
From: PETER R. PIERCE	Pages: (including coversheet) 5
Re: HAYES / STEIN	Date: 10/21/15

**Cc:** Siebert, Judson K.  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Pete,

I am copying Judd Siebert, Esq. on this, as he would probably be better to respond as it is a pending Planning Board matter. Judd, what are your thoughts? Thanks.

Anthony R. Molé, Esq.  
 HERODES & MOLÉ, P.C.  
 888 Route Six  
 Mahopac, New York 10541  
 Tel: 845-628-1100  
 Fax: 845-628-1110  
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---

**From:** Peter Ripperger [<mailto:lhd15@optonline.net>]  
**Sent:** Tuesday, October 20, 2015 11:01 AM  
**To:** Anthony Mole  
**Subject:** FW: Hayes / Stein - Highway Department Approval

Anthony please read this. Seems ok, need your input. ASP Peter R.

---

**From:** Palmer, Taylor M. [<mailto:TPalmer@cuddyfeder.com>]  
**Sent:** Monday, October 19, 2015 12:27 PM  
**To:** 'highway@lewisborogov.com'  
**Cc:** 'Jan Johannessen'; Jeri Barrett; Petrillo, Yvonne; Frankl, Emily A; Ed Delaney - Bibbo Associates'  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Superintendent Ripperger,

Per our phone conversation on October 5<sup>th</sup>, and your related correspondence with Jeri Barrett of J.D. Barrett & Associates, LLC, please find attached a copy of our letter that was mailed to your attention regarding the proposed curb cut for Lot 7, consistent with the Hayes/Stein Preliminary Subdivision Plat Approval application.

As per the attached letter and photo enclosures, Mr. Barrett staked the driveway location on Sunday, October 18<sup>th</sup>, for review by your Department. As previously discussed, the Applicant is not proposing any physical improvements and has no intention of developing the lots or the driveway for the proposed curb cut at this time. It is further expected that the Planning Board will condition any proposed future development of the site, including the proposed curb cut and driveway for Lot 7 on obtaining Site Plan Approval from the Planning Board, as well as a Driveway Permit from the Highway Department, consistent with the Zoning Code and related regulations in effect at that time.

**Peter Ripperger**

---

**From:** Siebert, Judson K. [JSiebert@kblaw.com]  
**Sent:** Tuesday, October 20, 2015 6:04 PM  
**To:** 'Anthony Mole'; Peter Ripperger  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Anthony,

This is consistent with Planning Board process – want to obtain input of Highway Dep't as to proposed curb cut. This is for purposes of subdivision approval – it is contemplated that approval, if issued, will condition future development on site plan review and approval and formal approval of curb cut at that time.

I suggest that Peter examine the location and advise as to the Dep't's position.

Thanks.

Judson K. Siebert  
Principal Member

**KEANE & BEANE P.C.**  
ATTORNEYS AT LAW

*Multi-Faceted Law Firm. Regular Client Focus.*

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White Plains, NY 10601  
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[jsiebert@kblaw.com](mailto:jsiebert@kblaw.com)  
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**From:** Anthony Mole [mailto:AM@herodesmole.com]  
**Sent:** Tuesday, October 20, 2015 12:31 PM  
**To:** Peter Ripperger  
**Cc:** Siebert, Judson K.  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Pete,

I am copying Judd Siebert, Esq. on this, as he would probably be better to respond as it is a pending Planning Board matter. Judd, what are your thoughts? Thanks.

Anthony R. Molé, Esq.

**Peter Ripperger**

---

**From:** Peter Ripperger [lhd15@optonline.net]  
**Sent:** Wednesday, October 21, 2015 7:05 AM  
**To:** 'Anthony Mole'  
**Cc:** 'jsiebert@kblaw.com'  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Anthony. I did a sight visit on 10/20/15. If and when this may happen, the removal of large trees may be necessary and minor drainage work. This is not a problem and can be done at the owners expense at that time. Peter Ripperger

---

**From:** Siebert, Judson K. [mailto:JSiebert@kblaw.com]  
**Sent:** Tuesday, October 20, 2015 6:04 PM  
**To:** 'Anthony Mole'; Peter Ripperger  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Anthony,

This is consistent with Planning Board process – want to obtain input of Highway Dep't as to proposed curb cut. This is for purposes of subdivision approval – it is contemplated that approval, if issued, will condition future development on site plan review and approval and formal approval of curb cut at that time.

I suggest that Peter examine the location and advise as to the Dep't's position.

Thanks.

Judson K. Siebert  
Principal Member

**KEANE & BEANE PC.**  
ATTORNEYS AT LAW

*Multi-Faceted Law Firm. Singular Client Focus.*

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White Plains, NY 10601  
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(914) 946-6868 (Fax)  
[jsiebert@kblaw.com](mailto:jsiebert@kblaw.com)  
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 Please consider the environment before printing this email message.

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**From:** Anthony Mole [mailto:AM@herodesmole.com]  
**Sent:** Tuesday, October 20, 2015 12:31 PM  
**To:** Peter Ripperger

# CUDDY & FEDER<sup>LLP</sup>

445 Hamilton Avenue, 14th Floor  
White Plains, New York 10601  
Tel 914.761.1300 Fax 914.761.5372  
www.cuddyfeder.com

October 19, 2015

**BY FIRST CLASS MAIL  
AND E-MAIL**

Peter Ripperger  
Highway Superintendent  
Town of Lewisboro  
Highway Garage  
11 Main Street, P.O. Box 500  
South Salem, New York 10590

Re: Hayes/Stein Preliminary Subdivision Plat Approval – Highway Department Review  
Premises: North Salem Road (NYS Route 121)  
Parcel ID/Tax Map Designation: Sheet 15, Block 10533, Lots 7, 8, & 9

Dear Superintendent Ripperger:

On behalf of Jocelyn Hayes and Janet Stein (the "Applicants"), the owners of the above-referenced Premises, I am writing in regards to the proposed curb cut for Lot 7, which is located along Todd Road and is identified on the Tax Maps of the Town of Lewisboro as Sheet 15, Block 10533, Lot 7. On October 18, 2015, the proposed curb cut for Lot 7 was staked by J.D. Barrett & Associates, LLC.<sup>1</sup> The Applicant is not proposing any physical improvements and has no intention of developing the lots or the driveway for the proposed curb cut at this time. It is expected that the Planning Board will condition any proposed future development of the site, including the proposed curb cut and driveway for Lot 7 on obtaining Site Plan Approval from the Planning Board, as well as a Driveway Permit from the Highway Department, consistent with the Zoning Code and related regulations in effect at that time.

Given the nature of the above-referenced application, seeking approval to adjust the lot lines of the three (3) existing lots, we respectfully request that your office conduct a site visit to review the proposed curb cut for Lot 7, consistent with the Lewisboro Street Ordinance.<sup>2</sup> Provided the limited scope of the approval sought, upon your review of the staking for the proposed curb cut for Lot 7, if you do not have any comments for the opening entrance of the driveway and the proposed curb cut is generally acceptable at this time, we respectfully request that you confirm and acknowledge the same by signing below, where indicated, and that you please return a copy of the same to our attention.<sup>3</sup> We appreciate your consideration regarding this matter.

Please do not hesitate to contact me or our project consultants, Ed Delaney, Bibbo Associates, LLP, and Jeri Barrett, J.D. Barrett & Associates, LLC, with any questions.

**[Acknowledgement Page Immediately Follows]**

<sup>1</sup> Please see enclosed photos of the proposed curb cut taken by J.D. Barrett & Associates, LLC, on October 18, 2015.

<sup>2</sup> As adopted August 11, 1959, and as amended to the date of this letter.

<sup>3</sup> Any record of inspections or related comments concerning the acknowledgement can be included below as part of the acknowledgement.

**CUDDY &  
FEDER**

October 19, 2015  
Page 2

**ACKNOWLEDGED AND AGREED**

**TOWN OF LEWISBORO HIGHWAY DEPARTMENT  
SUPERINTENDENT OF HIGHWAYS**

Signature: *Peter R. Pappas*

BY: (print name): PETER R. PAPPAS

TITLE (print title): SUPR. OF HIGHWAYS

Dated: 10/20/15

Date of Inspection: 10/20/15

Record of Inspections / Remarks:

Date	Record of Inspections/Remarks
10/20/15	OK would require removal of log trees / under drain work

Very truly yours,



Taylor M. Palmer

**Enclosures**

- cc: Jan Johannessen, Town Planning Consultant
- Joseph Cermele, Town Engineering Consultant
- Judson Siebert, Esq., Special Counsel to the Planning Board
- Jeri Barrett, J.D. Barrett & Associates, LLC
- Ed Delaney, Bibbo Associates, LLP
- Janet Stein
- Jocelyn Hayes

October 29, 2015

**BY HAND DELIVERY**

Chairman Jerome Kerner  
and Members of the Planning Board  
Town of Lewisboro  
P.O. Box 725  
Cross River, New York 10518

Re: Hayes/Stein Final Subdivision Plat Approval – Step III  
Premises: North Salem Road (NYS Route 121)  
Parcel ID/Tax Map Designation: Sheet 15, Block 10533, Lots 7, 8, & 9

Dear Chairman Kerner and Members of the Planning Board:

On behalf of Jocelyn Hayes and Janet Stein (the “Applicants”), the owners of the above-referenced Premises, we respectfully submit this Final Subdivision Plat Approval application seeking approval to change the lot lines of the Hayes property, identified on the Tax Maps as Sheet 15, Block 10533, Lot 9 (hereinafter “Lot 9” or the “Hayes Lot”) and the Stein properties, identified on the Tax Maps as Sheet 15, Block 10533, Lots 7 and 8 (hereinafter “Lot 7” and “Lot 8”, collectively the “Stein Lots”). The Premises are located on the north side of North Salem Road (N.Y.S. Route 121), and is classified in the One-Family Residence (R-4A) Zoning District in the Town of Lewisboro.

The existing Hayes Lot consists of 4.807 acres of land and is improved by a one-family residence, existing accessory dwelling and related accessory structures. As proposed, the Hayes Lot would be increased to 13.060 acres of land, ensuring the Hayes Lot has adequate road frontage. The Stein Lots consist of 62.693 acres of land, with the existing Lot 7 consisting of 24.634 acres and existing Lot 8 consisting of 38.059 acres. As proposed, Lot 7 will be reduced to 20.616 acres and Lot 8 will be reduced to 33.824 acres.

The Applicants appeared before the Planning Board on July 21, 2015, for the Sketch Plan Review for the proposed subdivision, and again on October 20, 2015, for the Preliminary Subdivision Plat Approval Application review. Following the October 20<sup>th</sup> meeting, the Applicants received correspondence from the Golden’s Bridge Fire District with no objections to the proposed application. Additionally, the Applicants received correspondence from the Town of Lewisboro Highway Department indicating that the proposed curb cut for Lot 7 is generally acceptable at this time.

October 29, 2015

Page 2

In furtherance of this Final Subdivision Plat Application, we respectfully submit the Final Subdivision Application Fee, Professional Consultants Escrow, and an original and eight (8) copies of this letter, together with the following documentation:

1. A Completed Subdivision Plat Application Form – Step III;
2. A Short Environmental Assessment Form in accordance with Article 8 of the New York State Environmental Conservation Law and the rules and regulations promulgated thereunder at 6 N.Y.C.R.R. Part 617 (collectively “SEQRA”);
3. Affidavits from Town Receiver of Taxes that all taxes on subject properties have been paid;
4. Completed Affidavit of Ownership Forms;
5. A Memorandum prepared by Town of Lewisboro Building Inspector Peter C. Barrett, dated August 31, 2015, confirming existing non-conforming use;
6. A copy of Certificate of Occupancy #4-40, for “Garage and Help Quarters”, dated November 6, 1940, obtained from Town of Lewisboro Building Department for accessory dwelling unit;
7. A letter from George Hunter Roberts, Esq., dated October 23, 2015, as Counsel for the Golden’s Bridge Fire District regarding no objections to Hayes/Stein Subdivision; and
8. Facsimile Correspondence from Town of Lewisboro Highway Superintendent Peter Ripperger, dated October 21, 2015, consisting of six (6) pages, regarding the proposed curb cut for Lot 7 and including a signed acknowledgement page dated October 20, 2015.

Pursuant to our correspondence with the Planning Board Planning Consultant Jan K. Johannessen, AICP, the following documents that were submitted with our prior Preliminary Subdivision Plat Approval Application, which have not been changed since that submission, are listed below for reference and are on file with the Planning Board:

1. A Stormwater Pollution Prevention Plan, prepared by Bibbo Associates, LLP, dated September 14, 2015.
2. A set of Drawing Plans, prepared by Bibbo Associates, LLP, dated September 14, 2015, including the following sheets:
  - EX Existing Conditions Plan, Sheet 1 of 5;
  - PP-1 Preliminary Plat, Sheet 2 of 5;
  - SP-1 Lot 7 Plan, Sheet 3 of 5;
  - SP-2 Lot 8 and 9, Plan, Sheet 4 of 5; and
  - D-1 Details, Sheet 5 of 5.
3. A set of Site Plans, prepared by J.D. Barrett & Associates, LLC, dated September 21, 2015, including:
  - Sheet 1 of 6 - Existing Conditions Map;
  - Sheet 2 of 6 - Property Transfer Map;

October 29, 2015  
Page 3

- Sheet 3 of 6 – Access Study – Lot 8;
  - Sheet 4 of 6 – Access Study – Lot 7;
  - Sheet 5 of 6 – Overall Slope Map; and
  - Sheet 6 of 6 – Wetland Impact Map.
4. A set of Plat Maps, prepared by Insite Engineering, entitled “Lot Line Change Map prepared for Jocelyn Hayes and Janet Stein Situate in the Town of Lewisboro, Westchester County, New York”, dated September 21, 2015.

We respectfully submit that the proposed Final Subdivision Plat is in substantial conformance with the Preliminary Plat. We look forward to appearing before the Planning Board for the Public Hearing on the Preliminary and Final Subdivision Approval on November 17, 2015. In the interim, should the Planning Board have any questions or comments in connection with this application, please feel free to contact me. Thank you in advance for your consideration in this matter.

Very truly yours,



Taylor M. Palmer

Enclosures

cc: Jan Johannessen, Town Planning Consultant  
Joseph Cermele, Town Engineering Consultant  
Judson Siebert, Esq, Special Counsel to the Planning Board  
Ed Delaney, Bibbo Associates, LLP  
Jeri Barrett, JD Barrett & Associates, LLC  
Janet Stein  
Jocelyn Hayes

**EXHIBIT 1**

**TOWN OF LEWISBORO PLANNING BOARD**

PO Box 725, 20 North Salem Road, Cross River, NY 10518

Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com) Tel: (914) 763-5592

**Site Development Plan/Subdivision Plat Application - Check all that apply:**

Waiver of Site Development Plan Procedures	<input type="checkbox"/>			
Site Development Plan Approval	Step I <input type="checkbox"/>		Step II <input type="checkbox"/>	
Special Use Permit Approval	Step I <input type="checkbox"/>		Step II <input type="checkbox"/>	
Subdivision Plat Approval	Step I <input type="checkbox"/>		Step II <input type="checkbox"/>	Step III <input checked="" type="checkbox"/>

**Project Information**

Project Name: Hayes/Stein Subdivision

Project Address: North Salem Road (N.Y.S. Route 121), Cross River, NY 10518

Gross Parcel Area: 67.5 acres Zoning District: R-4A Sheet(s): 15 Block (s): 10533 Lot(s): 7, 8, 9

Project Description: \*\*Please see enclosed project narrative.\*\*

Is the site located within 500 feet of any Town boundary?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Is the site located within the New York City Watershed?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Is the site located on a State or County Highway?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Does the proposed action require any other permits/approvals from other agencies/departments?

Town Board	<input type="checkbox"/>	ZBA	<input type="checkbox"/>	Building Dept.	<input type="checkbox"/>	Town Highway	<input type="checkbox"/>
ACARC	<input type="checkbox"/>	NYSDEC	<input checked="" type="checkbox"/>	NYCDEP	<input type="checkbox"/>	WCDH	<input checked="" type="checkbox"/>
NYSDOT	<input type="checkbox"/>	Town Wetland	<input type="checkbox"/>	Town Stormwater	<input type="checkbox"/>		

Other \_\_\_\_\_

**Owner's Information**

Name: 1) Jocelyn Hayes  
2) Janet Stein Email: Jocelyn.Hayes@prodigy.net

Address: 1) 128 North Salem Road, Cross River, NY 10518  
2) 2 Gin Lane, Southampton, NY 11968 Phone: (914) 763-8738

**Applicant's Information (if different)**

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Authorized Agent's Information**

Name: Taylor M. Palmer, Esq. Email: tpalmer@cuddyfeder.com

Address: Cuddy & Feder LLP  
445 Hamilton Avenue, 14th Fl., White Plains, NY 10601 Phone: (914) 761-1300

THE APPLICANT understands that any application is considered complete only when all information and documents required have been submitted and received by the Planning Board. The applicant further understands that the applicant is responsible for the payment of all application and review fees incurred by the Planning Board.

THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his/her knowledge and belief, and authorizes visitation and inspection of the subject property by the Town of Lewisboro and its agents.

#1	OWNER/ APPLICANT'S SIGNATURE	<u>Jocelyn Hayes</u>	DATE	<u>10/26/2015</u>
#2	OWNER'S SIGNATURE APPLICANT	<u>Janet Stein</u>	DATE	<u>10/27/2015</u>

**EXHIBIT 2**

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Hayes / Stein Subdivision			
Project Location (describe, and attach a location map): North Salem Road & Todd Road, Town of Lewisboro, Westchester County, New York. Tax Map ID: Sheet 15, Block 10533, Lots 7, 8 & 9.			
Brief Description of Proposed Action: Proposed final subdivision approval on 67.5 acres of property located in the R-4A Zoning District in the Town of Lewisboro, involving a lot line change to the existing lot line configuration.			
Name of Applicant or Sponsor: 1) Jocelyn Hayes / 2) Janet Stein		Telephone: (914) 763-8738 E-Mail: Jocelyn.Hayes@prodlgy.net	
Address: 1) 128 North Salem Road / 2) 2 Gin Lane			
City/PO: 1) Cross River / 2) Southampton		State: 1) N.Y. / 2) N.Y.	Zip Code: 1) 10158 / 2) 11968
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Lewisboro Planning Board, Westchester County Health Dept.			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		67.5 acres	
b. Total acreage to be physically disturbed?		5.76 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		67.5 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ On-site wells are proposed to be installed.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ Individual septic systems are proposed to be installed on each lot.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ If construction was to occur, widening of the existing gravel driveway would encroach into 1,350 +/- sq. ft. of locally regulated wetland buffer and 60.0 +/- sq. ft. of buffer to NYSDEC wetland F-8. No direct wetland impact.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE  
 Applicant/sponsor name: Jocelyn Hayes  
Janet Stein Date: 10/26/2015  
 Signature: *Janet Stein*

X *Janet Stein*

**EXHIBIT 3**

**TOWN OF LEWISBORO PLANNING BOARD**

PO Box 725, 20 North Salem Road, Cross River, NY 10518  
Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com)  
Tel: (914) 763-5592 Fax: (914) 763-3637

**Tax Payment Affidavit Requirement**

*This form must accompany all applications to the Planning Board.*

*Under regulations adopted by the Town of Lewisboro, the Planning Board may not accept any application unless an affidavit from the Town of Lewisboro Receiver of Taxes is on file in the Planning Board office. The affidavit must show that all amounts due to the Town of Lewisboro as real estate taxes and special assessments on the total area encompassed by the application, together with all penalties and interest thereon, have been paid.*

*Under New York State law, the Westchester County Clerk may not accept any subdivision map for filing unless the same type of affidavit from the Town of Lewisboro Receiver of Taxes is submitted by the applicant at the time of filing.*

This form must be completed by the applicant and must accompany all applications to the Planning Board. Upon receipt, the Planning Board Secretary will send the form to the Receiver of Taxes for signature and notarization. If preferred, the applicant may directly obtain the signature of the Receiver of Taxes and notarization prior to submission.

**To Be Completed by Applicant  
(Please type or print)**

Jocelyn Hayes

Hayes/Stein Subdivision

Name of Applicant

Project Name

Property Description 124 No. Salem Rd.

Property Assessed to:

Tax Block(s): 10533

Jocelyn Hayes

Tax Lot(s): 9

Name 128 North Salem Road

Tax Sheet(s): 15

Address Cross River New York 10518

City State Zip

The undersigned, being duly sworn deposes and says that a search of the tax records in the office of the Receiver of Taxes, Town of Lewisboro, reveals that all amounts due to the Town of Lewisboro as real estate taxes and special assessments, together with all penalties and interest thereon, affecting the premises described below, have been paid.

Signature - Receiver of Taxes:

10/27/2015  
Date

Sworn to before me this

27th day of October, 2015

Signature - Notary Public (affix stamp)

JANET L. DONOHUE  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01DO6259627  
Qualified in Westchester County  
Commission Expires April 16, 2016

TOWN OF LEWISBORO PLANNING BOARD

PO Box 725, 20 North Salem Road, Cross River, NY 10518
Email: planning@lewisborogov.com
Tel: (914) 763-5592 Fax: (914) 763-3637

Tax Payment Affidavit Requirement

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Under New York State law, the Westchester County Clerk may not accept any subdivision map for filing unless the same type of affidavit from the Town of Lewisboro Receiver of Taxes is submitted by the applicant at the time of filing.

This form must be completed by the applicant and must accompany all applications to the Planning Board. Upon receipt, the Planning Board Secretary will send the form to the Receiver of Taxes for signature and notarization. If preferred, the applicant may directly obtain the signature of the Receiver of Taxes and notarization prior to submission.

To Be Completed by Applicant (Please type or print)
Janet Stein Hayes/Stein Subdivision
Name of Applicant Project Name
Property Description N. Salem Rd. Property Assessed to: Janet Stein & Howard M. Stein
Tax Block(s): 10533 Name 2 Gin Lane
Tax Lot(s): 7 & 8 Address Southampton New York 11968
Tax Sheet(s): 15 City State Zip

The undersigned, being duly sworn deposes and says that a search of the tax records in the office of the Receiver of Taxes, Town of Lewisboro, reveals that all amounts due to the Town of Lewisboro as real estate taxes and special assessments, together with all penalties and interest thereon, affecting the premises described below, have been paid.

Signature - Receiver of Taxes: [Signature] Date: 10/27/2015

Sworn to before me this 27th day of October, 2015

[Signature of Janet L. Donohue]
Signature - Notary Public (affix stamp)

JANET L. DONOHUE
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DO6259627
Qualified in Westchester County
Commission Expires April 16, 2016

**EXHIBIT 4**

# TOWN OF LEWISBORO PLANNING BOARD

PO Box 725, 20 North Salem Road, Cross River, NY 10518

Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com)

Tel: (914) 763-5592

Fax: (914) 763-3637

## Affidavit of Ownership

State of: New York

County of: Westchester

Jocelyn Hayes, being duly sworn, deposes and says that he/she

resides at 128 North Salem Road, Cross River,

in the County of Westchester, State of New York

and that he/she is (check one)  the owner, or  the \_\_\_\_\_  
Title

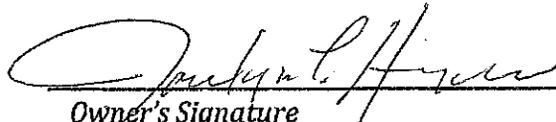
of \_\_\_\_\_  
Name of corporation, partnership, or other legal entity

which is the owner, in fee of all that certain log, piece or parcel of land situated, lying and being in the

Town of Lewisboro, New York, aforesaid and know and designated on the Tax Map in the Town of

Lewisboro as:

Block 10533, Lot 9, on Sheet 15

  
Owner's Signature

Sworn to before me this

27<sup>th</sup> day of October, 2015

  
Notary Public - affix stamp

ANGELA COTTO  
Notary Public, State of New York  
Registration #01C06272801  
Qualified In Bronx County  
Commission Expires Nov. 26, 2016

# TOWN OF LEWISBORO PLANNING BOARD

PO Box 725, 20 North Salem Road, Cross River, NY 10518

Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com)

Tel: (914) 763-5592

Fax: (914) 763-3637

## Affidavit of Ownership

State of: New York

County of: Suffolk

Janet Stein, being duly sworn, deposes and says that he/she

resides at 2 Gin Lane, Southampton

in the County of Suffolk, State of New York

and that he/she is (check one)  the owner, or  the

*Title*

of \_\_\_\_\_

*Name of corporation, partnership, or other legal entity*

which is the owner, in fee of all that certain log, piece or parcel of land situated, lying and being in the

Town of Lewisboro, New York, aforesaid and know and designated on the Tax Map in the Town of

Lewisboro as:

Block 10533, Lot 7 & 8, on Sheet 15.



*Owner's Signature*

Sworn to before me this

18<sup>th</sup> day of October, 2015

WAYNE M. MAUGANS  
Notary Public - State of New York  
No. 01MA6253074  
Qualified in New York County  
My Commission Expires Dec. 19, 2015

Wayne M. Maugans 10/28/2015

Notary Public - affix stamp

**EXHIBIT 5**

***Town of Lewisboro  
Building Department***

P. O. Box 725  
Cross River, NY 10518  
914-763-3060  
Fax: 914-533-0097

**Memorandum**

**Date:** August 31, 2015  
**To:** Michael Fuller Sirignano  
**From:** Peter C. Barrett  
**Subject:** Sheet 15 Block 10533 lots 7, 8, & 9.  
**Cc:**

---

I am in receipt of your letter of August 20, 2015.

The above referenced property contains an accessory building which has Certificate of Occupancy #4-40 for "Garage and Help Quarters". This Certificate is dated 11/6/40, signed by Cyrus W. Russell.

This is an "existing non-conforming" use.

  
Peter C. Barrett  
Building Inspector

**EXHIBIT 6**

*In Plot plan  
see folder no. 154*

APPLICATION  
FOR  
CERTIFICATE OF OCCUPANCY

TO THE BUILDING INSPECTOR  
of Town of Lewisboro,  
Westchester County, New York.

(1) Having complied with the provisions of the Building Zone Ordinance with respect to the filing of any necessary plans and specifications, I hereby apply for a Certificate of Occupancy, as required in said Ordinance, to apply to the following described premises:

(2) Located at No. ~~1011~~ *15*, on the ~~west~~ *cross street* side of  
(Street, Avenue or Place), Section No. ~~15~~ *15*, Block No. ~~1555~~, Lot No. ~~22~~  
Town of Lewisboro Assessment Map.

(3) The dimensions, shape and location of the lot to be built upon; and the positions and dimensions of the existing and proposed buildings and their projections thereon are as shown on the plans, drawn to scale, submitted herewith and made a part of this Application.

(4) It is proposed to occupy or use the premises, buildings or structures or parts thereof for the following purposes:

~~residence and office~~

NOTE: If to be used for manufacturing or business purposes, state exact nature thereof; if for residential purposes, state number of families. In either case, give full particulars respecting each building or structure. If only part of the premises is to be used, and Certificates desired for only that part, state just what is desired.

(5) The heights of the proposed main and accessory buildings or structures are as follows:  
~~one story~~

(6) The buildings or structures now on the lot are used for the following purposes:  
~~residence~~

(7) The premises which are the subject of this application are owned by:  
~~John L. Crosby~~  
Address ~~Cross Street, N.Y.~~

(8) My position with respect to this application is that of ~~owner~~  
(Owner, Lessee or Tenant).

(9) I am familiar with the Building Zone Ordinance and submit this application in conformity with its provisions.

(over)

CO

(10) I hereby certify that the above statements and data are correct and true to the best of my knowledge and belief.

(Signed) Susan J. Crosby  
Business Address .....  
Residence Address 1208 11th St.

Date May 31, 1940 19.....

Application No. 8-40  
Date Received May 31, 1940

TOWN OF LEWISBORO  
Westchester County, N. Y.

APPLICATION FOR  
CERTIFICATE OF OCCUPANCY

Date Revised .....19.....  
Date Approved 11/6 .....1940  
Date Denied .....19.....  
Date Referred .....19.....  
Applicant Notified 11/6 .....1940

CERTIFICATE OF OCCUPANCY

Certificate No. 4-40  
Date Issued 11/6 .....1940

ACTION BY BUILDING INSPECTOR

The foregoing application and accompanying plans and specifications have been examined and considered, and the following action taken by me:

- Application Rejected
- Application Granted
- Referred to Board of Appeals

Reasons or Remarks: .....  
.....  
.....

Raymond W. Russell  
Building Inspector  
For the Town of Lewisboro,  
Westchester County, New York

Date 11/6/40 19.....



**EXHIBIT 7**

**Covey, Roberts & Carmody-Roberts, LLC**

200 Katonah Avenue

Katonah, New York 10536

Telephone: 914-232-2222 Fax: 914-232-0574

[yourattorneys@crclaw.com](mailto:yourattorneys@crclaw.com)

[www.crclaw.com](http://www.crclaw.com)

George Hunter Roberts  
(Admitted New York and Florida)

FOUNDED 1905

Linda Carmody-Roberts, CELA  
(1949-2004)

Loriann M. Low, Associate

c/o Michael R. Tilley  
7999 N. Federal Hwy, Ste. 102  
Boca Raton, FL 33487  
561-368-6020

*Paralegals*  
Linda G. Collica  
Linda Cheek  
Jayne Hinchcliffe

October 23, 2015

Taylor M. Palmer, Esq.  
Cuddy & Feder  
445 Hamilton Ave., 14<sup>th</sup> Floor  
White Plains NY 10601

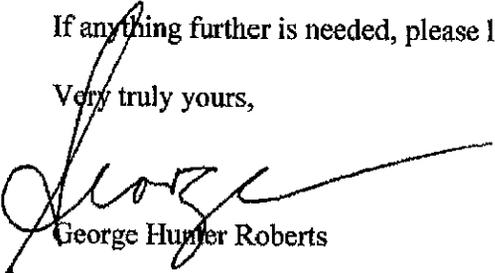
***Re: Golden's Bridge Fire District  
Hayes/Stein Subdivision***

Dear Taylor:

As Counsel for the Golden's Bridge Fire District, I am advising you that the Fire Commissioners for the Fire District have no objections to the boundary line adjustment for the Hayes/Stein Subdivision.

If anything further is needed, please let me know.

Very truly yours,

  
George Hunter Roberts

cc: Joann Vasi, Secretary  
Golden's Bridge Fire District Secretary

**EXHIBIT 8**

Town of Lewisboro  
 Highway Department  
 11 Main Street - PO Box 500  
 South Salem, NY 10590  
 914-763-3166  
 914-763-8184 (FAX)  
 800-662-1220 (TTY)

# Fax

To: TAYLOR PALMER	Fax: 761-5372
From: PETER R. PIERGER	Pages: (including coversheet) 5
Re: HAYES / STEIN	Date: 10/21/15

**Cc:** Siebert, Judson K.  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Pete,

I am copying Judd Siebert, Esq. on this, as he would probably be better to respond as it is a pending Planning Board matter. Judd, what are your thoughts? Thanks.

Anthony R. Molé, Esq.  
HERODES & MOLE, P.C.  
888 Route Six  
Mahopac, New York 10541  
Tel: 845-628-1100  
Fax: 845-628-1110  
[am@herodesmole.com](mailto:am@herodesmole.com)

[www.herodesmole.com](http://www.herodesmole.com)

This electronic mail transmission contains information that may be confidential or privileged from the law firm of Herodes & Molé, P.C. The information contained herein is intended solely for the use of the individual or entity named above. Please note that if you are not the intended recipient, any dissemination, disclosure, distribution or copying of the contents of this information is prohibited. If you have received this electronic transmission in error, please contact us by telephone (845-628-1100) or by electronic mail by replying to this electronic mail message. Thank you.

---

**From:** Peter Ripperger [<mailto:lhd15@optonline.net>]  
**Sent:** Tuesday, October 20, 2015 11:01 AM  
**To:** Anthony Mole  
**Subject:** FW: Hayes / Stein - Highway Department Approval

Anthony please read this. Seems ok, need your input. ASP Peter R.

---

**From:** Palmer, Taylor M. [<mailto:TPalmer@cuddyfeder.com>]  
**Sent:** Monday, October 19, 2015 12:27 PM  
**To:** 'highway@lewisborogov.com'  
**Cc:** 'Jan Johannessen'; Jeri Barrett; Petrillo, Yvonne; Frankl, Emily A; Ed Delaney - Bibbo Associates  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Superintendent Ripperger,

Per our phone conversation on October 5<sup>th</sup>, and your related correspondence with Jeri Barrett of J.D. Barrett & Associates, LLC, please find attached a copy of our letter that was mailed to your attention regarding the proposed curb cut for Lot 7, consistent with the Hayes/Stein Preliminary Subdivision Plat Approval application.

As per the attached letter and photo enclosures, Mr. Barrett staked the driveway location on Sunday, October 18<sup>th</sup>, for review by your Department. As previously discussed, the Applicant is not proposing any physical improvements and has no intention of developing the lots or the driveway for the proposed curb cut at this time. It is further expected that the Planning Board will condition any proposed future development of the site, including the proposed curb cut and driveway for Lot 7 on obtaining Site Plan Approval from the Planning Board, as well as a Driveway Permit from the Highway Department, consistent with the Zoning Code and related regulations in effect at that time.

**Peter Ripperger**

---

**From:** Siebert, Judson K. [JSiebert@kblaw.com]  
**Sent:** Tuesday, October 20, 2015 6:04 PM  
**To:** 'Anthony Mole'; Peter Ripperger  
**Subject:** RE: Hayes / Stein - Highway Department:Approval

Anthony,

This is consistent with Planning Board process – want to obtain input of Highway Dep't as to proposed curb cut. This is for purposes of subdivision approval – it is contemplated that approval, if issued, will condition future development on site plan review and approval and formal approval of curb cut at that time.

I suggest that Peter examine the location and advise as to the Dep't's position.

Thanks.

Judson K. Siebert  
Principal Member

**KEANE & BEANE P.C.**  
ATTORNEYS AT LAW

Multi-Faceted Law Firm. Singular Client Focus.

445 Hamilton Avenue, Suite 1500  
White Plains, NY 10601  
(914) 946-4777 Ext: 332  
(914) 946-6868 (Fax)  
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[www.kblaw.com](http://www.kblaw.com)  
[Follow us on Twitter](#)

**PERSONAL & CONFIDENTIAL**

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Please consider the environment before printing this email message.

---

**From:** Anthony Mole [mailto:AM@herodesmole.com]  
**Sent:** Tuesday, October 20, 2015 12:31 PM  
**To:** Peter Ripperger  
**Cc:** Siebert, Judson K.  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Pete,

I am copying Judd Siebert, Esq. on this, as he would probably be better to respond as it is a pending Planning Board matter. Judd, what are your thoughts? Thanks.

Anthony R. Molé, Esq.

**Peter Ripperger**

---

**From:** Peter Ripperger [lhd15@optonline.net]  
**Sent:** Wednesday, October 21, 2015 7:05 AM  
**To:** 'Anthony Mole'  
**Co:** 'jsiebert@kblaw.com'  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Anthony. I did a sight visit on 10/20/15. If and when this may happen, the removal of large trees may be necessary and minor drainage work. This is not a problem and can be done at the owners expense at that time. Peter Ripperger

---

**From:** Siebert, Judson K. [mailto:JSiebert@kblaw.com]  
**Sent:** Tuesday, October 20, 2015 6:04 PM  
**To:** 'Anthony Mole'; Peter Ripperger  
**Subject:** RE: Hayes / Stein - Highway Department Approval

Anthony,

This is consistent with Planning Board process – want to obtain input of Highway Dep't as to proposed curb cut. This is for purposes of subdivision approval – it is contemplated that approval, if issued, will condition future development on site plan review and approval and formal approval of curb cut at that time.

I suggest that Peter examine the location and advise as to the Dep't's position.

Thanks.

Judson K. Siebert  
Principal Member

**KEANE & BEANE P.C.**  
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[www.kblaw.com](http://www.kblaw.com)  
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Please consider the environment before printing this email message.

---

**From:** Anthony Mole [mailto:AM@herodesmole.com]  
**Sent:** Tuesday, October 20, 2015 12:31 PM  
**To:** Peter Ripperger

# CUDDY & FEDER<sup>LLP</sup>

445 Hamilton Avenue, 14th Floor  
White Plains, New York 10601  
Tel 914.761.1300 Fax 914.761.5372  
www.cuddyfeder.com

October 19, 2015

**BY FIRST CLASS MAIL  
AND E-MAIL**

Peter Ripperger  
Highway Superintendent  
Town of Lewisboro  
Highway Garage  
11 Main Street, P.O. Box 500  
South Salem, New York 10590

Re: Hayes/Stein Preliminary Subdivision Plat Approval – Highway Department Review  
Premises: North Salem Road (NYS Route 121)  
Parcel ID/Tax Map Designation: Sheet 15, Block 10533, Lots 7, 8, & 9

Dear Superintendent Ripperger:

On behalf of Jocelyn Hayes and Janet Stein (the "Applicants"), the owners of the above-referenced Premises, I am writing in regards to the proposed curb cut for Lot 7, which is located along Todd Road and is identified on the Tax Maps of the Town of Lewisboro as Sheet 15, Block 10533, Lot 7. On October 18, 2015, the proposed curb cut for Lot 7 was staked by J.D. Barrett & Associates, LLC.<sup>1</sup> The Applicant is not proposing any physical improvements and has no intention of developing the lots or the driveway for the proposed curb cut at this time. It is expected that the Planning Board will condition any proposed future development of the site, including the proposed curb cut and driveway for Lot 7 on obtaining Site Plan Approval from the Planning Board, as well as a Driveway Permit from the Highway Department, consistent with the Zoning Code and related regulations in effect at that time.

Given the nature of the above-referenced application, seeking approval to adjust the lot lines of the three (3) existing lots, we respectfully request that your office conduct a site visit to review the proposed curb cut for Lot 7, consistent with the Lewisboro Street Ordinance.<sup>2</sup> Provided the limited scope of the approval sought, upon your review of the staking for the proposed curb cut for Lot 7, if you do not have any comments for the opening entrance of the driveway and the proposed curb cut is generally acceptable at this time, we respectfully request that you confirm and acknowledge the same by signing below, where indicated, and that you please return a copy of the same to our attention.<sup>3</sup> We appreciate your consideration regarding this matter.

Please do not hesitate to contact me or our project consultants, Ed Delaney, Bibbo Associates, LLP, and Jeri Barrett, J.D. Barrett & Associates, LLC, with any questions.

**[Acknowledgement Page Immediately Follows]**

<sup>1</sup> Please see enclosed photos of the proposed curb cut taken by J.D. Barrett & Associates, LLC, on October 18, 2015.

<sup>2</sup> As adopted August 11, 1959, and as amended to the date of this letter.

<sup>3</sup> Any record of inspections or related comments concerning the acknowledgement can be included below as part of the acknowledgment.

**CUDDY &  
FEDER**

October 19, 2015  
Page 2

**ACKNOWLEDGED AND AGREED**

**TOWN OF LEWISBORO HIGHWAY DEPARTMENT  
SUPERINTENDENT OF HIGHWAYS**

Signature: *Peter R. Sparger*

BY: (print name): PETER R. SPARGER

TITLE (print title): SUPT. OF HIGHWAYS

Dated: 10/20/15

Date of Inspection: 10/20/15

Record of Inspections / Remarks:

Date	Record of Inspections/Remarks
10/20/15	OK will require removal of log trees / maneuver down west

Very truly yours,



Taylor M. Palmer

Enclosures

- cc: Jan Johannessen, Town Planning Consultant
- Joseph Cermele, Town Engineering Consultant
- Judson Siebert, Esq., Special Counsel to the Planning Board
- Jeri Barrett, J.D. Barrett & Associates, LLC
- Ed Delaney, Bibbo Associates, LLP
- Janet Stein
- Jocelyn Hayes

November 10, 2015

**BY FEDERAL EXPRESS  
AND E-MAIL**

Chairman Jerome Kerner  
and Members of the Planning Board  
Town of Lewisboro  
P.O. Box 725  
Cross River, New York 10518

Re: Hayes/Stein Final Subdivision Plat Approval – Fee in Lieu of Reservation  
Premises: North Salem Road (NYS Route 121)  
Parcel ID/Tax Map Designation: Sheet 15, Block 10533, Lots 7, 8 & 9

Dear Chairman Kerner and Members of the Planning Board:

On behalf of Jocelyn Hayes and Janet Stein (the “Applicants”), the owners of the above-referenced Premises, we respectfully submit this letter in furtherance of their Application for Final Subdivision Plat Approval to change the lot lines of the Hayes parcel, identified on the Tax Maps as Sheet 15, Block 10533, Lot 9 (hereinafter “Lot 9” or the “Hayes Lot”) and the Stein properties, identified on the Tax Maps as Sheet 15, Block 10533, Lots 7 and 8 (hereinafter “Lot 7” and “Lot 8”, collectively the “Stein Lots”). These Premises are located on the north side of North Salem Road (N.Y.S. Route 121), and are classified in the One-Family Residence (R-4A) Zoning District in the Town of Lewisboro.

Specifically, this letter addresses the Applicants’ request, pursuant to Town of Lewisboro Code Section 195-26, for relief from payments regarding reservations for parks and playgrounds given that the lots are existing tax lots and are substantially in excess of the required minimum lot sizes set forth in the Town of Lewisboro Code. The existing Hayes Lot consists of 4.807 acres of land and is improved by a one-family residence, existing accessory dwelling and related accessory structures. As proposed, the Hayes Lot would be increased to 13.060 acres of land, ensuring the Hayes Lot has adequate road frontage. The Stein Lots are comprised of 62.693 acres of land, with the existing Lot 7 consisting of 24.634 acres, and existing Lot 8 consisting of 38.059 acres. As proposed, Lot 7 will be reduced to 20.616 acres and Lot 8 will be reduced to 33.824 acres. We respectfully submit that these existing lots could have been developed with three (3) single-family houses without the need for this subdivision to be approved.

The Applicants initially appeared before this Board simply in connection with the construction of a permitted accessory structure (dance studio/pool house) on existing Lot 9. Based upon the determination by the Lewisboro Building Department that the proposed accessory structure was required to be set back from the property line, it was recommended that the adjacent lot (i.e., existing Lot 8), which also is part of the Hayes-Stein family holdings participate in a lot line change so that an

November 10, 2015

Page 2

area variance would not be necessary and Lot 9 could be provided with compliant side-yard setbacks for the accessory structure.

Subsequently, it was determined that while the Premises were previously separated by deed, as shown on the Westchester County Municipal Tax Parcel Viewer,<sup>1</sup> the Applicants should appear before the Planning Board for Preliminary and Final Subdivision Approval to effect that lot line change between Lot 8 and Lot 9, as well as to rearrange other lot lines, all without increasing the established right to construct three (3) single-family houses on these parcels. As proposed, the Applicants' subdivision plat ensures that the accessory structure on Lot 9 will be set back more than 210' from the proposed property line between Lot 9 and Lot 8.<sup>2</sup> Additionally, the Hayes Lot and Stein Lots were further modified to ensure that each respective lot would have compliant road frontage.<sup>3</sup>

As you know, the Applicants are not proposing any physical improvements in connection with the proposed lot realignment. Most importantly, there are no new houses proposed in connection with this subdivision that would generate a new demand for park, playground or other recreational facilities in the Town of Lewisboro (the "Town").<sup>4</sup> Indeed, even if the Applicants proposed to develop the Premises, the Site Plans prepared by J.D. Barrett & Associates, LLC, dated September 21, 2015,<sup>5</sup> reveal the very limited development potential for all three (3) of the existing lots, as a result of NYS DEC and NYC DEP regulated wetlands and steep slopes, which together greatly exceed five percent (5%) of the land in the subdivision.<sup>6</sup> Further, we have been advised that the Applicants have no intention of developing the existing lots, and the Applicants have agreed that any development of the proposed residences shown on Lot 8 and Lot 7 would require further Planning Board approval.<sup>7</sup>

Pursuant to Town of Lewisboro Code §195-26, concerning "Reservations and easements", the Planning Board:

... **may require** that land be reserved within subdivisions for a park or playground or other recreational purposes. Each reservation shall be appropriately located and be of suitable size,

---

<sup>1</sup> See Exhibit A – Town of Lewisboro Tax Maps.

<sup>2</sup> The Lewisboro Zoning Code requires a 50' setback in the R-4A Zoning District for accessory from the common property line.

<sup>3</sup> The Lewisboro Zoning Code requires a minimum of 250 LF of road frontage in the R-4A Zoning District.

<sup>4</sup> New York Town Law Section 277(4) compels Towns to analyze recreation facilities and programs, deficiencies, plans, the demand generated by a new subdivision and the likely benefit inuring to the subdivision's residents in order to require the set-aside of park land or the payment of a fee-in-lieu thereof. See N.Y. Town Law § 277(4).

<sup>5</sup> See Exhibit B – Site Plans.

<sup>6</sup> See Lewisboro Town Code §195-26(A)(1)(b) in the RA-4 Zoning District, the percentage of land in subdivision to be reserved is five percent (5%).

<sup>7</sup> See generally, New York Town Law § 274-a(6)(a), (c) (site plan review has been amended to authorize the requirement of a reservation of park land on site plans containing residential units or the payment of money for fees-in-lieu).

November 10, 2015

Page 3

dimensions, topography and general character, and shall have adequate street access, for the particular purpose or purposes envisioned...<sup>8</sup>

Town Code Section 195-26(A)(5) provides further that:

[w]here the Planning Board deems that such a reservation of land within a subdivision would be inappropriate because of the character, location or size of the land which could be reserved, the **Planning Board may waive such a requirement**, subject to appropriate conditions. Such appropriate conditions **may include** the requirement that the applicant pay a fee to the Town of Lewisboro, which moneys shall be deposited in a trust fund to be used for the purchase and development of permanent park and playground sites within the Town.<sup>9</sup>

The Applicants appreciate the Planning Board's consideration in expediting the Preliminary and Final Subdivision Approval, consistent with the nature of the approvals sought. As the Planning Board is aware, the Town Code does not include any definition or process for this "Lot Line Change." However, Town Code Section 195-13 indicates that "where an applicant proposes an exchange or transfer of land with an adjoining property, the Planning Board may adjust the normal three-step application procedure..."<sup>10</sup> Alternatively, Town Code Section 195-11, defines "Subdivision" to mean "[t]he division of any parcel of land into two or more lots, blocks or sites, with or without the creation of new streets, for the purpose, whether immediate or future, of transfer of ownership or building development, and including resubdivision as defined herein."<sup>11</sup> While the Applicants do not dispute the Building Department's determination that the lot line adjustments for the existing tax lots that were created by Deed should be formally subdivided pursuant to the Town's subdivision regulations, the Applicants respectfully request this Board's consideration with respect to the recreation needs that arise from the proposed plat.

The New York Court of Appeals in *Matter of Bayswater Realty & Capital Corp. v. Planning Bd. of Town of Lewisboro*,<sup>12</sup> held that Town Law Section 277(4):

... represents a legislative reaction to the threatened loss of open land available for park and recreational purposes resulting from the process of development in suburban areas and the continuing demands of the growing populations in such areas for additional park and recreational facilities.<sup>13</sup>

Here, the external boundaries of the existing lots are not being changed, and the lot lines are being adjusted to bring a non-conforming existing lot into conformance with the Town's Zoning Code with

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<sup>8</sup> Lewisboro Town Code §195-26(A)(1)(a)(emphasis added).

<sup>9</sup> Lewisboro Town Code §195-26(A)(5)(emphasis added).

<sup>10</sup> Lewisboro Town Code §195-13.

<sup>11</sup> Lewisboro Town Code §195-11.

<sup>12</sup> *Bayswater*, 76 N.Y.2d 460, 560 N.Y.S.2d 623, 560 N.E.2d 1300 (1990).

<sup>13</sup> *Bayswater*, 76 N.Y.2d 460, 468, 560 N.Y.S.2d 623, 560 N.E.2d 1300 (1990).

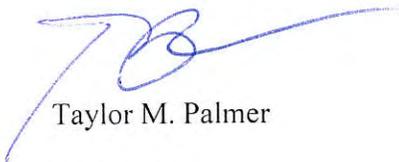
November 10, 2015

Page 4

respect to street frontage and side yard setbacks.<sup>14</sup> Further, the *Bayswater* court also held that Planning Boards may not impose “automatic” subdivision exaction requirements for recreation land or fees-in-lieu, without first conducting careful analysis to determine: (1) what, if any, recreational needs arise from the proposed plat; and (2) whether any identical needs should be addressed by requiring a showing of land on the plat or by requiring a fee-in-lieu. While the Applicants make no claim that the imposition of a \$10,000 per lot fee is arbitrary and capricious considering the currently high property values in the Town,<sup>15</sup> it is respectfully submitted that the proposed lot realignment does not generate a demand for new or existing recreational needs and that the approval of the proposed plat should not necessitate payment of a fee in lieu of reservation.<sup>16</sup>

Given the nature of this Application, we respectfully request that such payment for fee in lieu of reservation be waived for the instant Application. We look forward to appearing before the Planning Board for the Public Hearing on the Preliminary and Final Subdivision Approval on November 17, 2015. In the interim, should the Planning Board have any questions or comments in connection with this application, please feel free to contact me. Thank you in advance for your consideration in this matter.

Very truly yours,



Taylor M. Palmer

Enclosures

cc: Jan Johannessen, Town Planning Consultant  
Judson Siebert, Esq., Special Counsel to the Planning Board  
Ed Delaney, Bibbo Associates, LLP (by e-mail only)  
Jeri Barrett, JD Barrett & Associates, LLC (by e-mail only)  
Janet Stein (by e-mail only)  
Jocelyn Hayes (by e-mail only)

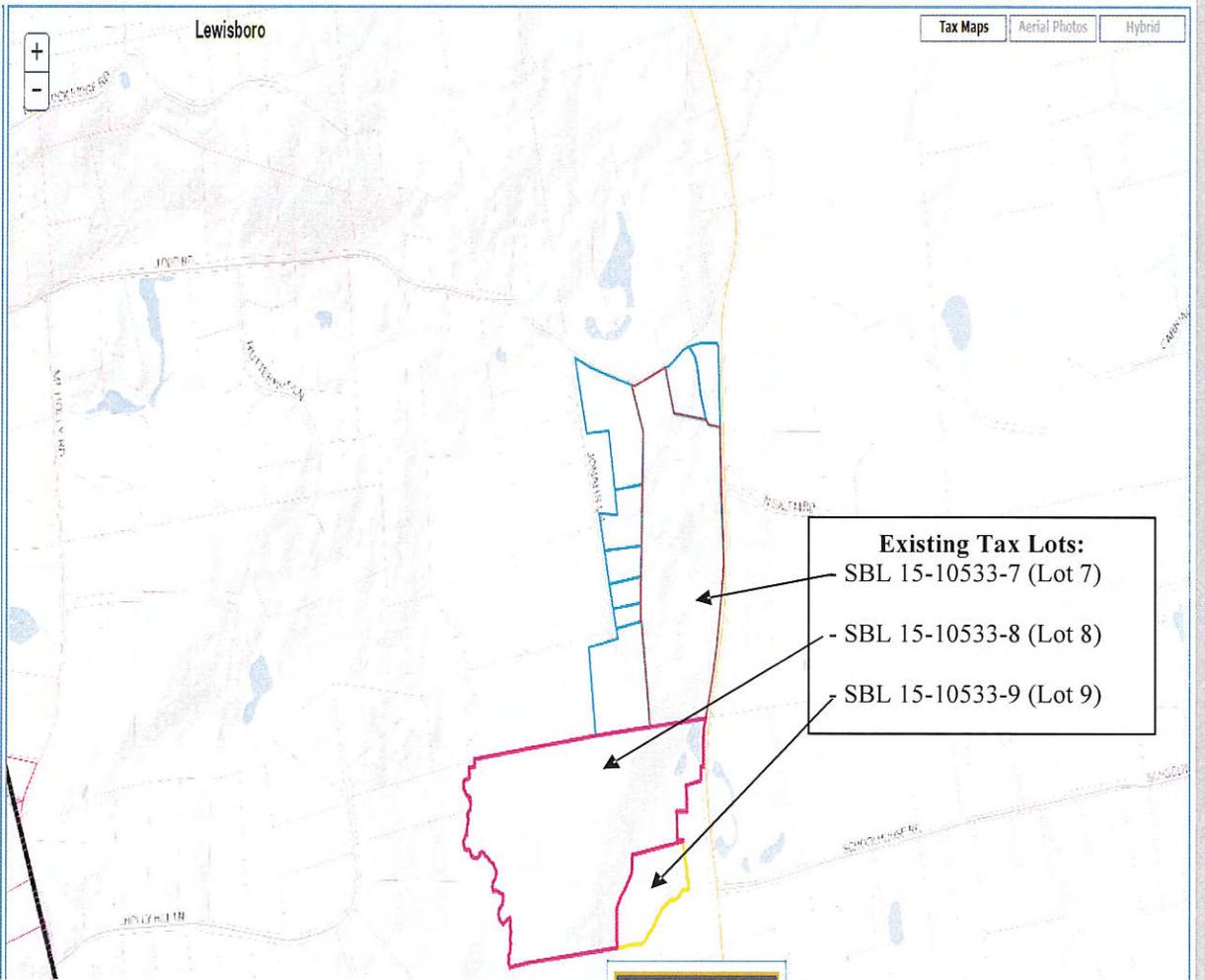
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<sup>14</sup> See *Angiolillo v. Town of Greenburgh*, 290 A.D.2d 1, 9-10, 735 N.Y.S.2d 66, 72 (2001) (the Supreme Court Appellate Division, Second Department held that while subdivision approval from the Planning Board may be required where the applicants proposed a combination of contiguous substandard lots, the court “...[t]rust[s], however, that in the event individual homeowners need or desire to rebuild existing residences, that the relevant Town officials will not impose unreasonable subdivision approval requirements upon individual homeowners who seek only to deal with their individual lots”).

<sup>15</sup> See *Weingarten v. Town of Lewisboro*, 144 Misc.2d 849, 542 N.Y.S.2d 1012 (Sup. Ct. Westchester Co. 1989), *aff'd*, 160 A.D.2d 668, 559 N.Y.S.2d 807 (1st Dept. 1990), *modified*, 77 N.Y.2d 926, 569 N.Y.S.2d 599, 572 N.E.2d 40 (1991).

<sup>16</sup> See generally *East Neck Estates v. Luchsinger*, 61 Misc.2d 619, 305 N.Y.S.2d 922 (Sup. Ct. Suffolk Co. 1969)(holding that the choice of whether to require the setting aside of parkland or payment of a fee in lieu thereof is solely within the discretion of the Planning Board and is not the choice of the owner).

**Exhibit A –Current Lewisboro Tax Map:**



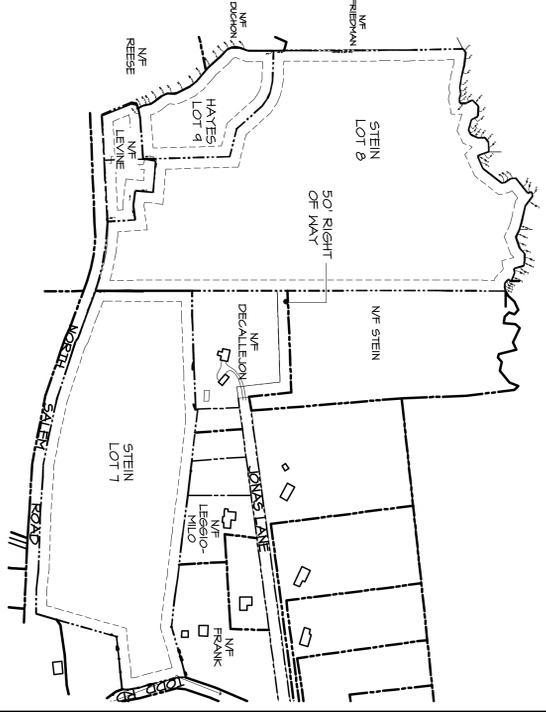
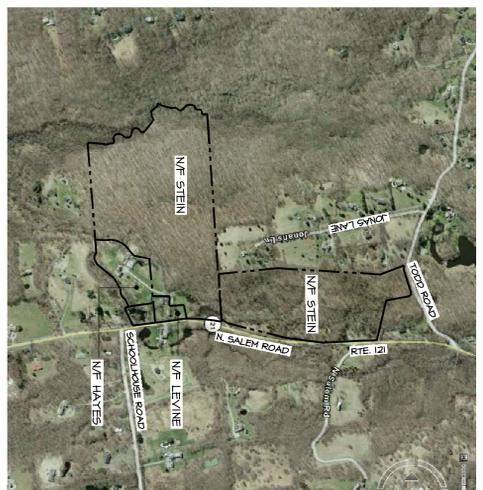
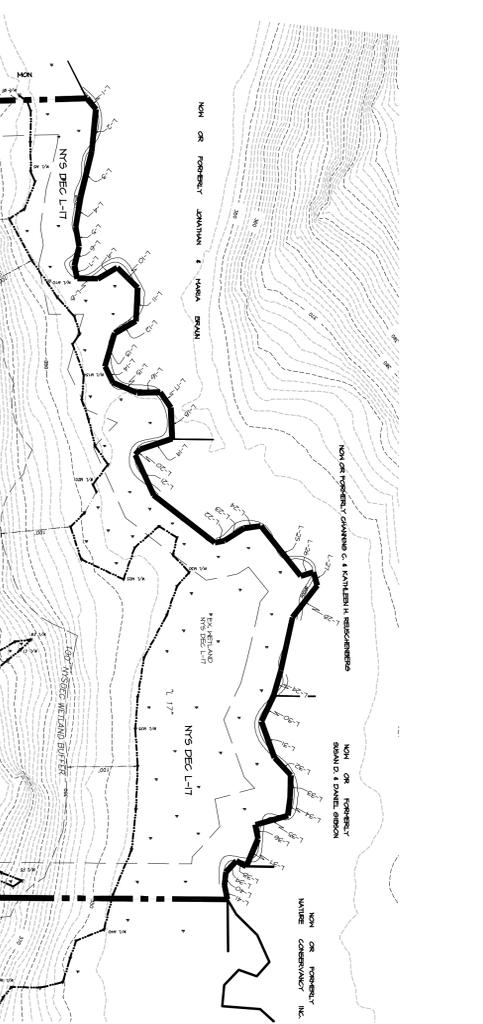
## **Exhibit B – Site Plans**

Site Plans prepared by J.D. Barrett & Associates, LLC, dated September 21, 2015, including the following sheets, numbered and titled as follows:<sup>17</sup>

- Sheet 1 of 6 - Existing Conditions Map;
- Sheet 2 of 6 - Property Transfer Map;
- Sheet 3 of 6 – Access Study – Lot 8;
- Sheet 4 of 6 – Access Study – Lot 7;
- Sheet 5 of 6 – Overall Slope Map; and
- Sheet 6 of 6 – Wetland Impact Map.

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<sup>17</sup> Enlarged copies of these Site Plans were submitted with the Applicants' Preliminary Subdivision Plat Approval Application. The Site Plans have not been changed since that submission, and the Site Plans are on file with the Planning Board



**GENERAL NOTES**

1. PROPERTY LINE, TOPOGRAPHIC AND SITE FEATURE INFORMATION TAKEN FROM SURVEY MAPS PREPARED BY BINNET ASSOCIATES LAND SURVEYORS.
2. WETLAND LINES FLAGGED BY STEPHEN M. COLEMAN ENVIRONMENTAL CONSULTING LLC AND SURVEY LOCATED BY BINNET ASSOCIATES LAND SURVEYORS.
3. ADDITIONAL SITE SPECIFIC TOPOGRAPHY FOR PORTION OF LOT 7 IS NOT SHOWN. SEE PLAN FOR LINE OF NEW TOPOGRAPHIC SURVEY.

**PROPERTY OWNERSHIP SUMMARY**

PARCEL ID	PROPERTY OWNER	EXISTING CONDITION
LOT 7	JANET STEIN	24,634 AC
LOT 8	JANET STEIN	36,054 AC
LOT 9	JOCELYN HAYES	4,807 AC

**APPROVED BY TOWN OF LEWISBORO PLANNING BOARD**

PLANNING BOARD CHAIRMAN	DATE
Joseph Harris	DATE
TOWN ENGINEER	DATE
Joseph Harris	DATE
PROPERTY OWNER - TAX ID 15-06333-9	DATE
Joseph Harris	DATE
PROPERTY OWNER - TAX ID 15-06333-7	DATE
Janet Stein	DATE

**SHEET INDEX**

SHEET 1 OF 6	EXISTING CONDITIONS MAP
SHEET 2 OF 6	PROPERTY TRANSFER MAP
SHEET 3 OF 6	ACCESS STUDY - LOT 8
SHEET 4 OF 6	ACCESS STUDY - LOT 7
SHEET 5 OF 6	OVERALL SLOPE MAP
SHEET 6 OF 6	WETLAND IMPACT MAP

**EXISTING CONDITIONS MAP**



Prepared for:  
 HAYES/STEIN SUBDIVISION  
 NORTH SALEM ROAD & TODD ROAD  
 CROSS RIVERS, NEW YORK 10518  
 TAX MAP, SHEET 15, BLK 10533, LOTS 7, 8 & 9  
 Owners/Applicants:  
 JOCELYN HAYES - Lot 9  
 129 NORTH SALEM ROAD  
 CROSS RIVER, NEW YORK 10518  
 JANET STEIN - Lot 7 & 8  
 2 GIN LANE  
 SOUTHAMPTON, NEW YORK 11968  
 Attorney:  
 MICHAEL FULLER SIRIGNANO  
 642 ROUTE 35  
 CROSS RIVER, NEW YORK 10518  
 TEL: 914.6535500 FAX: 914.6535951  
 Site Planner-Landscape Architect:  
 JP BARRETT & ASSOCIATES, LLC  
 104 SPORT HILL ROAD  
 EASTON, CONNECTICUT 06612  
 TEL: 203.5125805 FAX: 203.5120448  
 Architects:  
 TEO SILENZA ARCHITECTS  
 460 OLD POST ROAD  
 BEDFORD, NEW YORK 10506  
 TEL: 914.2246284 FAX: 914.2546048  
 Engineer:  
 BIBBO ASSOCIATES  
 243 ROUTE 100  
 SONERS, NEW YORK 10564  
 TEL: 914.2735605 FAX: 914.2772310  
 Environmental Consultant:  
 STEPHEN M. COLEMAN  
 ENVIRONMENTAL CONSULTING, LLC  
 3 ASPEN COURT  
 OSSINGEN, NEW YORK 10562  
 TEL: 914.762.1258 FAX: 914.6235660  
 Surveyor:  
 INSITE ENGINEERING, SURVEYING, LANDSCAPE  
 ARCHITECTS, P.C. (Formerly Barry Associates)  
 3 GARRETT PLACE  
 CARBELL, NEW YORK 10512  
 TEL: 914.222-9690 FAX: 914.222-5111  
 Scale: 1" = 100'  
 Date: January 6, 2006  
 Revised: February 23, 2006  
 Revised: April 17, 2004  
 Revised: April 14, 2004  
 Revised: April 21, 2010  
 Revised: December 4, 2010  
 Revised: October 9, 2011  
 Revised: September 21, 2015

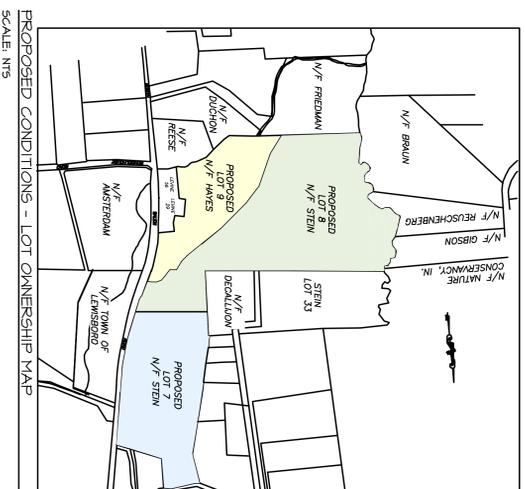
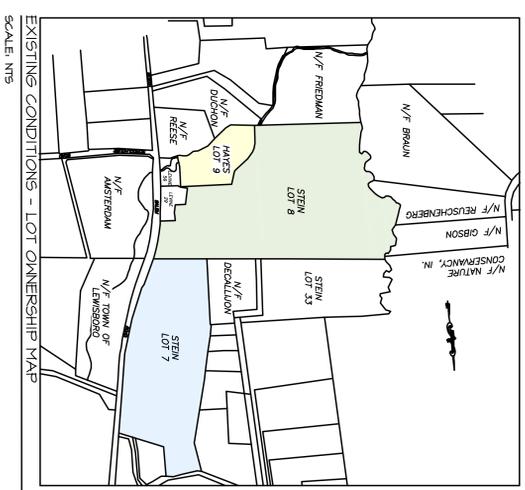
ZONING CONFORMANCE CHART

ZONE (R-4A)	REQUIRED/ALLOWED	LOT 7	LOT 8	LOT 9
LOT AREA	REQUIRED LOT AREA ADJUSTED FOR EXCESS LOT DEPTH: LOT 7 - 634 AC* LOT 8 - 114 AC* LOT 9 - 64 AC*	20616 AC	33,524 AC	13,060 AC
LOT DEPTH	700'	1505'	2090'	1120'
DIAMETER / CIRCLE	250' MIN.	>250'	>250'	>250'
CONTIGUOUS AREA	30,000 SF MIN.	56,134 SF 1.28 Acres	233,961 SF 5.32 Acres	169,611 SF 3.80 Acres
STREET FRONTAGE	25' MIN.	30711' (TODD ROAD)	250,344'	433,288'
FRONT YARD	35' MIN STREET FRONTAGE, 50' MIN. FROM PROPERTY LINE	720' 103'	511' 215'	446' 205'
SIDE YARD	50' MIN.	87'	200'	75'
REAR YARD	50' MIN.	654'	833'	216'
BUILDING HEIGHT	35' / 2.5 X	35'	35'	35'
BUILDING COVERAGE	6% OF LOT AREA MAX.	0.3 %	0.1 %	1.2 %

\* REQUIRED LOT AREA =

REQUIRED LOT DEPTH = 100 FT. BASE LOT DEPTH x 4 ACRES  
 LOT 7 1504' ± 100' X 4 AC = 634 AC  
 LOT 8 2280' ± 100' X 4 AC = 114 AC  
 LOT 9 1620' ± 100' X 4 AC = 64 AC

NOTE: No part of any lot is less than 1/8 the required minimum lot width.



PROPERTY TRANSFER SUMMARY

PARCEL ID	PROPERTY OWNER	EXISTING CONDITION	PROPOSED CONDITION
LOT 7	JANET STEIN	24,634 AC	20,616 AC
LOT 8	JANET STEIN	33,094 AC	33,524 AC
LOT 9	JOCELYN HAYES	4,807 AC	13,060 AC

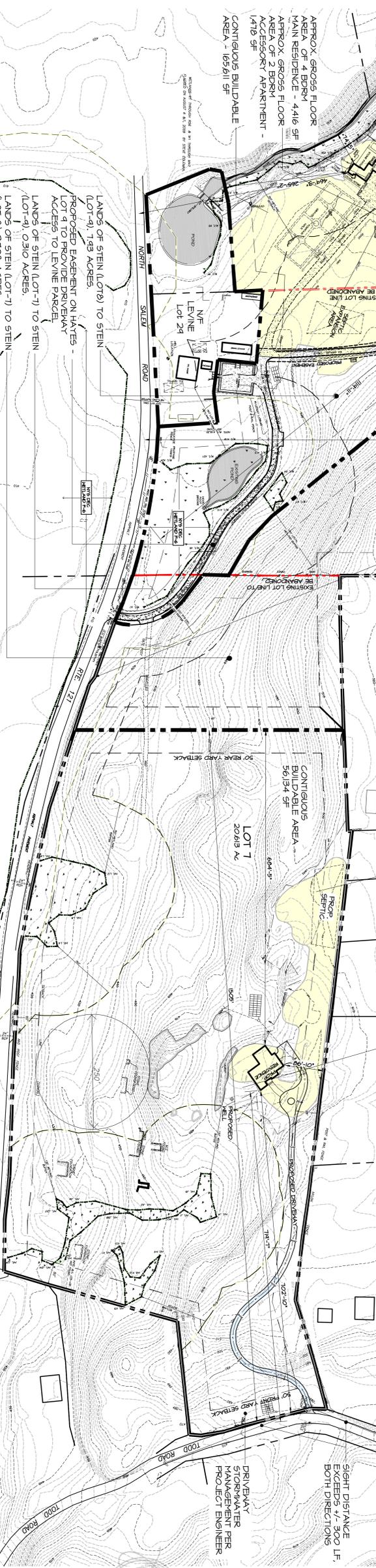
NOTE: PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ON LOT 7 AND LOT 8, THE TOWN ENGINEER SHALL REVIEW THE PLANS SUBMITTED TO THE BUILDING DEPARTMENT TO DETERMINE CONFORMANCE WITH THE FINAL CONSTRUCTION DRAWINGS APPROVED BY THE PLANNING BOARD. IF THE PLANS SUBMITTED TO THE BUILDING DEPARTMENT ARE SUBSTANTIALLY DIFFERENT FROM THE FINAL CONSTRUCTION PLANS APPROVED BY THE PLANNING BOARD, THE TOWN ENGINEER SHALL REQUIRE AN AMENDED APPLICATION TO THE PLANNING BOARD FOR REVIEW AS AN AMENDED APPLICATION.

LEGEND

- PROPERTY LINE
- SETBACK LINE
- - - - - EXISTING LOT LINE TO BE ABANDONED
- CONTIGUOUS BUILDABLE AREA

APPROVED BY TOWN OF LEWISBORO PLANNING BOARD  
 PLANNING BOARD CHAIRMAN: Jerome Keiser  
 TOWN ENGINEER: Joseph Oriehel  
 PROPERTY OWNER - Lot 7: Janet Stein  
 PROPERTY OWNER - Lot 8: Janet Stein  
 PROPERTY OWNER - Lot 9: Jocelyn Hayes

PROPERTY TRANSFER MAP



APPROX. GROSS FLOOR AREA OF 4 BRSM MAIN RESIDENCE - 4,416 SF  
 APPROX. GROSS FLOOR AREA OF 5TH FLOOR ACCESSORY APARTMENT - 1,478 SF  
 CONTIGUOUS BUILDABLE AREA - 165,611 SF

LANDS OF STEIN (LOT 8) TO STEIN (LOT-9), 1.43 ACRES.  
 PROPOSED EXISTING ON LOTS - LOT 8 TO STEIN (LOT-9) TO LEVINE PARCEL ACRES TO LEVINE PARCEL  
 LANDS OF STEIN (LOT-1) TO STEIN (LOT-9), 0.310 ACRES.  
 LANDS OF STEIN (LOT-1) TO STEIN (LOT-9), 3.108 ACRES.

PROJECT ENGINEER HAS COMPLETED SOIL TESTING PROGRAM WITH WCDON & IN ORDER TO CONTRIBUTE TO SUITABILITY OF SOILS TO STORMWATER NIGHT AREAS ON LOTS 7 & 8.

CONTIGUOUS BUILDABLE AREA - 285,761 SF

CONTIGUOUS BUILDABLE AREA - 56,134 SF

DRIVENWAY MANAGEMENT PER PROJECT ENGINEER

SIGHT DISTANCE EXCEEDS +/- 300 LF, BOTH DIRECTIONS

Prepared for:  
 HAYES/STEIN SUBDIVISION  
 NORTH SALEM ROAD & TODD ROAD  
 CROSS RIVER, NEW YORK 10518  
 TAX MAP SHEET 15, BLK 10533, LOTS 7, 8 & 9

Owner/Applicant:  
 JOCELYN HAYES - Lot 9  
 128 NORTH SALEM ROAD  
 CROSS RIVER, NEW YORK 10518  
 JANET STEIN - Lot 7 & 8  
 2 GUN LAKE  
 SOUTHAMPTON NEW YORK 11968

Attorney:  
 MICHAEL FILLER SIEGANNO  
 842 ROUTE 35  
 CROSS RIVER, NEW YORK 10518  
 TEL: 914.763.5500 FAX: 914.763.9594

Site Planner - Landscape Architect:  
 JD BARRETT & ASSOCIATES, LLC  
 104 SHORT HILL ROAD  
 EASTON, CONNECTICUT 06612  
 TEL: 203.312.5605 FAX: 203.312.0488

Architect:  
 TEO SIGENZA ARCHITECTS  
 460 OLD POST ROAD  
 BEDFORD, NEW YORK 10506  
 TEL: 914.254.6284 FAX: 914.254.0614

Engineer:  
 BIBBO ASSOCIATES  
 243 ROUTE 100  
 SOVEREIGN, NEW YORK 10564  
 TEL: 914.271.9205 FAX: 914.271.9210

Environmental Consultant:  
 STEPHEN M. COLBYAN  
 ENVIRONMENTAL CONSULTING, LLC  
 3 ASPEN COURT  
 OSSINGIN, NEW YORK 10562  
 TEL: 914.762.1288 FAX: 914.762.5960

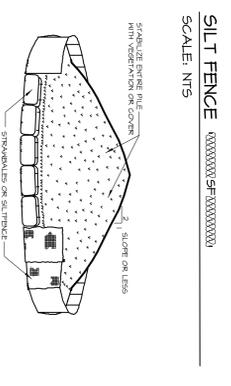
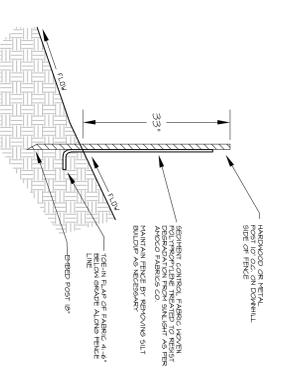
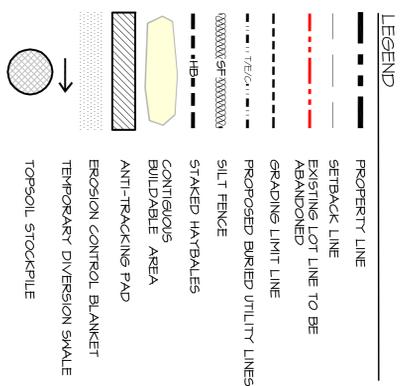
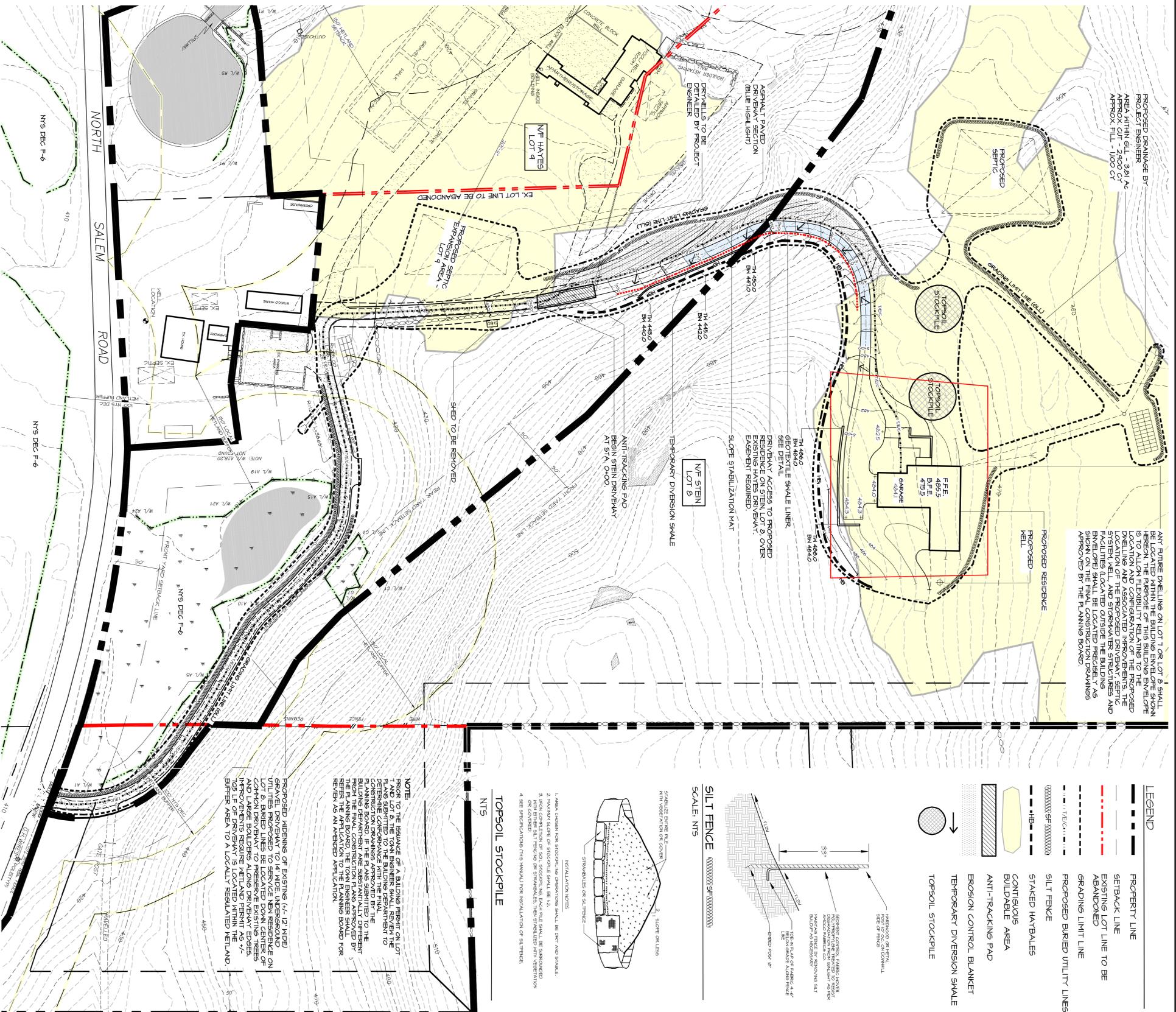
Surveyor:  
 INSITE ENGINEERING, SURVEYING, LANDSCAPE ARCHITECTS, P.C.  
 3 GARRETT PLACE  
 CARMEL, NEW YORK 10512  
 TEL: 645.225.9600 FAX: 645.225.9177

Scale: 1" = 100'

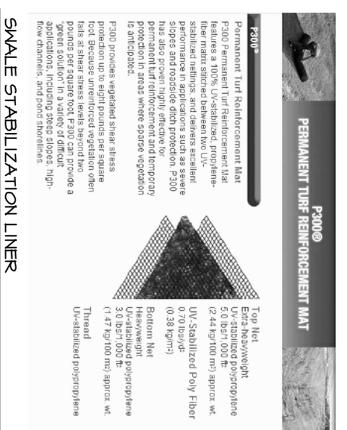
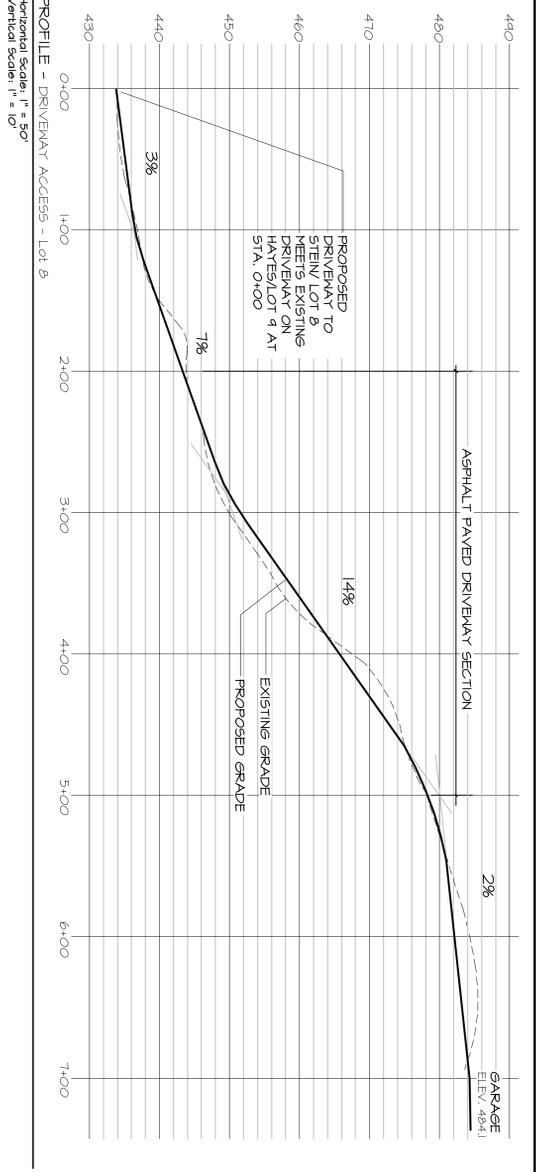
Dates: January 6, 2006  
 Revised: February 23, 2006  
 Revised: April 12, 2004  
 Revised: April 14, 2004  
 Revised: April 24, 2010  
 Revised: December 1, 2010  
 Revised: October 6, 2011  
 Revised: June 23, 2015  
 Revised: September 21, 2015

PROPOSED DRAINAGE BY AREA WITHIN G.L. - 3.81 AC. APPROX. CUT - 2,400 CY APPROX. FILL - 1,000 CY

ANY FUTURE DWELLING ON LOT 1 OR LOT 2 SHALL HEREOF. THE PURPOSE OF THIS BUILDING ENVELOPE IS TO ALLOW FLEXIBILITY RELATING TO THE LOCATION AND CONFIGURATION OF THE PROPOSED LOCATION OF THE PROPOSED DRIVEWAY, SEPTIC SYSTEM, WELL, AND STORMWATER STRUCTURES AND FACILITIES LOCATED OUTSIDE THE BUILDING AS SHOWN ON THE FINAL CONSTRUCTION DRAWINGS APPROVED BY THE PLANNING BOARD.



**NOTE:** PROPOSED MENDING OF EXISTING (1/4-1/2 MIDE) GRAVEL DRIVEWAY TO 14 MIDE UNDERGROUND UTILITIES PROPOSED TO SERVICE NEW RESIDENCE ON COMMON DRIVEWAY TO PRESERVE EXISTING TREES AND LARGE BOWLS ALONG DRIVEWAY EDGES. THIS WORK WILL REQUIRE THE USE OF A 1/4-1/2 MIDE BUFFER AREA TO A LOCALLY REGULATED WETLAND.



1. Contractor shall be responsible for compliance with all sediment and erosion control practices. The sediment and major soil disturbances, and maintained until permanent protection is established.

2. Turf reinforcement of sediment control structures is the responsibility of the contractor. All structures shall be maintained in good working order at all times. The sediment level in all sediment traps shall be closely monitored and removed or as ordered by the Landscape Architect. All sediment control structures shall be inspected on a regular basis, and other erosion control structures shall be set forth prior to the start of construction.

3. The contractor shall keep the roadways within the project clear of soil and debris and be responsible for capturing standards shall be as ordered by the landscape architect, and in accordance with the standards set forth in local codes.

4. All topsoil not to be used for final grading shall be shipped from the work area first and placed in a stabilized stockpile or fill area. All topsoil required for temporarily seeded and mulched within 14 days.

5. Any disturbed areas that will be left exposed more immediately receive temporary seeding. Mulch shall be used if the season prevents the establishment of a temporary cover. Disturbed areas shall be limed and fertilized prior to temporary seeding.

6. All disturbed areas within 500 feet of an inhabited dwelling shall be mulched as necessary to provide dust control.

7. The contractor shall keep the roadways within the project clear of soil and debris and be responsible for capturing sediment during the course of the project.

8. Sediment and erosion control structures shall be removed and area reseeded when the erosion hazard has been properly stabilized by permanent measures.

**SWAYLE STABILIZATION LINER**

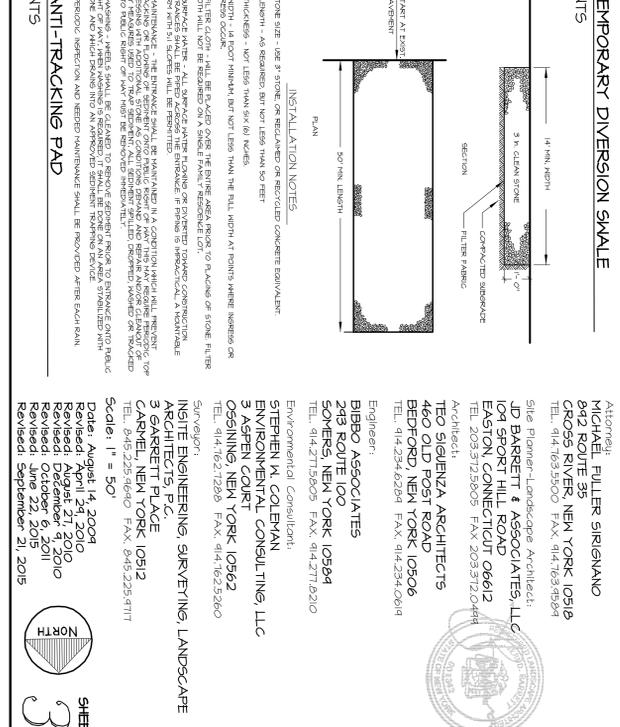
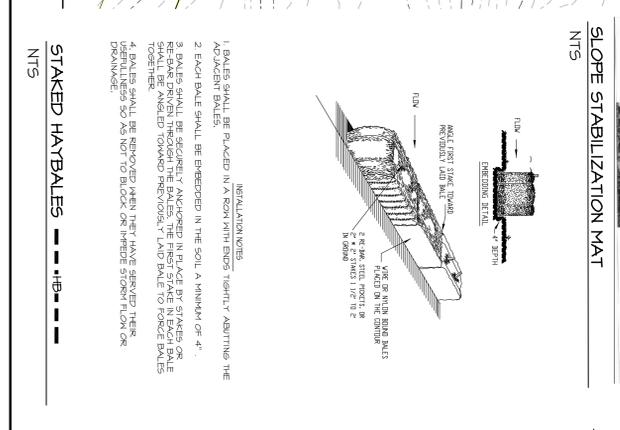
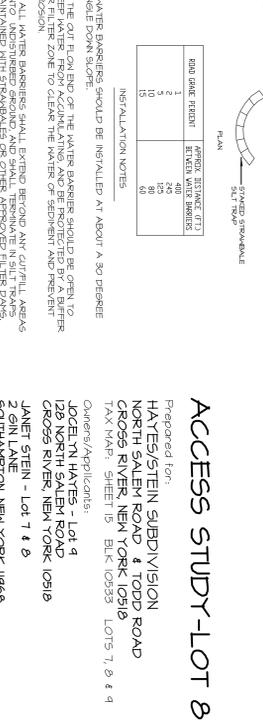
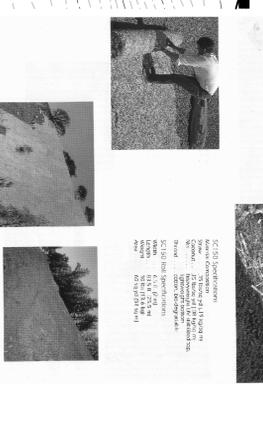
**EROSION CONTROL NOTES**

**INSTALLATION NOTES:**

- AREA COVERED FOR STOCKPILE OPERATIONS SHALL BE PER AND STABLE.
- HANDMADE SLOPE OF STOCKPILE SHALL BE 1:2.
- 100% COMPLETION OF SOIL STOCKPILE SHALL BE DEMONSTRATED TO THE TOWN ENGINEER AND THE TOWN BOARD.
- SEE SPECIFICATIONS MANUAL FOR INSTALLATION OF SILTZFENCE.

**INSTALLATION NOTES:**

- WATER BARRIERS SHOULD BE INSTALLED AT ABOUT A 30 DEGREE ANGLE TO THE DRIVEWAY.
- THE GUT IN ON THE DRIVEWAY BARRIERS SHOULD BE OPEN TO KEEP WATER FROM ACCUMULATING AND BE PROTECTED BY A BUFFER ZONE TO CLEAR THE FLOOR OF SEDIMENT AND PREVENT WATER FROM ENTERING THE DRIVEWAY.
- ALL WATER BARRIERS SHALL BE BUILT BEFORE ANY CURB CUTS ARE HANDED WITH STRIPABLES OR OTHER APPROVED FILTER BARS.



**APPROVED BY TOWN OF LEMSBORO PLANNING BOARD**

PLANNING BOARD CHAIRMAN	Date
Joseph Kerne	
TOWN ENGINEER	Date
Joseph Gerardo	
PROPERTY OWNER - TAX LOT 15-00333-4	Date
Joseph H. Hayes	
PROPERTY OWNER - TAX LOT 15-00333-8	Date
Joseph H. Hayes	

**ACCESS STUDY-LOT 8**

Prepared for:  
 HAYTES/STEIN SUBDIVISION  
 NORTH SALEM ROAD & TODD ROAD  
 CROSS RIVER, NEW YORK 10518  
 TAX MAP SHEET 15, B.L.R. 10533, LOTS 1, 8 & 9

Checked by:  
 JOSEPH H. HAYES - Lot 4  
 128 NORTH SALEM ROAD  
 CROSS RIVER, NEW YORK 10518  
 JAMES STEIN - Lot 1 & 8  
 2 GIN LANE  
 SOUTHWARTON, NEW YORK 11668

Author:  
 MICHAEL FULLER SIRIGANO  
 8412 ROUTE 35  
 CROSS RIVER, NEW YORK 10518  
 TEL: 914.762.5500 FAX: 914.763.8084

Site Planner-Landscape Architect:  
 JD BARNETT & ASSOCIATES, LLC  
 109 SPORT HILL ROAD  
 EASTON, CONNECTICUT 06612  
 TEL: 203.373.5805 FAX: 203.373.2048

Architect:  
 TEO SIGUENZA ARCHITECTS  
 460 OLD POST ROAD  
 BEDFORD, NEW YORK 10506  
 TEL: 914.234.6228 FAX: 914.234.0214

Engineer:  
 BIBBO ASSOCIATES  
 243 ROUTE 100  
 SONENERS, NEW YORK 10584  
 TEL: 914.271.5805 FAX: 914.271.8210

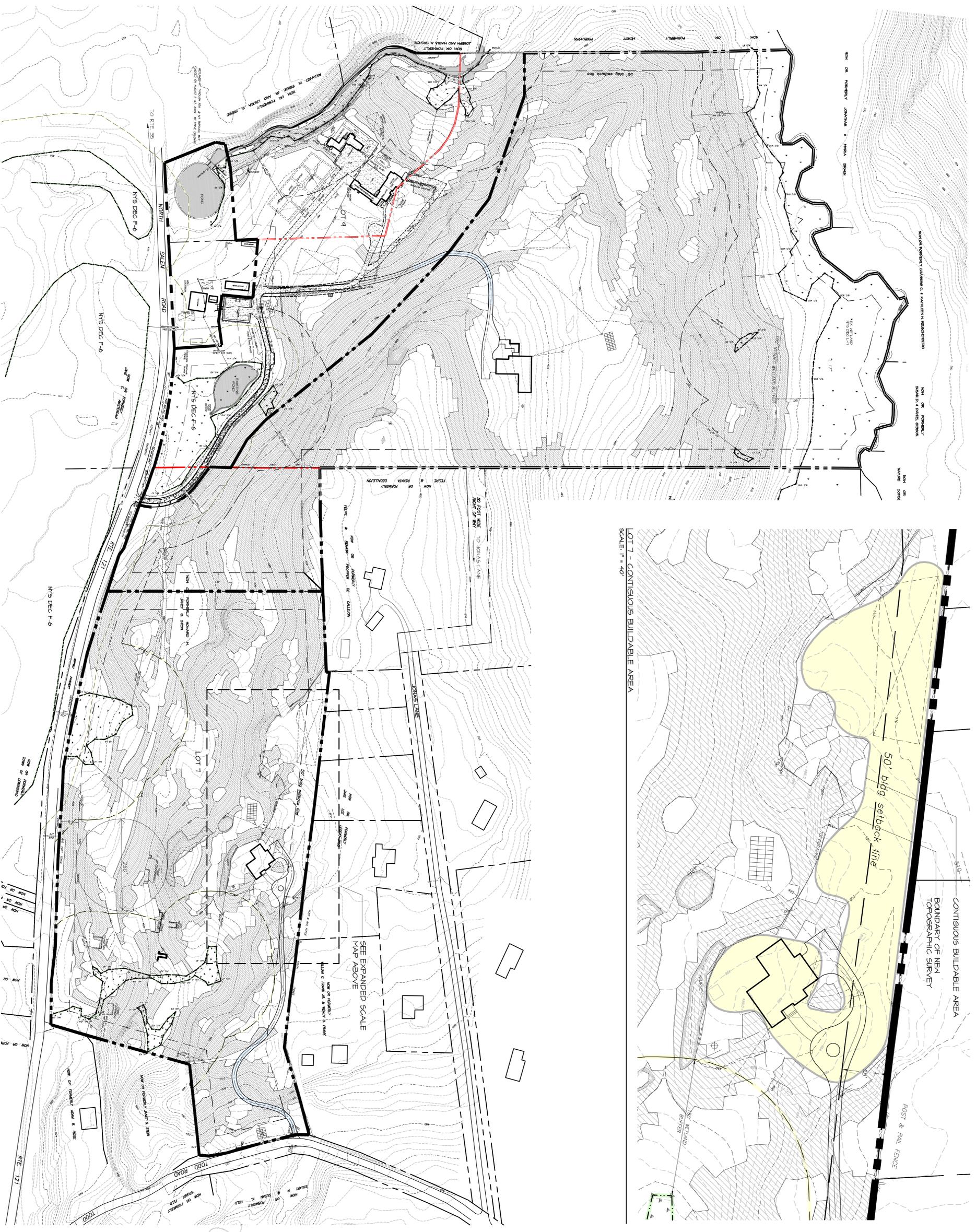
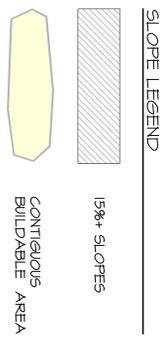
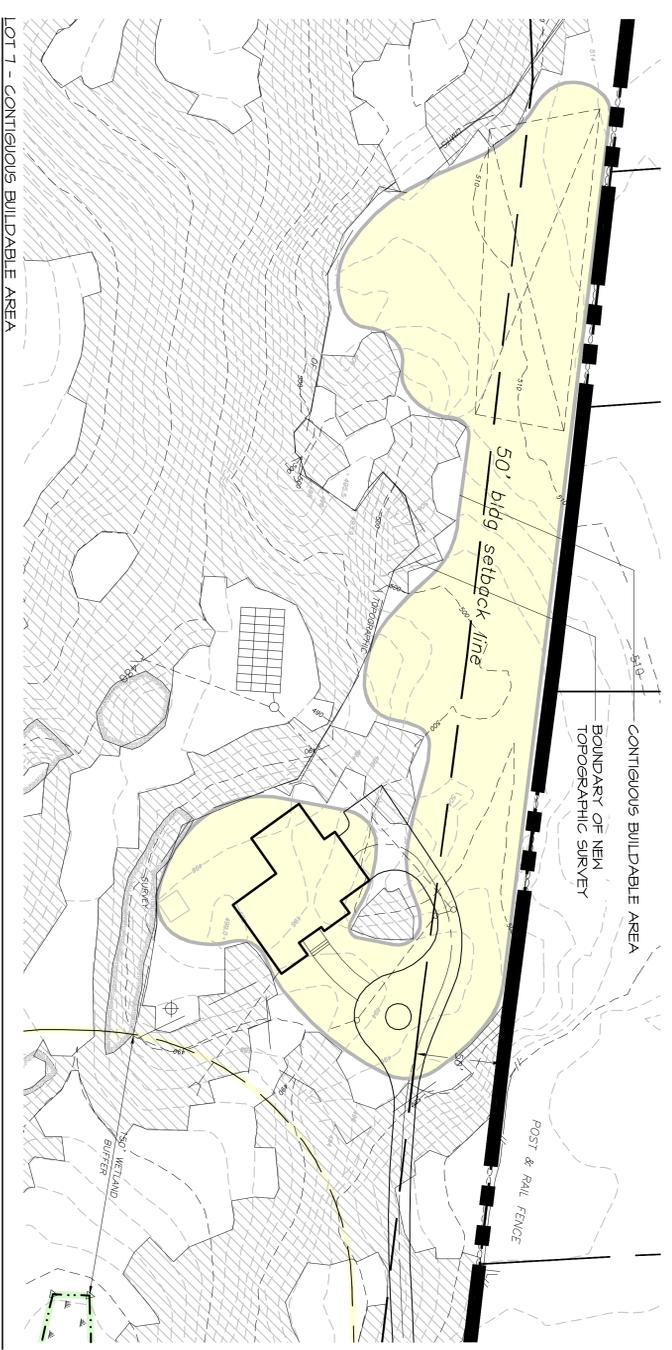
Environmental Consultant:  
 STEPHEN M. COLIHAN  
 ENVIRONMENTAL CONSULTING, LLC  
 3 ASPEN COURT  
 OSSINGEN, NEW YORK 10562  
 TEL: 914.762.7288 FAX: 914.762.5260

Surveyor:  
 INGITE ENGINEERING, SURVEYING, LANDSCAPE ARCHITECTS P.C.  
 3 GARRETT PLACE  
 CARREL, NEW YORK 10512  
 TEL: 914.225.2610 FAX: 914.225.9111

Scale: 1" = 50'

Date: August 14, 2009  
 Revised: August 27, 2010  
 Revised: October 9, 2010  
 Revised: October 9, 2010  
 Revised: September 21, 2015





APPROVED BY TOWN OF LEWISBORO PLANNING BOARD

PLANNING BOARD CHAIRMAN	DATE:
TOWN ENGINEER	DATE:
PROPERTY OWNER - TAX ID# 15-05334	DATE:
PROPERTY OWNER - TAX ID# 15-05334	DATE:

**OVERALL SLOPE MAP**

Prepared for:  
**HATES/STEIN SUBDIVISION**  
 NORTH SALEM ROAD & TODD ROAD  
 CROSS RIVER, NEW YORK 10518  
 TAX MAP, SHEETS 15, BLK 10533 LOTS 7, 8 & 9

Owner/Applicants:  
**LOJELYN HAYES - Lot 9**  
**1205 NORTH SALEM ROAD**  
**CROSS RIVER, NEW YORK 10518**  
**JANET STEIN - Lot 7 & 8**  
**50 HANNAHTON, NEW YORK 11968**

Architect:  
**ALFREDO FULLER SIRIGNANO**  
**892 ROUTE 35**  
**CROSS RIVER, NEW YORK 10518**  
**TEL. 914.163.5500 FAX. 914.163.4584**

Site Planner/Landscape Architect:  
**JD BARKER III & ASSOCIATES, LLC**  
**EASTON, CONNECTICUT 06612**  
**TEL. 203.572.9205 FAX. 203.572.0448**

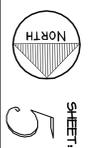
Architect:  
**TEO SIGUENZA ARCHITECTS**  
**460 OLD POST ROAD**  
**BEDFORD, NEW YORK 10506**  
**TEL. 914.234.8284 FAX. 914.234.0814**

Engineer:  
**BIBBO ASSOCIATES**  
**250 BROS. NEW YORK 10584**  
**TEL. 914.271.5805 FAX. 914.271.2310**

Environmental Consultant:  
**STEPHEN W. COLEMAN**  
**ENVIRONMENTAL CONSULTING, LLC**  
**OSWEGO, NEW YORK 10562**  
**TEL. 914.762.1288 FAX. 914.762.23260**

Surveyor:  
**INSTE ENGINEERING, SURVEYING, LANDSCAPE ARCHITECTS, P.C.**  
**3 GARRETT PLACE**  
**CARREL, NEW YORK 10512**  
**TEL. 945.225.4640 FAX. 945.225.9171**  
 Scale: 1" = 100'

Date: August 27, 2006  
 Revised: December 9, 2010  
 Revised: October 6, 2011  
 Revised: June 22, 2015  
 Revised: September 21, 2015





October 29, 2015

**BY HAND**

Chairman Jerome Kerner  
and Members of the Planning Board  
Town of Lewisboro  
P.O. Box 725  
Cross River, New York 10518

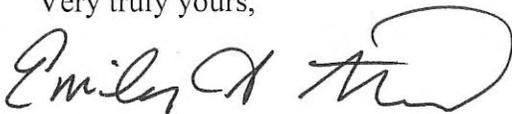
Re: Hayes/Stein Preliminary Subdivision Plat Approval  
Premises: North Salem Road (NYS Route 121)  
Parcel ID/Tax Map Designation: Sheet 15, Block 10533, Lots 7, 8 & 9

Dear Chairman Kerner and Members of the Planning Board:

On behalf of Jocelyn Hayes and Janet Stein (the "Applicants"), enclosed please find, an Affidavit of Posting and photographs evidencing the fact that a sign was posted on the property at North Salem Road (NYS Route 121) noticing the Planning Board public hearing scheduled for November 17, 2015.

Please incorporate the enclosed as part of the official record of the proceedings. Thank you for your assistance in this matter.

Very truly yours,



Emily A. Frankl  
Paralegal

cc: Taylor M. Palmer, Esq.

AFFIDAVIT OF POSTING

IN THE MATTER OF AN APPLICATION BY JOCELYN HAYES AND JANET STEIN SEEKING APPROVAL OF A SUBDIVISION ON 67.5 ACRES OF PROPERTY LOCATED IN A ONE FAMILY RESIDENCE DISTRICT (R-4A DISTRICT) INVOLVING A LOT LINE CHANGE TO THE EXISTING LOT LINE CONFIGURATION AT THE PROPERTY LOCATED AT NORTH SALEM ROAD (N.Y.S. ROUTE 121), IN THE TOWN OF LEWISBORO, NEW YORK AND DESIGNATED ON THE OFFICIAL TAX MAP AS SHEET 15, BLOCK 10533, LOT(S) 7, 8, 9.

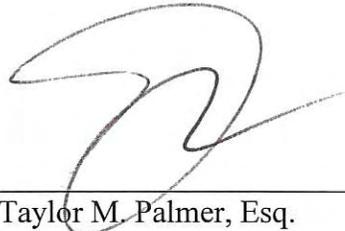
STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF WESTCHESTER )

TAYLOR PALMER, being duly sworn says: I am over 18 years of age and reside in Westchester, New York.

On October 29, 2015, I posted a sign at the entrance to the existing driveway at existing Lot 8 (as amended, Lot 9), fronting on North Salem Road (N.Y.S. Route 121), noticing the November 17, 2015 Planning Board Public Hearing as was provided to me by the Town of Lewisboro Planning Department.

Sworn to before me this 29<sup>th</sup>  
day of October, 2015

Renata Reggina  
NOTARY PUBLIC

  
Taylor M. Palmer, Esq.

**RENA REGGINA**  
Notary Public, State of New York  
No. 01RE6165642  
Qualified in Westchester County  
Commission Expires May 14, 2019



**NOTICE**

This property is the subject of an application before the  
Lewisboro Planning Board.  
A Public Hearing has been scheduled at which time all interested parties  
will be afforded an opportunity to be heard.

*Please contact the Planning Board Secretary at  
914-763-5592  
or visit  
[www.lewisborogov.com](http://www.lewisborogov.com)  
for additional information*







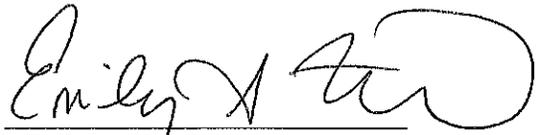
AFFIDAVIT OF SERVICE

IN THE MATTER OF AN APPLICATION BY JOCELYN HAYES AND JANET STEIN SEEKING APPROVAL OF A SUBDIVISION ON 67.5 ACRES OF PROPERTY LOCATED IN A ONE FAMILY RESIDENCE DISTRICT (R-4A DISTRICT), INVOLVING A LOT LINE CHANGE TO THE EXISTING LOT LINE CONFIGURATION AT THE PROPERTY LOCATED AT NORTH SALEM ROAD (N.Y.S. ROUTE 121), IN THE TOWN OF LEWISBORO, NEW YORK AND DESIGNATED ON THE OFFICIAL TAX MAP AS SHEET 15, BLOCK 10533, LOT(S) 7, 8, 9.

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

EMILY A. FRANKL, being duly sworn says: I am over 18 years of age and reside in Thornwood, New York.

On October 27, 2015, I served a copy of the attached Public Notice by mailing same in a sealed envelope, via certified mail return receipt requested, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the property owners on the 500' mailing list and map annexed hereto.

  
Emily A. Frankl

Sworn to before me this  
10<sup>th</sup> day of October, 2015

  
NOTARY PUBLIC  
**RENA REGGINA**  
Notary Public, State of New York  
No. 01RE6165842  
Qualified in Westchester County  
Commission Expires May 14, 2019

**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 November 17, 2015 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# 12-10PB**

Application for Preliminary and Final Subdivision Plat Approval by Jocelyn Hayes and Janet Stein (owner of record) for a proposed three (3) lot subdivision (Parcel identified as Sheet 15, Block 10533, Lots 7, 8 and 9 and situated within the R-4A Zoning District). The subject property consists of three (3) tax parcels; however, it has been determined that these parcels were created by deed and never formally subdivided. Tax Lot 7 (Stein) consists of  $\pm 24.6$  acres and is currently vacant, Tax Lot 8 (Stein) consists of  $\pm 38.1$  acres and is currently vacant, and Tax Lot 9 (Hayes) consists of  $\pm 4.8$  acres and is developed with a single-family residence, detached accessory dwelling and related accessory residential improvements. The applicants are proposing to legalize and modify the existing tax lot line configuration. Tax Lot 9, which is currently landlocked, will be increased from  $\pm 4.8$  acres to  $\pm 13.1$  acres and will contain suitable road frontage. Tax Lot 7 will be reduced from  $\pm 24.6$  acres to  $\pm 20.6$  acres and Tax Lot 8 will be reduced from  $\pm 38.1$  acres to  $\pm 33.8$  acres. No development or land disturbance is proposed at this time and it is proposed that any the future development of Lots 7 and 9 will require Site Plan Approval from the Planning Board. A copy of the application materials and proposed subdivision documents may be inspected at the Office of the Planning Board, located at 20 Orchard Square, Suite L, Cross River, New York during 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: October 26,2015

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 Office of the Planning Board in advance.



**MEMORANDUM**

TO: Chairman Jerome Kerner, AIA and  
Members of Lewisboro Planning Board

CC: Ciorsdan Conran  
Judson Siebert, Esq.

FROM: Jan K. Johannessen, AICP   
Joseph M. Cermele, P.E., CFM  
Town Consulting Professionals

DATE: November 11, 2015

RE: Wild Oaks Storage Tank Replacement  
Fairmount Road  
Sheet 7H, Block 11139, Lot 23

---

**Project Description**

The subject property is located off of Fairmont Road, consists of approximately one (1) acre of land, is located within the R-MF Zoning District, and is developed with a 120,000 gallon above-ground storage tank servicing the Wild Oaks water system. The applicant is proposing to replace the existing steel tank with a ±40'H x 25'D storage tank on the same parcel.

**SEQRA**

The proposed action is an Unlisted Action under the State Environmental Quality Review Act (SEQRA) and a coordinated review is not required. Prior to making a decision on this pending application, the Planning Board must issue a determination of significance.

**Required Approvals**

1. Site Development Plan Approval is required from the Planning Board. At the September 29, 2015 Planning Board Meeting, the Board expressed its desire to conduct a public hearing.
2. A height variance is required from the Zoning Board of Appeals.
3. The application was referred to ACARC for review and recommendation on October 1, 2015.
4. Approval from the Westchester County Department of Health (WCDH) is required.

**EAF Comments:**

1. Page 2, Question 15: The applicant has identified that the subject property contains animal species or habitat listed by the State or Federal government as threatened or endangered; the applicant must provide additional information concerning the presence of same.
2. On behalf of the Planning Board and as previously requested, please prepare and submit Part 2 of the Short EAF.

**Plan Comments:**

1. It is not clear whether the existing tank is to remain or be removed; this should be clarified on the plans. If it is unknown at this time, the site development plans can identify the removal of the tank as an "add-alternate" therefore giving the applicant the flexibility to keep or remove the tank pending further investigation.
2. The site development plans should be revised to include a chain link fence/gate detail and a gravel access path detail.
3. The submitted survey and site development plans must be signed and sealed by the preparer.
4. The geotechnical investigation and report referenced in the applicant's prior cover letter should be submitted when complete.
5. The applicant should update the Board on the status of any and all outside agency approvals.

6. The subject property is accessed over an adjacent parcel; as previously requested, please provide existing easement information.

In order to expedite the review of subsequent submissions, the applicant should provide annotated responses to each of the comments outlined herein.

**Plans Reviewed, prepared by Hazen and Sawyer and dated October, 2015:**

- Cover Sheet
- Civil Existing Conditions (C-1)
- Civil Erosion and Sediment Control Plan and Final Site Plan (C-2)
- Civil Erosion and Sediment Control Details (C-3)
- Mechanical Storage Tank Plans and Sections (C-4)
- Mechanical Details (M-2)

**Documents Reviewed:**

- Letter, prepared by Hazen and Sawyer, dated October 28, 2015
- Step II Planning Board Application
- Short EAF, dated October 19, 2015
- Example Photograph of Glass-Fused to Steel Storage Tank
- Survey of Property, prepared by Badey & Watson, dated August 26, 2015

JKJ/JMC/dc



Hazen and Sawyer  
498 Seventh Avenue, 11th Floor • New York, NY 10018

October 28, 2015

Mr. Jan Johannessen, AICP  
Project Manager  
Kellard Sessions Consulting, P.C.  
500 Main Street  
Armonk, New York 10504

**RE: New York American Water Wild Oaks Storage Tank Replacement, Lewisboro, NY  
Application for Step 2 Site Development Plan**

Dear Mr. Johannessen:

On behalf of New York American Water (NYAW), we are submitting the Step 2 Sketch Plan Review application for the proposed construction of a new water storage tank for the Wild Oaks Water System. The replacement tank would be placed on the same site as the existing tank, on a Wild Oaks Water System property located on Fairmount Road in Lewisboro, NY.

We are submitting this application in advance of the October 20, 2015 deadline for consideration and review during the next Planning Board meeting scheduled on November 17, 2015. The application package consists of the following items enclosed for your review. As directed, nine (9) hard copies including the original set are enclosed.

- Application Fee of \$505
- Attachment 1. Planning Board Application Form;
- Attachment 2. Response to Comments
- Attachment 3. Short Environmental Assessment Form
- Attachment 4. Project Drawings

Should you have any questions or require additional information, please contact me at (212) 539-7074.

Very Truly Yours,

Kristen Barrett, P.E.  
Project Manager

Encl.

cc: NYAW: Richard Ruge  
H&S: Paul Brandt, Ross Diamond, Rich Fahey, Jon Rivas



Hazen and Sawyer  
498 Seventh Avenue, 11th Floor • New York, NY 10018

October 27, 2015

Chairman Jerome Kerner, AIA, and  
Members of Lewisboro Planning Board  
20 North Salem Road  
PO Box 725, Cross River, NY 10518

Re: Wild Oaks Storage Tank Replacement; Fairmount Rd., Sheet 7H, Block 11139, Lot 23

Dear Mr. Kerner:

Please find below the original comments that Kellard Sessions Consulting, P.C. had for New York American Water's Site Plan Review for the Wild Oaks Water Storage Replacement Tank Project, located at Fairmount Road on New York American Water property, Lewisboro, New York. These comments have been responded to below.

**Required Approvals:**

1. Site Plan Development Approval is required from the Planning Board

*Site Plan Development Approval is currently in progress.*

2. If land disturbance exceeds 5,000 sf a Town Stormwater Permit will be required as will coverage under the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002).

*The area of disturbance in the proposed plan is 4,300 sf.*

3. A height variance is required from the Zoning Board of Appeals

*The process for obtaining this variance, as well as information regarding property setbacks, is in progress with the Zoning Board of Appeals.*

4. The application should be referred to ACARC for review and recommendation.

*Hazen will coordinate with ACARC for a review of the proposed project.*

5. Approval from Westchester County Department of Health is required.

*An Application for Westchester County Department of Health approval is in progress.*

## Comments:

1. The applicant has submitted a basic sketch plan for initial comment. A fully engineered site plan shall be provided for review and must include, at a minimum, the following information:
  - Existing conditions survey, including 2-foot contours and trees located within the limits of disturbance and >8" dbh;  
*Existing Conditions Drawing has been developed including 2-foot contours and trees larger than 8" DBH within the limits of disturbance*
  - Demolition plan;  
*A demolition plan will be developed after the new tank installation is complete.*
  - Grading, utility and erosion and sediment control plan;  
*Grading, utility and erosion and sediment control plan are included in the drawings attached.*
  - Illustration and calculation of the area of land disturbance  
*Area of land disturbance is shown in the drawings.*
  - Improvements and modifications to site access and vehicular parking, if any; and  
*Access path to proposed tank location and parking area are shown on the Final Site Plan attached.*
  - Construction details, including the proposed tank and foundation, driveway, concrete foundation, erosion and sediment controls  
*Construction details are included in the drawings.*
2. The geotechnical investigation and report referenced in the applicant's cover letter should be submitted when complete.  
*The geotechnical investigation and report will be provided to the Planning Board upon completion. Borings were completed on October 22, the report is pending.*
3. Future submissions should include applications for Step II Site Development Plan and Town Stormwater Permit, if deemed required.  
*A Step II Site Development Plan application is being submitted for the November 19 Planning Board Meeting. The project is anticipated to disturb <5,000 sf and at this time a Town Stormwater Permit is not expected to be required.*
4. The applicant shall complete and submit Parts 1 and 2 of the Short Environmental Assessment Form (EAF).  
*Parts 1 and 2 of a Short Environmental Assessment Form have been completed and will be submitted with the Step II Site Development Plan Application on the November 19 Planning Board Meeting.*
5. The applicant should update the Board on the status of any and all outside agency approvals.  
*Updates to the status of other permitting processes such as USFWS consultation, Westchester County Department of Health, and Lewisboro Zoning Board of Appeals will be provided as available.*

# Hazen

6. The subject property is accessed over an adjacent parcel; please provide existing easement information.

*Existing easement information will be provided.*

7. All application materials shall be revised to reference the correct Tax Parcel identification number.

*All materials will be revised to reflect the Tax Parcel information used at the top of this correspondence.*

Thank you for your comments and please let us know if there are additional materials required for the Town of Lewisboro review of this application. Please send any correspondence related to this project to Richard Ruge ([Richard.Ruge@amwater.com](mailto:Richard.Ruge@amwater.com)) of New York American Water and Kristen Barrett ([KBarrett@hazenandsawyer.com](mailto:KBarrett@hazenandsawyer.com)) of Hazen and Sawyer.

Very Truly Yours,  
**HAZEN AND SAWYER, P.C.**



Kristen Barrett  
P.E., Senior Associate

CC:  
Jan Johannessen, Kellard Sessions Consulting, P.C.  
Richard Ruge, New York American Water

Enclosure (optional)

# TOWN OF LEWISBORO PLANNING BOARD

PO Box 725, 20 North Salem Road, Cross River, NY 10518

Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com)

Tel: (914) 763-5592

Fax: (914) 763-3637

## Instructions for Submission of Applications to the Planning Board

All submitted plans and documents shall bear an original signature, seal, and license number of the professional responsible for preparing each item. All plans shall be equal in sheet size and collated into stapled and folded sets. Unless otherwise requested, an original plus eight (8) copies are required for each submission - nine (9) total sets.

Cell Tower submissions require an original plus thirteen (13) copies of all plans and documents - Fourteen (14) total sets.

Please also provide a digital submission (PDF) of all plans and documents on a CDROM, flash drive, or as directed by the Planning Board Secretary.

### The following Materials Shall Be Submitted:

- All relevant Planning Board application forms – completed and signed
- Written narrative describing the environmental character, physical features and scope of the proposed action
- Site Development Plan or Subdivision Plan and related construction plans and details, as applicable
- Boundary and topographical survey
- Wetland delineation per Chapter 217 Wetlands and Watercourses Law (if applicable)
- SEQR Environmental Assessment Form (EAF); unless otherwise instructed, please provide the Short EAF - [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seafpartone.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf)
- Completed Affidavit of Ownership Form certifying owner of record at date of application
- Completed Tax Payment Affidavit certifying payment of all taxes and assessments due
- Filing Fee: See attached Form Fee Schedule. Check(s) payable to the Town of Lewisboro
- Escrow
  - An Escrow must be established for each applicant and will be utilized to reimburse the Town's cost for Professional Consultant review of applications throughout each step of the process.
  - The applicant is responsible for replenishing depleted escrows.
  - Payment into an established escrow can exceed the initial estimate, especially if incomplete application materials are submitted.
  - **Project reviews will not be continued and an application will not be placed on an agenda if the escrow balance is not sufficiently maintained.**

*NOTE: All deep and percolation soil tests shall be witnessed by the Town Engineer.*

Review memos from the Town's consultants will be available to the applicant no later than the Friday prior to the Planning Board meeting at which the project is scheduled to appear. The applicant is not expected to respond to comments at this meeting.

# TOWN OF LEWISBORO PLANNING BOARD

## Summary of Application Process

### STEP II

Site Development Plan Approval  
Special Use Permit Approval  
Preliminary Subdivision Plat Approval

*Please note that each step requires the submission of an application and associated fees.*

### STEP II: Site Development Plan Approval, Special Use Permit Approval, and Preliminary Subdivision Plat Approval

The project plans for *Site Development Plan Approval, Special Use Permit Approval, and Preliminary Subdivision Plat Approval* applications show in detail existing and proposed site conditions and improvements, including: grading and layout plans; zoning conformance; location and design of buildings and parking areas; drainage and utility plans; landscaping plans; erosion and sedimentation controls; lighting and signs; street and traffic related improvements,; and building floor plans and elevations. In the case of Special Permit Use Approval proposals, specific adherence to the provisions for the requested Special Permit Use must be clearly documented (refer specifically to Article V, Supplemental Regulations, of the Zoning Ordinance for requirements pertaining to individual Special Permit Uses).

All site development plans, special use permit plans, subdivision plats, and construction drawings shall include the information required by §195-15 and §195-16 of the Town Code, as applicable.

#### Public Hearing

A Public Hearing is *typically* required for all Site Development Plans and *is* required for all Special Use Permits.

Each proposal should carefully consider the existing conditions, surrounding environment and neighborhood character in proximity to the project site. Each proposal should strive to provide a development compatible with the scale and character of its surroundings and which pays particular attention to details relating to landscaping buffering and screening, architectural design, signs, lighting, traffic conditions, adjacent streetscape design, etc.

**NOTE: The SEQRA review must be completed prior to scheduling the required Public Hearing.**

# TOWN OF LEWISBORO PLANNING BOARD

## Summary of Application Process

### STEP I

Waiver of Site Development Plan Approval  
Site Development Plan Approval  
Special Use Permit Approval  
Subdivision Plan Approval

*Please note that each step requires the submission of an application and associated fees.*

### STEP I: Sketch Plan Review and Establishment of Escrow Account

*The Sketch Plan* shows the proposed site development concept, including the location of existing and proposed buildings, driveways, parking areas, utilities, landscaping, zoning conformance, lighting, signs, etc. The Sketch Plan needs to be of sufficient detail to show existing environmental conditions of the site, adjacent street conditions, site access, and development constraints such as topography and wetlands.

*A Waiver of Site Development Plan Procedures* is required for the following applications:

- A change from one use to another use
- Revision of an approved site development plan
- Conforming improvement not requiring physical site work subject to review
- An agricultural use on a property located within a county-adopted, state-certified agricultural district

Experience has shown that with the submission of more detailed and complete information (wetlands delineation, topography illustrating two-foot contour, existing condition survey information, construction details, and a complete Environmental Assessment Form) earlier in the planning process, the faster, more efficient and less expensive the overall process will likely be.

### Site Visit

Typically, a site visit is scheduled to inspect the property during the Sketch Plan review process.

### Escrow

An Escrow must be established for each applicant and will be utilized to reimburse the Town's cost for Professional Consultant review of applications throughout each step of the process. The applicant is responsible for replenishing depleted escrows. Payment into an established escrow can exceed the initial estimate, especially if incomplete application materials are submitted.

**Project reviews will not be continued, and an application will not be placed on an agenda if the escrow balance is not sufficiently maintained.**

*Please refer to Chapter 195, Article III and §220-46 of the Town Code for detailed information regarding the application process.*

# TOWN OF LEWISBORO PLANNING BOARD

## Summary of Application Process

### STEP III

#### Final Subdivision Plat Approval

*Please note that each step requires the submission of an application and associated fees.*

#### STEP III: Final Plat Review and Approval

The Final Plat and associated Final Construction Plans show the proposed subdivision in final detail, based on the requirements of the Land Subdivision Regulations and any conditions of Preliminary Plat Approval. These final plans, once certified by the applicant's land surveyor and/or engineer, and approved by the Westchester County Department of Health, will then be endorsed by the Planning Board to permit filing with the Westchester County Clerk, Division of Land Records, as well as with the Town of Lewisboro.

All final subdivision plats and final construction drawings shall include the information required by §195-15 and §195-16 of the Town Code, as applicable.

#### Public Hearing

A Public Hearing is **required** for all Preliminary Plats, including Lot Line Changes.

#### State Environmental Quality Review Act (SEORA)

A complete *Environmental Assessment Form* must be submitted which evaluates potential impacts of the proposed subdivision, such as potential impacts relating to: increased runoff, wetlands and buffer areas, water quality, open space resources, neighborhood character, construction activities, aesthetics, tree clearing, traffic, etc.

**NOTE: the SEORA review must be completed prior to scheduling the required Public Hearing.**

Each subdivision should carefully consider the inclusion of features which help preserve the Town's rural residential character and which further the goals of land conservation . The following planning techniques are suggested:

- Establishment of Trails, Trail Connections and Trail Easements
- Dedication of Conservation Easements or Establishment of Development Restriction Areas
- Development of a Cluster Subdivision which avoids wetlands and buffer areas, steep slopes, hilltops and ridges
- Dedication of public or private Open Space parcels
- Utilization of common driveways

## TOWN OF LEWISBORO PLANNING BOARD

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### PLANNING BOARD APPLICATION FEE & ESCROW SCHEDULE

<u>Application Type</u>	<u>Application Fee</u>
Sketch Plan Review (Step I) – All applications including Lot Line Change	\$205
Waiver of Site Development Plan Procedures	\$205
Site Development Plan Approval (Step II)	\$255 Seasonal Outdoor Seating \$505 All Others Plus: \$0.50 per square foot of gross floor area of new or modified building structure AND \$25 per new, modified or relocated parking space for non-residential and multi-family uses AND \$300 per dwelling unit
Special Use Permit (Step II)	\$1,505 Cell Tower Applications \$1,505 Fast Food Establishments \$ 505 All Others
Preliminary Subdivision Approval (Step II)	\$400 per lot on plat Plus \$5 records management fee
Final Subdivision Approval (Step III)	\$150 per lot on plat Plus \$5 records management fee \$255 Amendment Approval \$ 35 per lot – Tax Map Fee
Recreation Fee	\$10,000 per single-family new “buildable lot” \$7,500 per multi-family density unit
Wetland Activity Permit	\$255
Town Stormwater Permit	\$155

Effective January 1, 2013

#### **Escrow:**

An Escrow must be established for each applicant and will be utilized to reimburse the Town’s cost for Professional Consultant review of applications throughout each step of the process. The applicant is responsible for replenishing depleted escrows. Payment into an established escrow can exceed the initial estimate, especially if incomplete application materials are submitted.

**Project reviews will not be continued if an escrow balance is not sufficiently maintained.**

TOWN OF LEWISBORO PLANNING BOARD

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Site Development Plan/Subdivision Plat Application - Check all that apply:

Waiver of Site Development Plan Procedures [ ]
Site Development Plan Approval Step I [ ] Step II [ ]
Special Use Permit Approval Step I [ ] Step II [x]
Subdivision Plat Approval Step I [ ] Step II [ ] Step III [ ]

Project Information

Project Name: Wild Oaks Storage Tank
Project Address: Fairmount Road
Gross Parcel Area: 1.017 ac. Zoning District: R-MF Sheet(s): 7H Block (s): 11139 Lot(s): 23
Project Description: Construction of a new replacement finished water storage tank.

Is the site located within 500 feet of any Town boundary? YES [x] NO [ ]
Is the site located within the New York City Watershed? YES [x] NO [ ]
Is the site located on a State or County Highway? YES [ ] NO [x]

Does the proposed action require any other permits/approvals from other agencies/departments?
Town Board [ ] ZBA [x] Building Dept. [x] Town Highway [ ]
ACARC [x] NYSDEC [ ] NYCDEP [ ] WCDH [x]
NYSDOT [ ] Town Wetland [ ] Town Stormwater [ ]
Other [ ]

Owner's Information

Name: Brian Bruce, New York American Water Email: Brian.Bruce@amwater.com
Address: 60 Brooklyn Avenue, Merrick, NY 11566 Phone: 516-632-2207

Applicant's Information (if different)

Name: Richard Ruge, New York American Water Email: Richard.Ruge@amwater.com
Address: 260 Harrison Avenue, Harrison, NY 10528 Phone: 516-596-4860

Authorized Agent's Information

Name: Kristen Barrett, Hazen and Sawyer Email: kbarrett@hazenandsawyer.com
Address: 498 Seventh Ave, 11th Floor, New York, NY 10018 Phone: 212-539-7074

THE APPLICANT understands that any application is considered complete only when all information and documents required have been submitted and received by the Planning Board.
THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his/her knowledge and belief, and authorizes visitation and inspection of the subject property by the Town of Lewisboro and its agents.
APPLICANT'S SIGNATURE [Signature] DATE 10/20/15
OWNER'S SIGNATURE [Signature] DATE 10/20/15

# TOWN OF LEWISBORO PLANNING BOARD

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Tel: (914) 763-5592

Fax: (914) 763-3637

## Affidavit of Ownership

State of: New York

County of: Westchester County

Brian Bruce, being duly sworn, deposes and says that he/she resides at 60 BROOKLYN AVE, MERRICK in the County of NASSAU, State of New York and that he/she is (check one)  the owner, or  the President of New York American Water *Title*  
*Name of corporation, partnership, or other legal entity*

which is the owner, in fee of all that certain log, piece or parcel of land situated, lying and being in the Town of Lewisboro, New York, aforesaid and know and designated on the Tax Map in the Town of Lewisboro as:

Block 11139, Lot 23, on Sheet 7H.

Brian Bruce  
*Owner's Signature*

Sworn to before me this

20<sup>th</sup> day of October, 2015

ROSE M. SIMPSON  
Notary Public, State of New York  
No. 01SI5031048  
Qualified in Nassau County  
Commission Expires July 25, 2018

Rose M Simpson

**Notary Public - affix stamp**

# TOWN OF LEWISBORO PLANNING BOARD

PO Box 725, 20 North Salem Road, Cross River, NY 10518  
Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com)  
Tel: (914) 763-5592 Fax: (914) 763-3637

## Tax Payment Affidavit Requirement

*This form must accompany all applications to the Planning Board.*

***Under regulations adopted by the Town of Lewisboro, the Planning Board may not accept any application unless an affidavit from the Town of Lewisboro Receiver of Taxes is on file in the Planning Board office. The affidavit must show that all amounts due to the Town of Lewisboro as real estate taxes and special assessments on the total area encompassed by the application, together with all penalties and interest thereon, have been paid.***

***Under New York State law, the Westchester County Clerk may not accept any subdivision map for filing unless the same type of affidavit from the Town of Lewisboro Receiver of Taxes is submitted by the applicant at the time of filing.***

This form must be completed by the applicant and must accompany all applications to the Planning Board. Upon receipt, the Planning Board Secretary will send the form to the Receiver of Taxes for signature and notarization. If preferred, the applicant may directly obtain the signature of the Receiver of Taxes and notarization prior to submission.

### To Be Completed by Applicant (Please type or print)

Richard Ruge

Name of Applicant

Wild Oaks Storage Tank

Project Name

#### Property Description

Tax Block(s): 11139

Tax Lot(s): 23

Tax Sheet(s): 7H

#### Property Assessed to:

New York American Water

Name 260 Harrison Ave.

Address Harrison, NY 10528

City

State

Zip

The undersigned, being duly sworn deposes and says that a search of the tax records in the office of the Receiver of Taxes, Town of Lewisboro, reveals that all amounts due to the Town of Lewisboro as real estate taxes and special assessments, together with all penalties and interest thereon, affecting the premises described below, have been paid.

Signature - Receiver of Taxes: \_\_\_\_\_  
Date

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_

\_\_\_\_\_  
Signature - Notary Public (affix stamp)

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

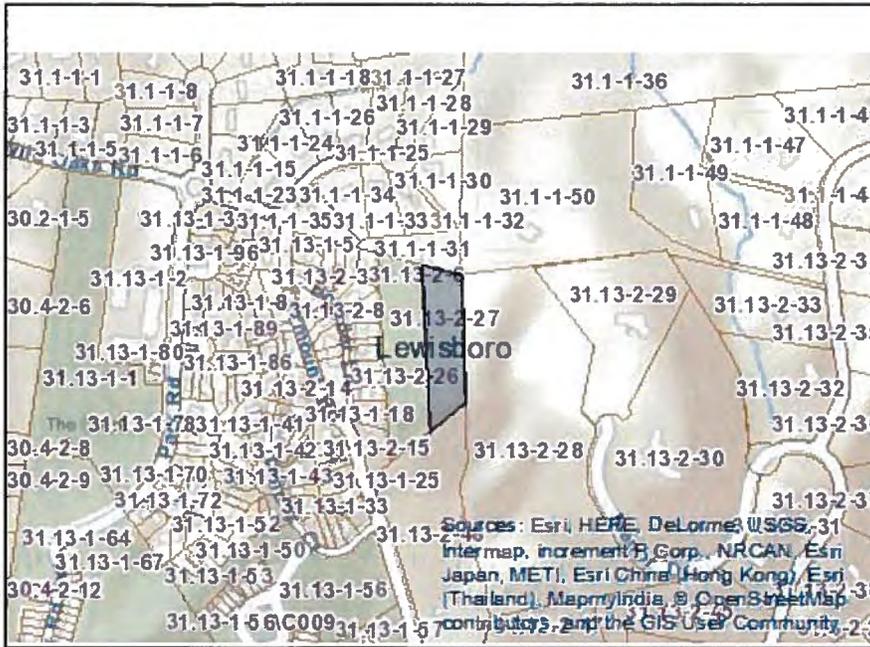
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

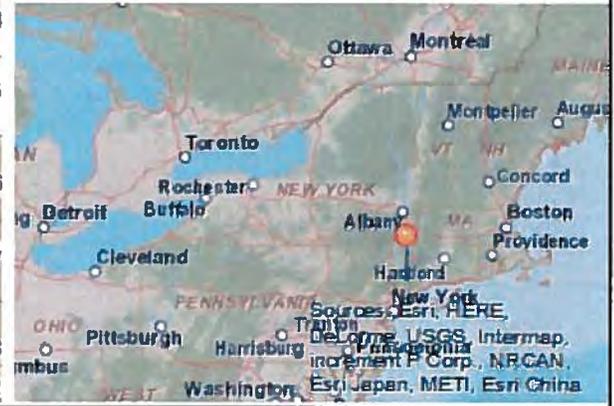
<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Wild Oaks Storage Tank Replacement			
Project Location (describe, and attach a location map): Fairmount Road, Lewisboro, NY. Sheet 7H, Block 11139, Lot 23. See Attached			
Brief Description of Proposed Action: A currently existing ~120,000 gallon storage tank will be replaced with a new, similar volume tank. Old tank will be demolished upon completion and successful tie in of the new tank to the Wild Oaks Water Supply System. See Project Description for additional detail.			
Name of Applicant or Sponsor: New York American Water		Telephone: 516-596-4260	
		E-Mail: richard.ruge@amwater.com	
Address: 260 Harrison Avenue			
City/PO: Harrison		State: NY	Zip Code: 10528
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYS Department of Health. Town of Lewisboro Planning Board. Town of Lewisboro Zoning Board of Appeals.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.017 acres	
b. Total acreage to be physically disturbed?		<1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.017 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input checked="" type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Richard Ruge, Manager Field ops</u> Date: <u>10/19/2015</u></p> <p>Signature: <u><i>Richard Ruge</i></u></p>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



# NEW YORK AMERICAN WATER

## WILD OAKS STORAGE TANK REPLACEMENT LEWISBORO, WESTCHESTER COUNTY, NY

### OCTOBER 2015

#### INDEX OF DRAWINGS

DRAWING	TITLE
GENERAL	
G-1	COVER AND INDEX OF DRAWINGS
CIVIL	
C-1	EXISTING CONDITIONS
C-2	EROSION AND SEDIMENT CONTROL PLAN AND FINAL SITE PLAN
C-3	EROSION AND SEDIMENT CONTROL DETAILS
MECHANICAL	
M-1	TOP & BOTTOM PLANS AND SECTIONS
M-2	DETAILS



SITE MAP  
NOT TO SCALE

WILD OAKS STORAGE TANK SITE

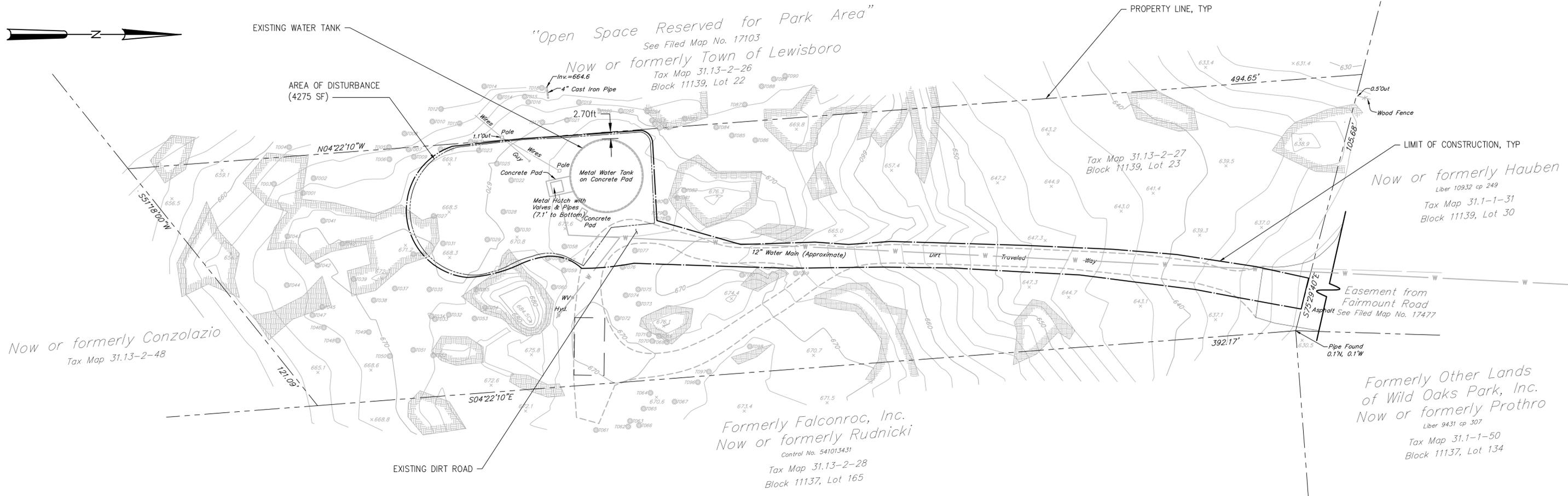


LOCATION MAP  
NOT TO SCALE

WILD OAKS STORAGE TANK SITE

# Hazen

HAZEN AND SAWYER  
488 SEVENTH AVE • NEW YORK, NEW YORK 10018



**PLAN**

SCALE: 1"=20'

1"=20'-0"



**GENERAL NOTES:**

- SITE INFORMATION HAS BEEN PROVIDED BY SITE SURVEY PREPARED BY BADEY & WATSON, SURVEYING & ENGINEERING, P.C. DATED AUGUST 28, 2015.
- HORIZONTAL CONTROL IS REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, EAST ZONE, BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD 83).  
VERTICAL CONTROL IS REFERENCED TO THE ASSUMED DATUM USED FOR THE WILD OAKS GROUNDWATER WELL REPLACEMENT SURVEY, ENTITLED "WILD OAKS WATER DISTRICT TOPOGRAPHY & EXISTING CONDITIONS MAP" PREPARED BY KIRK ROTHER, P.E., CONSULTING ENGINEER, PLLC, DATED APRIL 28, 2014.  
TO ADJUST THE ELEVATIONS HEREON TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), SUBTRACT 243.97'.
- CONTRACTOR SHALL VERIFY FIELD CONDITIONS BEFORE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL VERIFY EXISTING ELEVATIONS AND DIMENSIONS WHERE NEW WORK WILL MATCH EXISTING. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER FOR RESOLUTION PRIOR TO THE COMMENCEMENT OF WORK.
- CONTRACTOR SHALL OBTAIN ALL THE NECESSARY PERMITS FROM THE APPROPRIATE AUTHORITIES, DEPARTMENTS, AND/OR AGENCIES HAVING JURISDICTION PRIOR TO COMMENCING WORK.
- CONTRACTOR SHALL TAKE CARE TO AVOID DAMAGE TO EXISTING PAVEMENT, TREES, VEGETATION, STRUCTURES, AND UTILITIES THAT ARE NOT INDICATED TO BE DEMOLISHED OR REMOVED. ANY DAMAGE TO EXISTING PAVEMENT, TREES, VEGETATION, STRUCTURES, AND UTILITIES NOT INDICATED TO BE DEMOLISHED OR REMOVED SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEY INFORMATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THEIR EXACT LOCATION AND TO AVOID DAMAGE TO THEM. THE CONTRACTOR SHALL CONTACT DIG SAFELY NEW YORK AT PHONE NUMBER 1-800-962-7962 OR 811 TO REQUEST UNDERGROUND UTILITY LOCATION MARK-OUT AT LEAST TWO (2) WORKING DAYS BUT NO MORE THAN TEN (10) WORKING DAYS PRIOR TO BEGINNING EXCAVATION, INCLUDING SOIL DRILLING. THE CONTRACTOR SHALL ALSO CONTACT AND REQUEST UTILITY LOCATION MARK-OUT FROM BURIED UTILITY OWNERS WITH UTILITIES ON THE PROJECT SITE THAT ARE NOT PARTICIPANTS OF DIG SAFELY NEW YORK.
- WHERE PROPOSED WORK IS IN THE VICINITY OF UTILITY POLES, SUCH THAT SUPPORT OF THE POLE(S) WILL BE REQUIRED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE UTILITY OF THE WORK. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE UTILITY FOR SUPPORT OF THE POLE.
- WHERE OVERHEAD POWER LINES ARE PRESENT, CONTRACTOR MUST CONTACT THE UTILITY PRIOR TO CONSTRUCTION ACTIVITIES TO DETERMINE THE MINIMUM REQUIRED EQUIPMENT CLEARANCE (MEC) DISTANCE BASED UPON LINE STRENGTH.
- DURING EXCAVATION AND PLACEMENT OF UTILITIES THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE SAFETY REGULATIONS AND SHALL SUBMIT TO THE ENGINEER FOR APPROVAL OF SHEET PILING, SHORING AND/OR BRACING DESIGNS AS MAY BE NECESSARY TO COMPLY WITH THESE REGULATIONS.
- THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL DEBRIS GENERATED DURING THE PROJECT OFF SITE AT A PROPERLY PERMITTED DISPOSAL FACILITY.
- CONTRACTOR SHALL MAKE EVERY EFFORT TO SAVE AND MAINTAIN ALL PROPERTY IRONS, MONUMENTS, OTHER PERMANENT POINTS AND LINES OF REFERENCE AND CONSTRUCTION STAKES. A REGISTERED LAND SURVEYOR AT THE CONTRACTOR'S EXPENSE SHALL REPLACE PROPERTY IRONS, MONUMENTS, AND OTHER PERMANENT POINTS OF REFERENCE DESTROYED BY THE CONTRACTOR.

EXISTING TREES WITHIN PROJECT AREA				
Tree #	DBH (in)	Common Name	Health	Comments
T022	6, 5.5	Black Cherry	Healthy	To be removed
T023	10.5	Black Oak	Healthy	To be removed
T025	7	Unk. Oak	Dead	To be removed
T027	4.5	Black Cherry	Healthy	To be removed
T028	7.5	Unk. Hickory	Healthy	To be removed
T029	7	Red Oak	Healthy	To be removed
T030	6.5	Black Cherry	Healthy	To be removed
T031	4	Black Cherry	Healthy	To be removed
T058	17.5	Bigtooth Aspen	Healthy	To be removed
T077	4.5	Black Cherry	Healthy	To be removed

**LEGEND**

- CONTOUR
- EDGE OF DIRT ROAD
- WATER LINE
- PROPERTY LINE
- LIMIT OF CONSTRUCTION
- LIMIT OF DISTURBANCE
- SPOT ELEVATION
- UTILITY POLE
- HYDRANT
- EXISTING TREE
- WATER VALVE
- ROCK OUTCROPPING

**WARNING**

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PROJECT ENGINEER:	KLB		
DESIGNED BY:	JR		
DRAWN BY:	JR		
CHECKED BY:	JC		
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE			
REV	ISSUED FOR	DATE	BY

PRELIMINARY DRAWING DO NOT USE FOR CONSTRUCTION

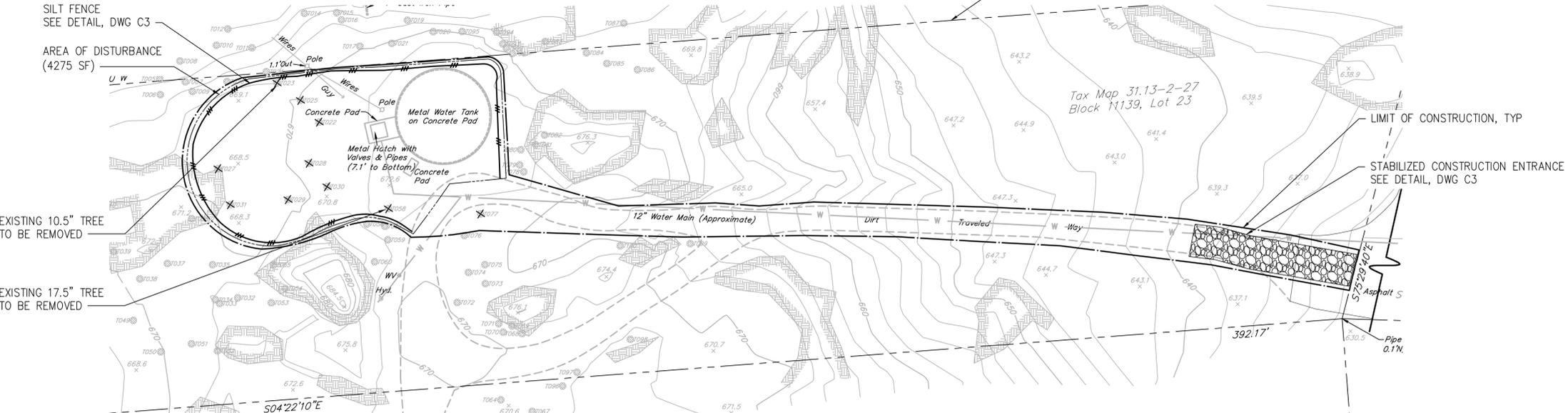
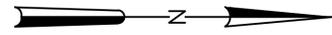
**Hazen**  
HAZEN AND SAWYER  
498 SEVENTH AVENUE, 11th FLOOR  
NEW YORK, NY 10018

LEWISBORO, WESTCHESTER COUNTY  
NEW YORK  
  
WILD OAKS STORAGE TANK  
REPLACEMENT

**NEW YORK AMERICAN WATER**

CIVIL  
EXISTING CONDITIONS

DATE:	OCTOBER 2015
HAZEN NO.:	90185-NYC
CONTRACT NO.:	
DRAWING NUMBER:	C-1

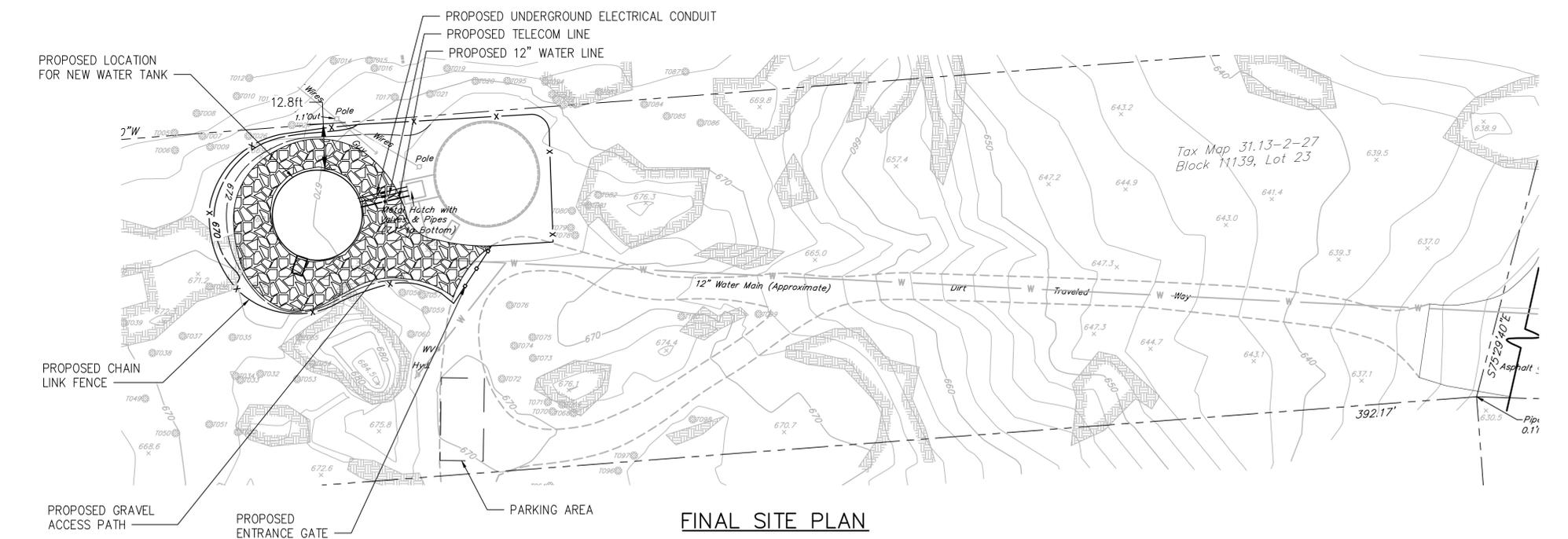


**EROSION AND SEDIMENT CONTROL PLAN**

SCALE: 1"=20'

**LEGEND**

- 670 EXISTING CONTOUR
- 670 PROPOSED CONTOUR
- EDGE OF DIRT ROAD
- EXISTING WATER LINE
- PROPOSED 12" WATER LINE
- PROPOSED TELECOM LINE
- PROPOSED UNDERGROUND ELECTRICAL
- PROPERTY LINE
- LIMIT OF CONSTRUCTION
- LIMIT OF DISTURBANCE
- SILT FENCE
- CHAIN LINK FENCE
- ENTRANCE GATE
- STABILIZED CONSTRUCTION ENTRANCE
- GRAVEL ACCESS PATH
- 668.6 SPOT ELEVATION
- UTILITY POLE
- HYDRANT
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- WATER VALVE
- ROCK OUTCROPPING

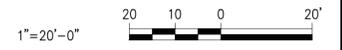


**FINAL SITE PLAN**

SCALE: 1"=20'

**EROSION AND SEDIMENT CONTROL (ESC) NOTES:**

1. ALL EROSION CONTROL AND TREE PROTECTION MEASURES SHALL BE IN PLACE BEFORE, OR AS SOON AS PRACTICAL AFTER, ANY LAND CLEARING OR CONSTRUCTION ACTIVITIES BEGIN.
2. CLEARING SHALL BE LIMITED AS MUCH AS POSSIBLE TO AREAS REQUIRED FOR CURRENT CONSTRUCTION ACTIVITIES. MASS CLEARING AND GRADING SHALL BE AVOIDED.
3. THE IMPACTS TO ADJACENT NATURAL AREAS DUE TO EROSION AND SEDIMENTATION FROM CONSTRUCTION WITHIN THIS CONTRACT SHALL NOT BE ANY GREATER THAN UNDER PRE-CONSTRUCTION CONDITIONS.
4. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED PRIOR TO BEGINNING ANY LAND DISTURBANCES AS REQUIRED BY THE EROSION AND SEDIMENTATION CONTROL PLAN.
5. EXCAVATED SOILS AND DEBRIS TO BE REMOVED FROM SITE SHALL BE TRANSPORTED IN A SEALED/WATERTIGHT CONTAINER AND DISPOSED OF OFFSITE AT AN APPROVED UPLAND FACILITY.
6. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED FOLLOWING EVERY RAINFALL BUT NO LESS THAN ONCE EVERY WEEK.
7. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REPAIRED OR REPLACED IMMEDIATELY AS REQUIRED TO MAINTAIN PERFORMANCE OF MEASURE. REMOVED SEDIMENT SHALL BE DISPOSED OF IN SUCH A MANNER AS TO ENSURE FURTHER SEDIMENT TRANSPORT DOES NOT OCCUR.
8. ALL POINTS OF CONSTRUCTION INGRESS AND EGRESS SHALL BE PROTECTED TO PREVENT THE DEPOSITION OF MATERIALS ONTO ANY PUBLIC ROADWAY. ANY MATERIAL INADVERTENTLY DEPOSITED ON THE PUBLIC ROADWAY SHALL BE REMOVED IMMEDIATELY. PROPER PRECAUTIONS SHALL BE TAKEN TO ENSURE THAT MATERIALS DEPOSITED ONTO OFFSITE ROADWAYS ARE REMOVED SO THAT THEY DO NOT ENTER YARD INLETS, CATCH BASINS, SEWERS, WETLANDS, SURFACE WATER BODIES, OR ROADSIDE SWALES.
9. WHERE CONCRETE EQUIPMENT WASHING IS REQUIRED, THIS MUST BE DONE IN AN APPROVED 'CONCRETE CONTAINMENT AREA'. CONTRACTOR SHALL NOT DISCHARGE ANY CONCRETE WASHOUT WATER INTO SEWERS, SURFACE WATER BODIES OR ONTO THE GROUND. ALL WASHOUT WATER MUST BE REMOVED FROM THE SITE(S) DAILY.



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**NOTE:**  
VERTICAL CONTROL IS REFERENCED TO THE ASSUMED DATUM USED FOR THE WILD OAKS GROUNDWATER WELL REPLACEMENT SURVEY, ENTITLED "WILD OAKS WATER DISTRICT TOPOGRAPHY & EXISTING CONDITIONS MAP" PREPARED BY KIRK ROTHER, P.E., CONSULTING ENGINEER, PLLC, DATED APRIL 28, 2014. TO ADJUST THE ELEVATIONS HEREON TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), SUBTRACT 243.97'.

REV	ISSUED FOR	DATE	BY

PROJECT ENGINEER:	KLB
DESIGNED BY:	JR
DRAWN BY:	JR
CHECKED BY:	JC
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	

PRELIMINARY DRAWING DO NOT USE FOR CONSTRUCTION

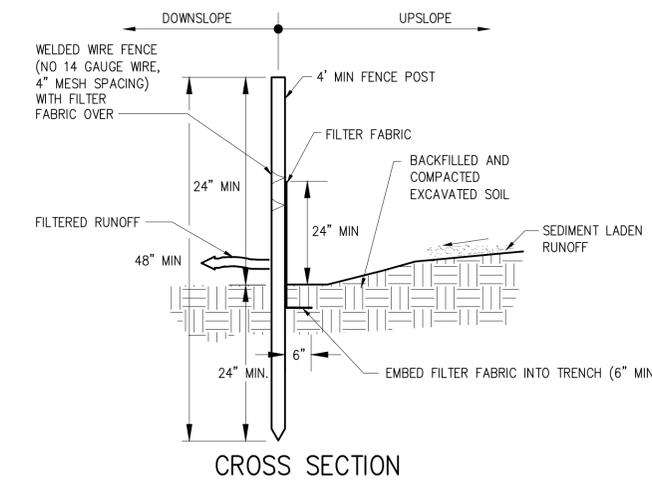
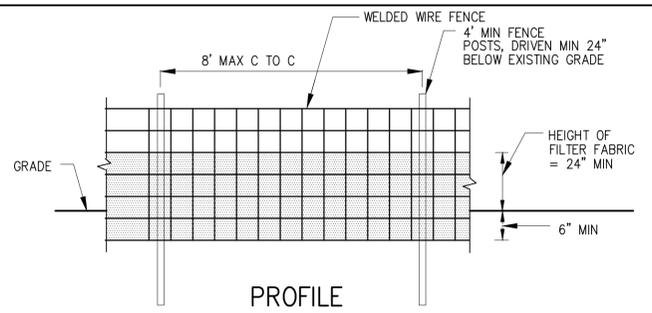
**Hazen**  
HAZEN AND SAWYER  
498 SEVENTH AVENUE, 11th FLOOR  
NEW YORK, NY 10018

LEWISBORO, WESTCHESTER COUNTY  
NEW YORK  
**WILD OAKS STORAGE TANK REPLACEMENT**

**NEW YORK AMERICAN WATER**

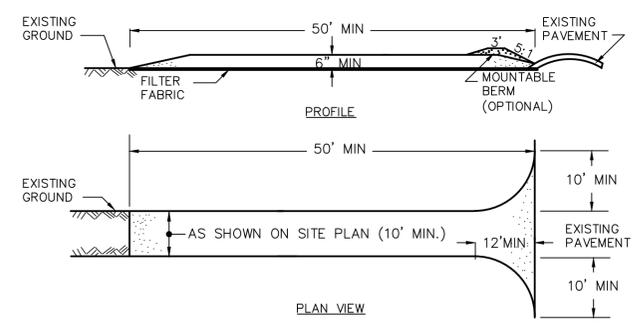
CIVIL  
EROSION AND SEDIMENT CONTROL PLAN  
AND FINAL SITE PLAN

DATE:	OCTOBER 2015
HAZEN NO.:	90185-NYC
CONTRACT NO.:	
DRAWING NUMBER:	C-2



- NOTES:**
- WELDED WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES. POSTS SHALL BE STEEL, EITHER 'T' OR 'U' TYPE OR 2 INCH SQUARE HARDWOOD.
  - FILTER FABRIC MUST BE SECURELY FASTENED TO THE POSTS USING A SYSTEM CONSISTING OF METAL FASTENERS (NAILS OR STAPLES) AND A HIGH STRENGTH REINFORCEMENT MATERIAL (NYLON WEBBING, GROMMETS, WASHERS, ETC.) PLACED BETWEEN THE FASTENER AND THE GEOTEXTILE FABRIC. THE FASTENING SYSTEM SHALL RESIST TEARING AWAY FROM THE POST. THE FABRIC SHALL INCORPORATE A DRAWSTRING IN THE TOP PORTION FOR ADDED STRENGTH.
  - WHEN TWO SECTIONS OF FILTER FABRIC ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
  - SEDIMENT SHALL BE REMOVED FROM THE UPSTREAM FACE OF THE FENCE WHEN IT HAS REACHED A DEPTH OF 1/2 THE BARRIER HEIGHT.
  - REPAIR OR REPLACE (FABRIC, POSTS, ETC.) WHEN DAMAGED.
  - FENCE SHALL BE INSPECTED DAILY FOR SIGN OF DETERIORATION AND SEDIMENT REMOVAL. MATERIAL SHALL BE REMOVED WHEN BULGES OR HOLES DEVELOP IN THE SILT FENCE, OR AS REQUIRED BY THE ENGINEER.
  - 
  - MAXIMUM ALLOWABLE SLOPE LENGTHS CONTRIBUTING RUNOFF TO A SILT FENCE ARE:
- | SLOPE STEEPNESS  | MAXIMUM SLOPE LENGTH (FT) |
|------------------|---------------------------|
| 2:1              | 50                        |
| 3:1              | 75                        |
| 4:1              | 125                       |
| 5:1              | 175                       |
| FLATTER THAN 5:1 | 200                       |
- MAXIMUM DRAINAGE AREA FOR OVERLAND FLOW TO A SILT FENCE SHALL NOT EXCEED 1 ACRE PER 100 FEET OF FENCE.

**REINFORCED SILT FENCE DETAIL**  
NOT TO SCALE



- NOTES:**
- STONE SIZE - USE NYSDOT SIZE NO. 3 COARSE AGGREGATE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
  - LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
  - THICKNESS - NOT LESS THAN SIX (6) INCHES.
  - WIDTH - TEN (10) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
  - FILTER FABRIC - SHALL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
  - SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
  - MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
  - WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
  - PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

**STABILIZED CONSTRUCTION ENTRANCE DETAIL**  
NOT TO SCALE

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REV	ISSUED FOR	DATE	BY

PROJECT ENGINEER:	KLB
DESIGNED BY:	JR
DRAWN BY:	JR
CHECKED BY:	JC
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	

PRELIMINARY  
DRAWING DO NOT  
USE FOR  
CONSTRUCTION

HAZEN AND SAWYER  
498 SEVENTH AVENUE, 11th FLOOR  
NEW YORK, NY 10018

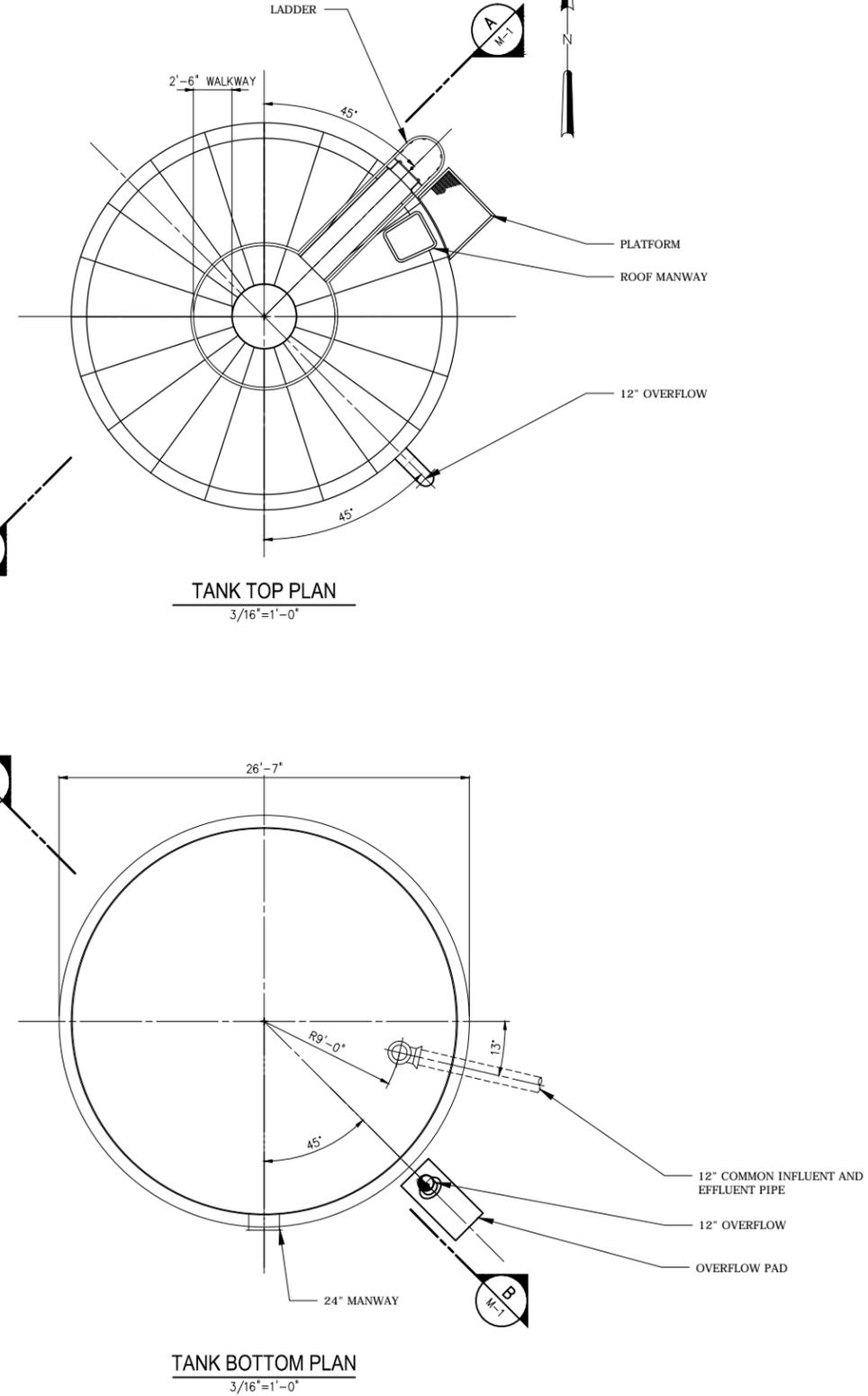
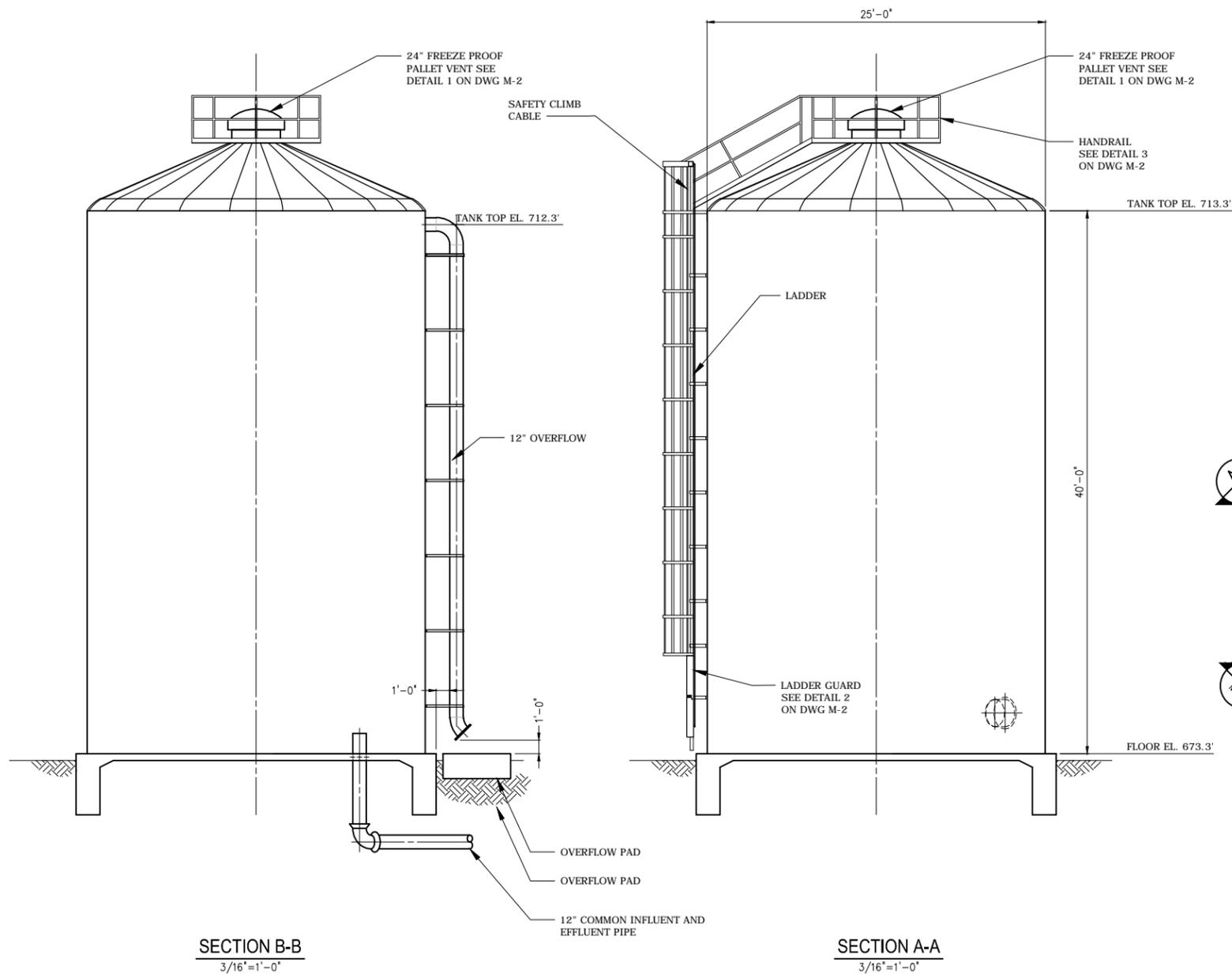
LEWISBORO, WESTCHESTER COUNTY  
NEW YORK

WILD OAKS STORAGE TANK  
REPLACEMENT

NEW YORK  
AMERICAN WATER

CIVIL  
EROSION AND SEDIMENT CONTROL  
DETAILS

DATE:	OCTOBER 2015
HAZEN NO.:	90185-NYC
CONTRACT NO.:	
DRAWING NUMBER:	C-3



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REV	ISSUED FOR	DATE	BY

PROJECT ENGINEER:	KLB
DESIGNED BY:	RJF
DRAWN BY:	JFB
CHECKED BY:	PJB
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	

PRELIMINARY  
 DRAWING DO NOT  
 USE FOR  
 CONSTRUCTION

**Hazen**  
 HAZEN AND SAWYER  
 498 SEVENTH AVENUE, 11th FLOOR  
 NEW YORK, NY 10018

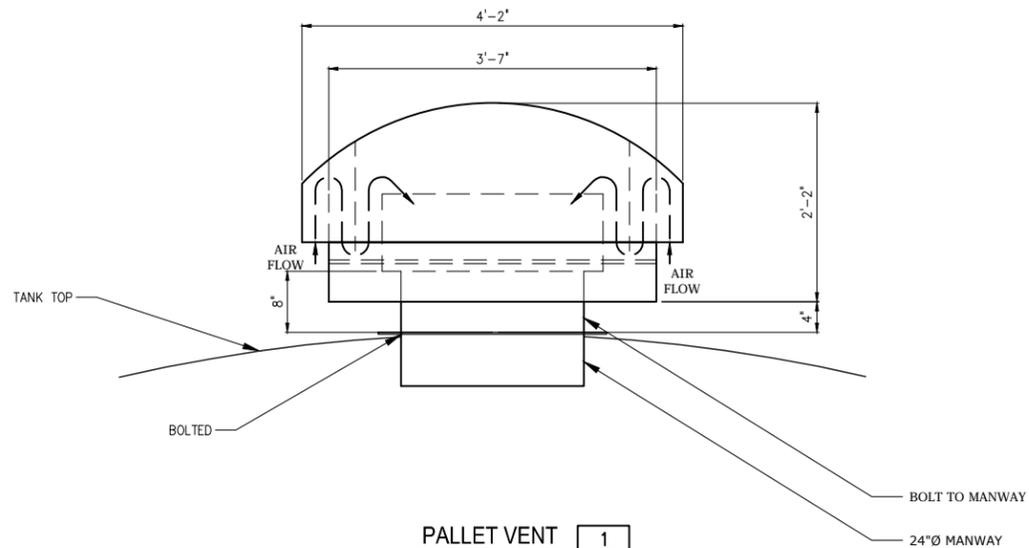
LEWISBORO, WESTCHESTER COUNTY  
 NEW YORK

WILD OAKS STORAGE TANK  
 REPLACEMENT

**NEW YORK  
 AMERICAN WATER**

MECHANICAL  
 STORAGE TANK  
 PLANS AND SECTIONS

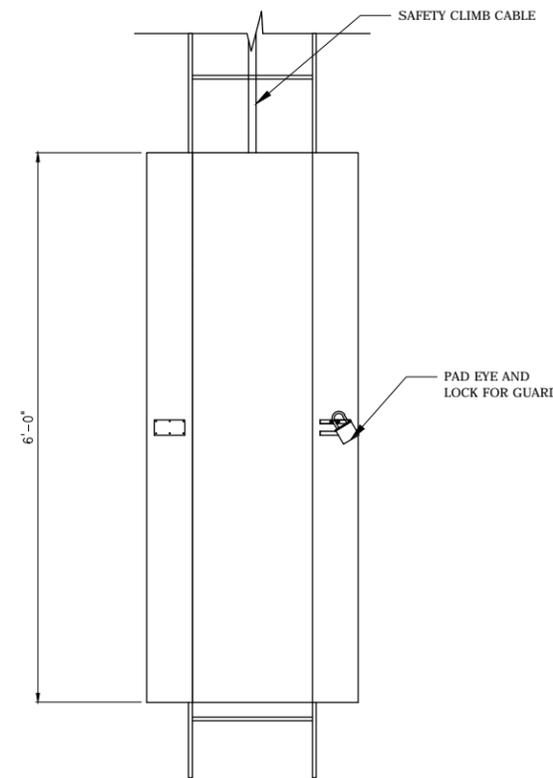
DATE:	OCTOBER 2015
HAZEN NO.:	90185-NYC
CONTRACT NO.:	
DRAWING NUMBER:	M-1



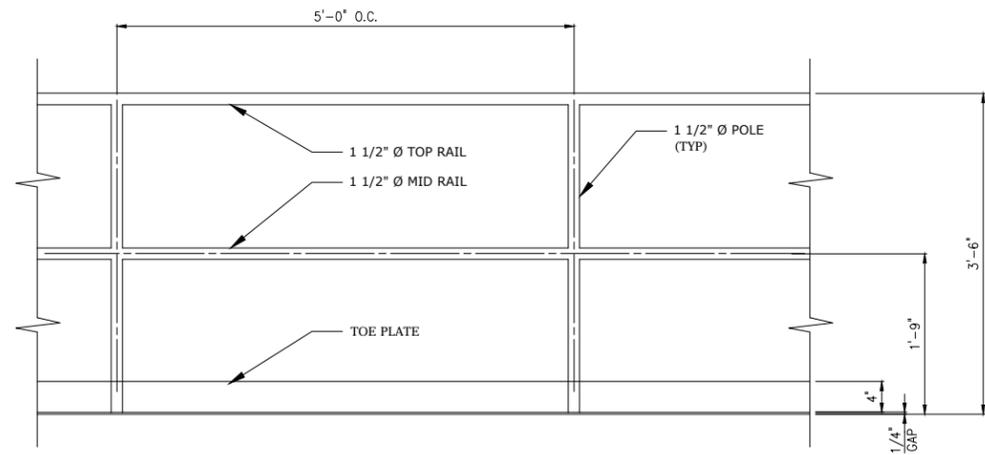
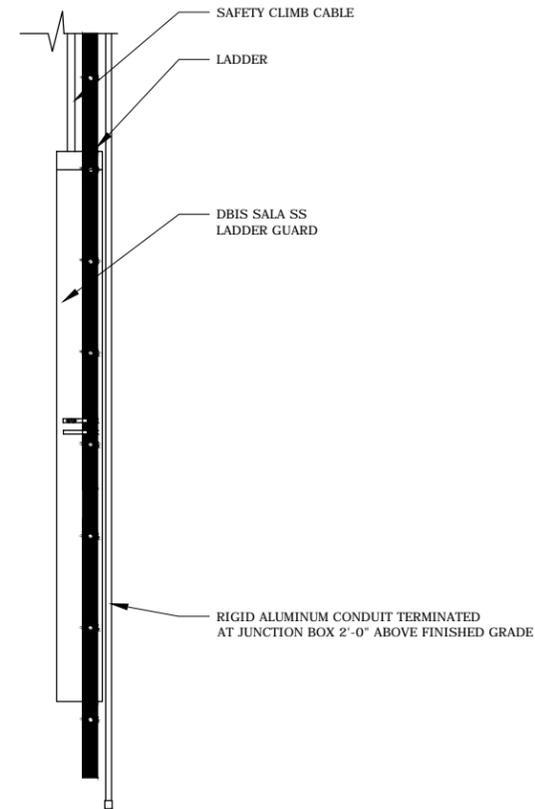
**PALLET VENT** 1  
 1"=1'-0" M-1

**NOTES:**

1. VENT SECURITY SHROUD SHALL BE CONSTRUCTED OF HEAVY-GAUGE 304 STAINLESS STEEL AND SHALL BE PAINTED.
2. 16X16 STAINLESS STEEL SCREENS SHALL BE REMOVABLE.
3. AIR INTAKE SHALL BE FROST FREE.
4. VENT SECURITY SHROUD SHALL BE PADLOCK.
5. VENT SHALL BE OMEGA VENT SECURITY SHROUD AS MANUFACTURED BY ARC3 CORP. OR APPROVED EQUAL.



**LADDER GUARD DETAIL** 2  
 1"=1'-0" M-1



**ALUMINUM HANDRAIL DETAIL** 3  
 1"=1'-0" M-1

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 BY: JAW/ER

REV	ISSUED FOR	DATE	BY

PROJECT ENGINEER:	KLB
DESIGNED BY:	PJB
DRAWN BY:	JFB
CHECKED BY:	PJB
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	

PRELIMINARY  
 DRAWING DO NOT  
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 CONSTRUCTION

**Hazen**  
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 498 SEVENTH AVENUE, 11th FLOOR  
 NEW YORK, NY 10018

LEWISBORO, WESTCHESTER COUNTY  
 NEW YORK

WILD OAKS STORAGE TANK  
 REPLACEMENT

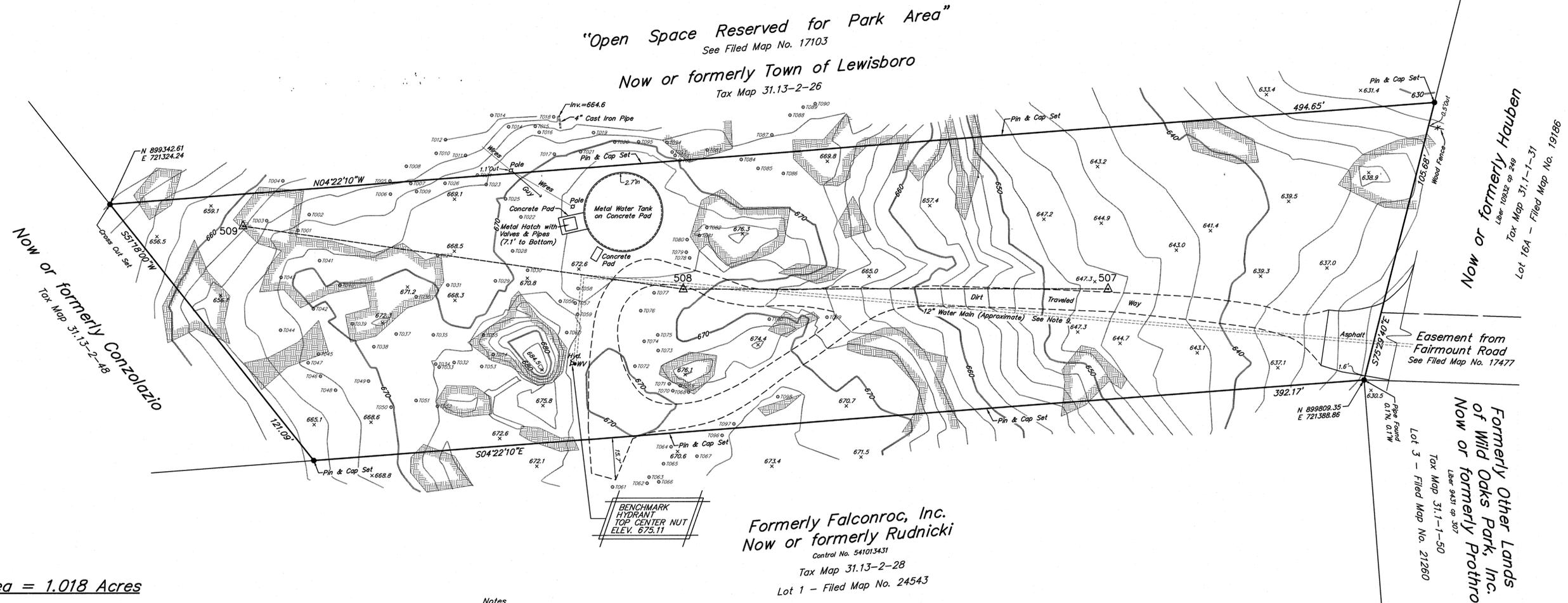
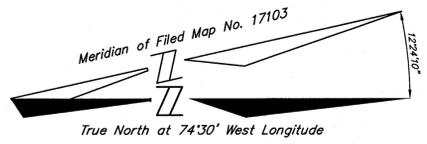
**NEW YORK  
 AMERICAN WATER**

MEACANICAL  
 DETAILS

DATE:	OCTOBER 2015
HAZEN NO.:	90185-NYC
CONTRACT NO.:	
DRAWING NUMBER:	M-2

Drawing Name: TP22569\_R02\_V04 Layout: TOPO W.C. No. 22569 Checked by SRM Spell checked by RTK Drawn by RTK Closed by SRM On 8/28/15 FILE No. 15-160 T.M. : 31.13-2-27 GEOGRAPHIC INDEX 478890 663320

LEGEND		SURVEY CONTROL POINTS				
Hyd.	Hydrant	NO.	NORTH	EAST	ELEV.	MARK
o	T012	507	899714.07	721355.37	646.88	Spike
o	WV	508	899555.96	721355.33	671.64	Spike
o	Ledge	509	899391.98	721332.05	661.69	Spike



Area = 1.018 Acres

- Notes
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  2. Unauthorized alteration or addition to a document prepared by a licensed land surveyor is a violation of Section 7209, Subdivision 2 of the New York State Education Law.
  3. All certifications are valid for this map and copies thereof only if said map or copies bear the embossed seal of the surveyor whose signature appears hereon.
  4. If underground improvements, easements, or encroachments exist and are neither visible during normal field survey operations nor described in instruments provided to these surveyors, they may not be shown on this map.
  5. This property may be affected by instruments which have not been provided to these surveyors. Users of this map should verify title with their attorney or a qualified title examiner.
  6. The premises hereon is that parcel designated "Wild Oaks Water Company, Inc. ..." as shown on that certain map entitled "Wild Oaks Village ... Section 2 ..." which was filed in the Westchester County Clerk's office on May 18, 1970 as Map No. 17103. The premises are also described in a deed recorded in the Westchester County Clerk's office in Liber 9522 of deeds at page 205.
  7. The area, meridian, distances and coordinate values shown hereon refer to the New York Coordinate System, East Zone (NAD 83), expressed in feet. The distances shown on this map are grid distances. They have been scaled by a grid factor (scale factor x sea level factor) of 0.9999501. To obtain ground distances divide the distances on this map by the grid factor. To obtain ground area divide the area on this map by the square of the grid factor.
  8. The vertical datum hereon is that shown on that certain map entitled "Wild Oaks Water District Topography & Existing Conditions Map..." prepared by Kirk Rother, P.E., Consulting Engineer, PLLC, dated April 28, 2014. To adjust the elevations hereon to the North American Vertical Datum of 1988 (NAVD88), subtract 243.97'.
  9. This water main is as shown on mapping provided by Hazen and Sawyer.
  10. Revised September 14, 2015. Added water main location and Note 9. Survey not brought to date.

This map was prepared for the exclusive use of and is certified only to:  
WILD OAKS WATER DISTRICT

Prepared by:

**BADEY & WATSON, Surveying & Engineering, P.C.**  
 3063 Route 9, Cold Spring, NY 10516  
 (845) 265-9217 (845) 265-4428 (Fax)  
 (877) 3.141593 Toll-Free www.BADEY-WATSON.com

SURVEY OF PROPERTY  
 PREPARED FOR  
**WILD OAKS WATER DISTRICT**  
 SITUATE IN THE  
**TOWN OF LEWISBORO**  
**WESTCHESTER COUNTY**  
**NEW YORK**  
 SCALE 1 in. = 20 ft. AUGUST 26, 2015

We hereby certify that the survey shown hereon was completed by us on August 26, 2015 that this map was prepared in accordance with the existing Code of Practice for Land Surveys adopted by The New York State Association of Professional Land Surveyors, Inc. Revised September 14, 2015. See Note 10.

by  
**BADEY & WATSON**  
 SURVEYING & ENGINEERING, P.C.  
 NEW YORK STATE LICENSED LAND SURVEYOR  
 LICENSE No. 49789



**Hazen**

HAZEN AND SAWYER  
498 SEVENTH AVENUE, 11th FLOOR  
NEW YORK, NY 10018



NEW YORK  
**AMERICAN WATER**  
Wild Oaks Tank Replacement

Example Photograph of Glass-fused to Steel  
Storage Tank

**MEMORANDUM**

TO: Chairman Jerome Kerner, AIA and  
Members of Lewisboro Planning Board

CC: Ciorsdan Conran  
Judson Siebert, Esq.

FROM: Jan K. Johannessen, AICP   
Joseph M. Cermele, P.E., CFM  
Town Consulting Professionals

DATE: November 11, 2015

RE: Orchard Square - Site Plan Amendment  
NYS Route 121, Cross River  
Sheet 17, Block 10533, Lot 89

**Project Description**

The applicant is proposing landscaping, hardscaping and lighting improvements to the upper parking lot associated with the Orchard Square shopping plaza. The plan includes a new pedestrian plaza and sitting area and new shade trees and pole lights within the existing landscape islands; the general layout of the parking lot will remain.

**SEQRA**

The proposed action is a Type II Action and is categorically exempt from the State Environmental Quality Review Act (SEQRA).

**Required Approvals**

1. Amended Site Development Plan Approval is required from the Planning Board; the application qualifies for a Waiver of Site Development Plan Procedures.
2. The application must be referred to the Architecture and Community Appearance Review Council (ACARC).

3. The application must be referred to the Westchester County Planning Board in accordance with Section 239-m of the General Municipal Law; the Planning Board Secretary will coordinate with referral.

**Plan Comments**

1. The site plan has been revised to include internal crosswalks/paver-walks running in a north-south direction throughout the parking lot. It is understood that where the crosswalk coincides with an accessible parking space aisle, the walkway will consist of striped and elsewhere it will consist of unilock pavers. The site plan shall be revised to identify this distinction and a cross-section detail of the paver installation and specifications of the paver to be used shall be provided on the site plan.
2. It is recommended that directional arrows be provided at the western and eastern ends of the middle and most southern driveway aisles, so they are clearly visible to motorists circulating through the parking lot; it is understood that the center row allows one-way traffic (in an easterly direction) and the southern driveway allows two-way traffic. It is further recommended that a stop sign, painted stop bar, and "Do Not Enter" sign be provided at the eastern end of the middle drive aisle and that a "Do Not Enter" sign be provided at the northern end of the smaller parking area located between the building and North Salem Road.
3. It is understood that the "planting pockets" located adjacent to the building will be removed as they interfere with the parking spaces; please revise and clarify the applicable note to read: "All planting pockets to be removed and paved flush with asphalt."
4. A photometric plan shall be provided and shall clarify that all pole lights will be replaced with the proposed light pole and fixture identified on the site plan. Please include details for the proposed wall mounted sconces to be replaced on the building.
5. Typical standard and accessible parking stall details and accessible signage details should be provided on the plan.
6. A note should be added to the plan which makes reference to the approved site plan of record (plans prepared by Design Development consisting of four (4) sheets, dated (last revised) June 7, 2010 and signed by the Planning Board Chairman on October 25, 2010).

Chairman Jerome Kerner, AIA  
November 11, 2015  
Page 3 of 3

In order to expedite the review of subsequent submissions, the applicant should provide annotated responses to each of the comments outlined herein.

**Plans Reviewed, prepared by Frank Giuliano, Landscape Architect and dated October 21, 2015:**

- Site Restoration Plan
- Removal Plan

**Plan Reviewed, prepared by Insite Engineering and dated August 21, 2015:**

- Survey of Property

**Documents Reviewed:**

- Letter, prepared by Frank Giuliano, Landscape Architect, dated October 20, 2015
- Short Environmental Assessment Form, dated April 18, 2015
- Application for Waiver of Site Development Plan Procedures

JKJ/JMC/dc

TOWN OF LEWISBORO PLANNING BOARD

P. O. Box 725, Cross River, New York 10518 TEL (914) 763-5592 / FAX (914) 763-3637  
e-mail [planning@lewisborogov.com](mailto:planning@lewisborogov.com)

APPLICATION FOR WAIVER OF SITE DEVELOPMENT PLAN PROCEDURES

ORCHARD SQUARE - SITE REGRADATION PLAN

project name CROSS RIVER zoning district Route 121 17/10533/89

site location tax sheet block lot

5.45± site acreage Is the site located within 500 FT of any Town boundary? YES NO X

N/A existing gross floor area Is the site located within the New York City Watershed? YES NO <

H/A proposed gross floor area Is the site located on a State of County Highway? Route # 121 YES V NO

Frank GIULIANO, R/A 8 PINE TREE DR. 914.954.4110  
engineer's name address KATONAH, NY 10536 phone

BUNNET ASSOC. 30 Field Lane #7 (845) 277-3404  
surveyor's name address Brewster NY 10509 phone  
DE ROSA LAND SUR.

THIS APPLICATION IS FOR THE FOLLOWING ACTIVITY: (check one)

- CHANGE FROM AN APPROVED USE TO ANOTHER PERMITTED USE.
- REVISION TO AN APPROVED SITE DEVELOPMENT PLAN.
- CONFORMING IMPROVEMENT NOT REQUIRING PHYSICAL SITE WORK SUBJECT TO REVIEW.

ALL APPLICATION DOCUMENTS SHALL BE COLLATED INTO ~~TEN (10)~~ COMPLETE SETS.

THE FOLLOWING MATERIALS SHALL BE ATTACHED:

- DETAILED WRITTEN DESCRIPTION OF PROPOSED ACTIVITY per Section 220-47 of the Zoning Ordinance.
- DATE OF: 1969, AND COPY OF APPROVED SITE DEVELOPMENT PLAN with Planning Board signatures.
- ANNOTATED SITE PLANS, MAPS, SKETCHES OR DRAWINGS showing proposed activity.
- ADDENDUM SITE DATE FORM attach completed Site Date Form to this application.
- SEQR SHORT ENVIRONMENTAL ASSESSMENT FORM.
- COMPLETED AFFIDAVIT OF OWNERSHIP FORM certifying owner of record as of date of the application.
- COMPLETED AFFIDAVIT FORM RECEIVER OF TAXES certifying payment of all taxes and assessments due.
- FILING FEE: See attached Application Fee Schedule. Check(s) payable to: Town of Lewisboro.
- INITIAL ESCROW DEPOSIT payable to: Town of Lewisboro (see Planning Board Secretary).

THE APPLICANT understands that any application is considered complete only when all information and documents required have been Submitted and received by the Planning Board and further understands that the applicant is responsible for the payment of all application and Review fees incurred by the Planning Board.

THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his or her knowledge and belief and authorizes visitation and inspection of the subject property by the Town of Lewisboro and its agents.

Frank Giuliano 8 Pine Tree Dr. 914.954.4110  
applicant's name address KATONAH, NY phone signature date 4/16/15

EL KAM Realty 3 West 57th St. NY 10019 212-750-8200 4/16/15  
owner's name address phone signature date

**TOWN OF LEWISBORO PLANNING BOARD**

Onatru Farm, Elmwood Road, South Salem, New York 10590 • TEL (914) 763-5592 / FAX (914) 763-3637

**ADDENDUM SITE DATA FORM**

application type (check one)

SITE DEVELOPMENT PLAN

SPECIAL PERMIT USE

SITE RESTORATION PLAN

RB

project name

zoning district

THE ORCHARD SQUARE AT CROSS RIVER

17 10533 89  
tax sheet block lot

site location

ZONING BULK REGULATION	REQUIRED	EXISTING	PROPOSED	TOTAL
MINIMUM LOT AREA (Acres)	0.5 AC	5.45	NO CHANGE	
MINIMUM STREET FRONTAGE (LF)	100'	3275'	N/C	
MINIMUM STREET CENTER LINE YARDS (LF)	45'	45'+	N/C	
FRONT	20'	70'	N/C	
SIDE	15'	54'	N/C	
REAR	15'	50'	N/C	
MINIMUM LANDSCAPE BUFFERS (LF)				
FRONT	20'	20'	N/C	
SIDE	15/30	20'	N/C	
REAR	30'	45'	N/C	
NUMBER OF DWELLING UNITS	N/A		"	
GROSS FLOOR AREA (SF)	N/A		"	
BUILDING FOOTPRINT (SF)	N/A		"	
BUILDING COVERAGE (% of lot)	20%		"	
BUILDING HEIGHT FEET	30'	30'	"	
STORIES	2 1/2	2	"	
FLOOR AREA RATIO (FAR)	0.3	0.3	"	
PARKING SPACES			"	
LOADING SPACES	8	12	"	
SITE COVERAGE (% of lot)	60%	75%	"	

**OFF-STREET PARKING AND LOADING CALCULATIONS**

Provide the specific calculation used to determine the number of off-street parking and loading spaces required per the Zoning Ordinance.

PARKING CALCULATION (round up): 427 REQ, 442 PROVIDED (EXISTING)

LOADING CALCULATION (round up): NO CHANGE

applicant's name Frank Cautiano, PLA address 8 Pine Tree Dr. Katonah 10536 phone 914.954.4110 signature [Signature] date [Date]  
 owner's name E K Cross address River 3 west 57th st. Ny 11275 phone (917) 750.8200 signature [Signature] date [Date]

AFFIDAVIT OF OWNERSHIP

STATE OF New York )  
COUNTY OF New York ss:

Adam Brodsky, being duly sworn, deposes and says that  
she/he resides at 3 West 5<sup>th</sup> Street, 7<sup>th</sup> Floor, New York, NY 10019  
in the County of: New York

State  
of: New York

And that she/he is (check one) (1) the owners, or (2) the Property Manager  
Title  
of Ek Cross River LLC  
name of corporation, partnership or other legal entity

which is the owner, in fee of all that certain lot, piece or parcel of land situated, lying  
and being in the Town of Lewisboro, New York, aforesaid and known and designated  
on the Tax Map in the Town of Lewisboro as Lot Number \_\_\_\_\_

Block 89 on sheet 17  
17/10533/89

For (check one):

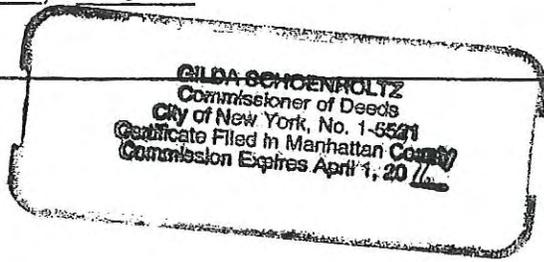
- SKETCH PLAN REVIEW     PRELIMINARY SUBDIVISION PLAT     FINAL SUBDIVISION PLAT
- SITE DEVELOPMENT PLAN     SPECIAL USE PERMIT     WAIVER OF SITE PLAN PROCEDURES
- WETLAND PERMIT     STORMWATER PERMIT     FILING WITH WESTCHESTER COUNTY CLERK

[Signature]  
Signed

Sworn to before me this

15<sup>th</sup> day of April, 2015

Gilda Schoenholtz  
Notary public (affix stamp)



617.20  
Appendix B  
Short Environmental Assessment Form

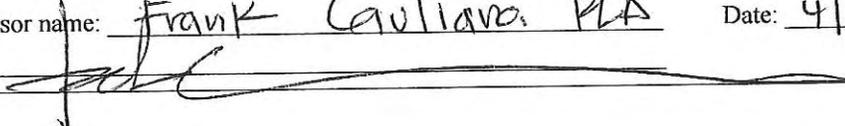
**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
<b>SITE RESTORATION PLAN</b>			
Name of Action or Project: <b>ORCHARD SQUARE AT CROSS RIVER NJ</b>			
Project Location (describe, and attach a location map): <b>RT 121 - CROSS RIVER NJ</b>			
Brief Description of Proposed Action: <b>RESTORATION OF PLAZA AREA + TREE PLANTING. NEW LIGHTING</b>			
Name of Applicant or Sponsor: <b>Frank Cioliciano PLA</b>		Telephone: <b>914.954.4110</b>	
		E-Mail: <b>FGIARCH@1061.com</b>	
Address: <b>8 Pino Tree Dr.</b>			
City/PO: <b>Katonah</b>		State: <b>NJ</b>	Zip Code: <b>10536</b>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>5.45</u> acres	
b. Total acreage to be physically disturbed?		<u>0.5</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>5.45</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Frank Caoliano, PLA</u> Date: <u>4/18/15</u>		
Signature: 		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

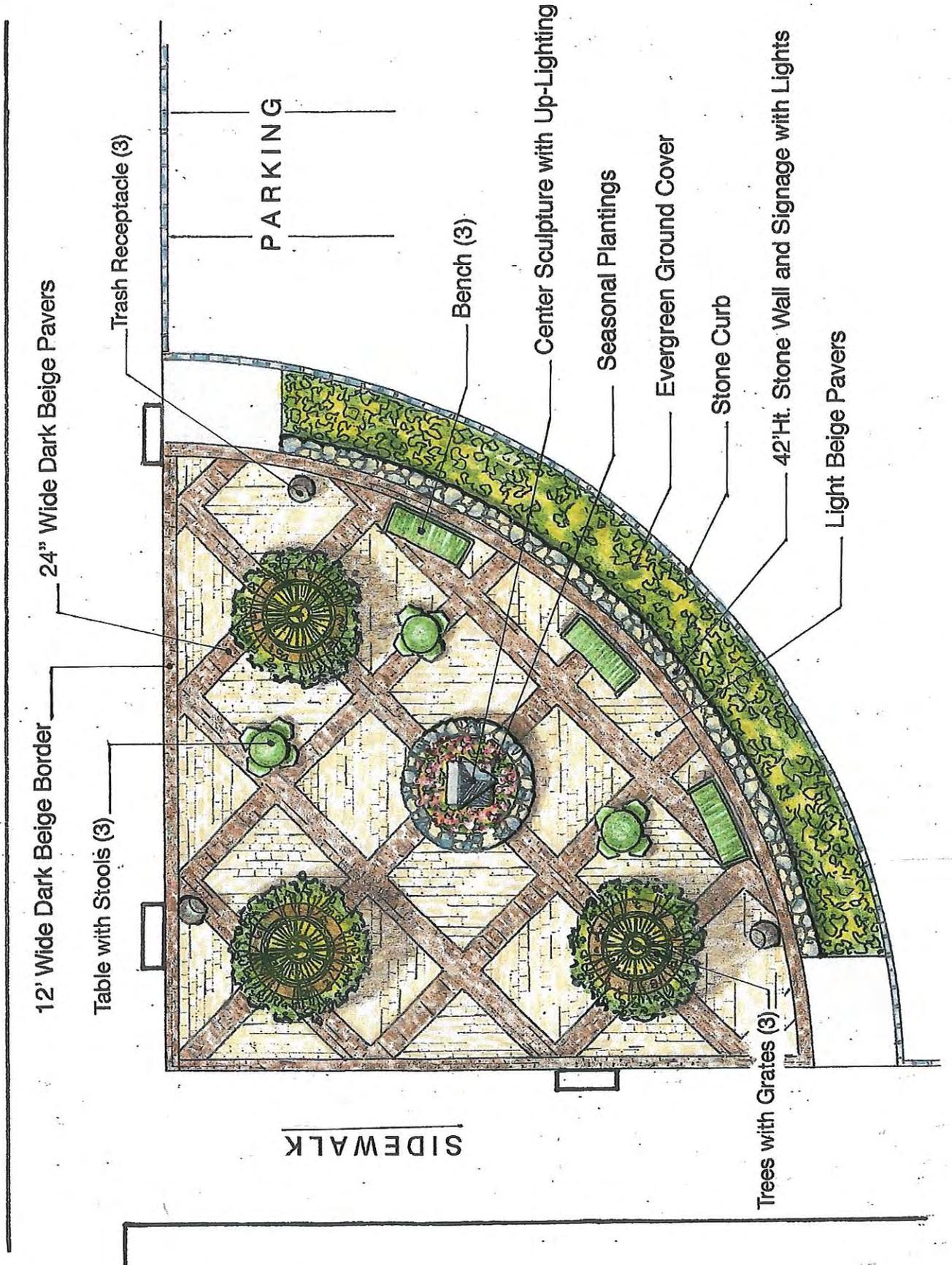
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

# Orchard Square at Cross River



# FRANK GIULIANO, LANDSCAPE ARCHITECTS

Frank Giuliano, RLA, ASLA  
914.954.4110

Telephone 914. 962.3690  
fg1arch@aol.com

8 Pine Tree Drive  
Katonah, New York 10536

October 20, 2015

## REVISED PROJECT DESCRIPTION FOR ORCHARD SQUARE AT CROSS RIVER

The plan for Orchard Square at Cross River is to enhance the landscape character of the site. The main focus is the triangular "Plaza" at the core of the center. The plaza has been a concrete slab for many years. The plan calls for removing the existing concrete paving (which has become a parking area) and pave the area with a commercial grade Unilock Paver. The design of the paving pattern will create an intimate scale and "carpet" for the new site furniture. The plaza will be planted with new trees, fixed-high end benches and trash receptacles. New fixed tables and benches will extend the use of the plaza. The "plaza" will be protected from the roadway by a 42" high native fieldstone wall. The wall will serve to protect the area from all vehicles, and provide a sense of space within the plaza. The landscaped planting area between the wall and the roadway will also be host to seasonal flower displays.

All existing parking lot lighting and sconce will be replaced with LED "Dark Sky" rated fixtures. The parking islands will be planted with native Maples and the islands are to be re-graded and seeded with a North East native grass mix.



*Create a timeless moment.®*

[LITTER RECEPTACLES](#)
[RECYCLING STATIONS](#)
[BENCHES](#)
[PLANTERS](#)
[BIKE RACKS & BOLLARDS](#)
[TABLES](#)
[SEATS](#)


# FRB-6

## STEELSITES™ COLLECTION

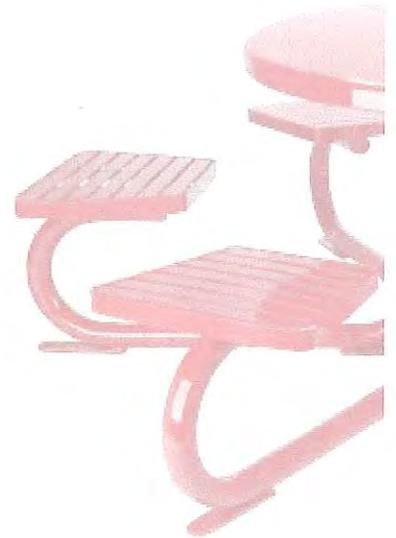
[DETAILS](#)

[IMAGES](#)

[DOCUMENTS](#)

This versatile backless steel bench can be used as a comfortable single straight bench or in combination with other FRB components to create larger seating configurations.

Steel scroll seating. 4, 6 or 8 ft (1.2, 1.8 or 2.4 m) length. Center leg standard with 8 ft (2.4 m) length.

*Create a timeless moment.®*[LITTER RECEPTACLES](#)[RECYCLING STATIONS](#)[BENCHES](#)[PLANTERS](#)[BIKE RACKS & BOLLARDS](#)[TABLES](#)[SEATS](#)

A-426

ANTHRO SITES™ COLLECTION

[DETAILS](#)[IMAGES](#)[DOCUMENTS](#)

Designed to best accommodate the way in which people use and approach a radial table with integrated seating. Our goal was to create a design that would maximize personal space and comfort while offering the greatest ease of ingress and egress. We accomplished this through the use of an innovative trapezoidal seat

**SD-42****IRONSITES® COLLECTION**[DETAILS](#)[IMAGES](#)[DOCUMENTS](#)

Side-door litter receptacles are a marvel of detail and structural integrity. The side-door hinges have stainless-steel hinge pins and oil-impregnated bronze bushings.

Standard tapered formed lid. Latch. Bottom recessed pedestal.

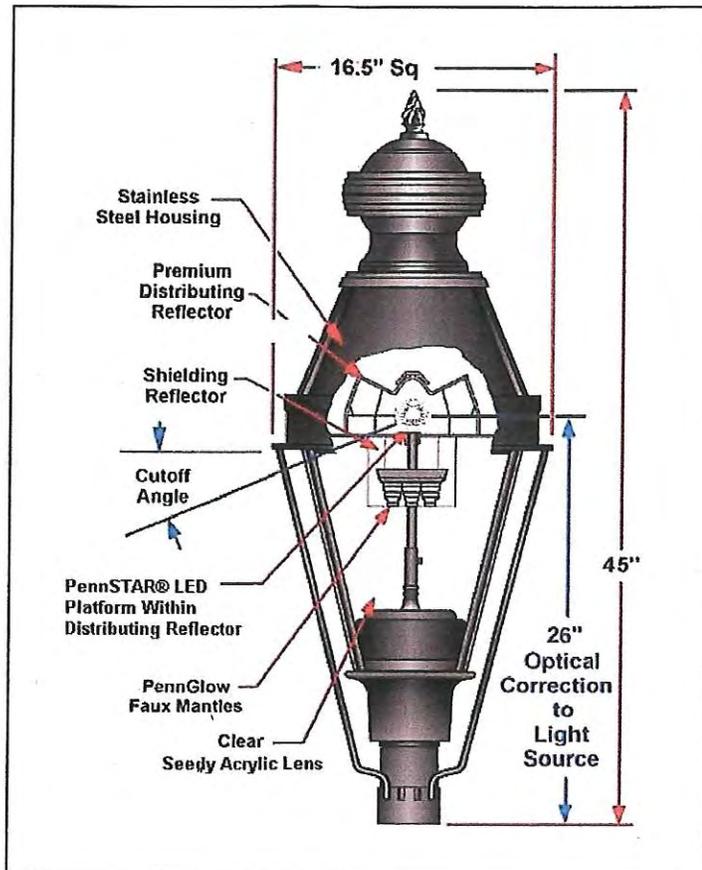
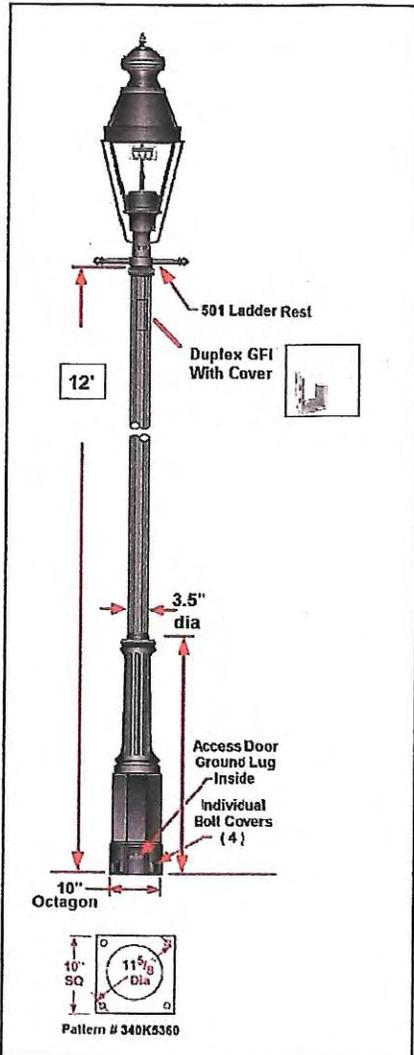
**STANDARD**

The Legendary Name in Street Lighting

THE PENNSYLVANIA GLOBE GASLIGHT CO.  
 300 Shaw Road North Branford CT 06471  
 Tel: 203 484 7749 Fax: 203 484 7758  
 www.PennGlobe.com



SPECIFICATION DWG# 047-9526-F3Y5-P625-W501



PRIMARY LIGHT SOURCE:  
 PennSTAR® LED

VOLTAGE: AUTONSENSE  
 277 VAC

LENS MATERIAL:  
 CLEAR SEEDY ACRYLIC

POLE HEIGHT:  
 12'

CONFIGURATION/MATL:  
 BOLT DOWN  
 ACCESS DOOR  
 ALUMINUM

BOLT COVER:  
 (4) SMALL INDIVIDUAL

OPTIONS:  
 DUPLEX GFI  
 CLEAR ACRYLIC MANTLES

FINISH:  
 BLACK 1003X LT

PROPOSAL DRAWING  
 FOR REVIEW & APPROVAL

STOCK NUMBER	DESCRIPTION
F3Y5-LX294-CP929	NANTUCKET 1000
P625-W1121-1100 W501-R1CD1-1575-0300	SUSSEX POST LADDER REST

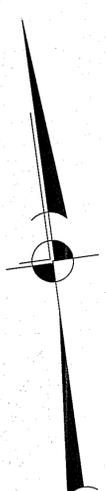
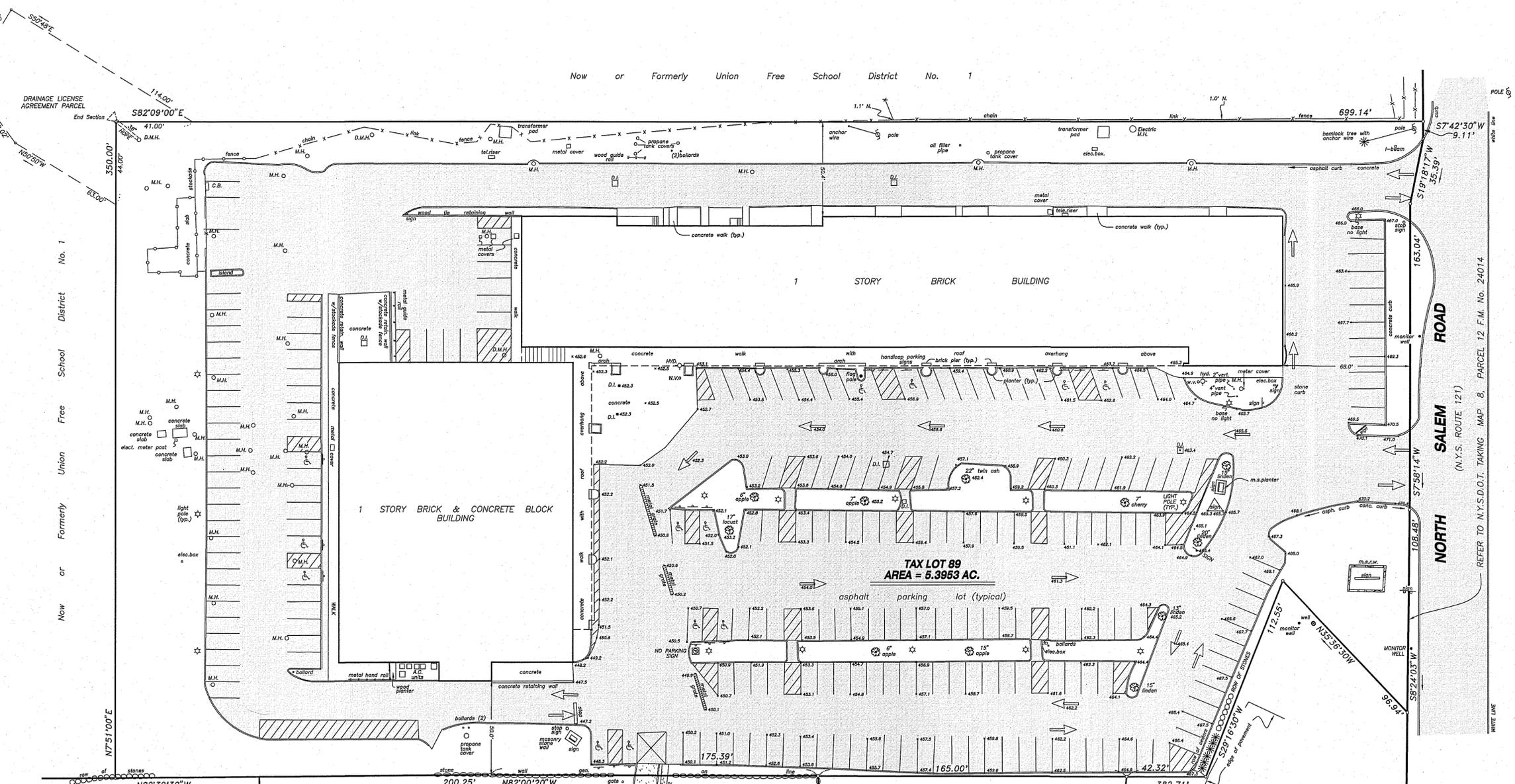
APPROVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

PREPARED BY: A. Koch

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Now or Formerly Union Free School District No. 1



**LEGEND**

- sign Handicap Parking
- M.H. Manhole
- D.L. Drainage Inlet
- D.M. Drainage Manhole
- x Chain Link Fence
- Stockade Fence
- ☆ Light Post

Now or Formerly  
The Meadows at Cross River Homeowners Association

Now or Formerly  
The Meadows At Cross River Water Works Corp.

Parcel 5

Parcel 15

"Condominium Section Map The Meadows at Cross River" filed on October 3, 1983 as Map No. 21335

FIELDWORK COMPLETED: JULY 17, 2015

MAP PREPARED: AUGUST 21, 2015

**Subject Lot:**

Property corner monuments were not placed as part of this survey.

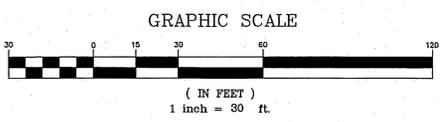
This map may not be used in connection with a "Survey Affidavit" or similar document, statement or mechanism to obtain title insurance for any subsequent or future grantees.

Unauthorized alteration or addition to this survey is a violation of Section 7209, subdivision 2 of the New York State Education Law.

According to NYSAPLS policy adopted January 23, 1993, the alteration of survey maps by anyone other than the original preparer is misleading, confusing and not in the general welfare and benefit of the public. Licensed Land Surveyors shall not alter survey maps, survey plans, or survey plots prepared by others.

Underground structures, if any exist, not shown hereon, except as noted. The location of underground improvements or encroachments are not always known and often must be estimated. If any, underground improvements or encroachments are not covered by this certificate.

Only copies from the original of this survey marked with the surveyor's embossed seal are genuine, true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed seal should be assumed to be an unauthorized copy.



Vertical Datum: Approx. NGVD 1929

TAX LOT 116  
AREA = 0.6908 AC.

TAX LOT 89  
AREA = 5.3953 AC.

APPROVED BY RESOLUTION OF THE LEWISBORO PLANNING BOARD

Planning Board Chairman Date

Planning Board Secretary Date

TOWN ENGINEER'S CERTIFICATION  
Reviewed for compliance with the Planning Board Resolution dated \_\_\_\_\_

Joseph M. Cermele, P.E., CFM  
Kellard Sessions Consulting, P.C.  
Town Consulting Engineer

OWNER'S CERTIFICATION  
The undersigned is the owner(s) of the property shown hereon, is familiar with this drawing and its contents, and hereby approves same for filing.

Owners Name: /EK Cross River LLC Date: \_\_\_\_\_  
Owners Address: 3 West 57th St. NY, NY 10019

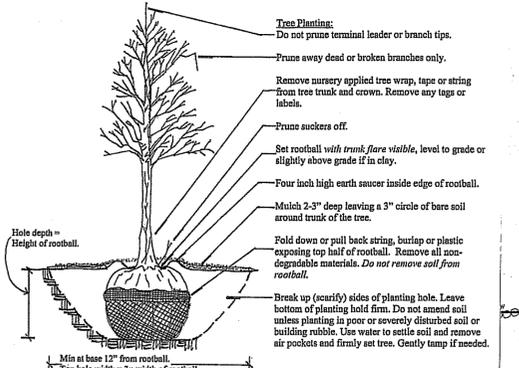
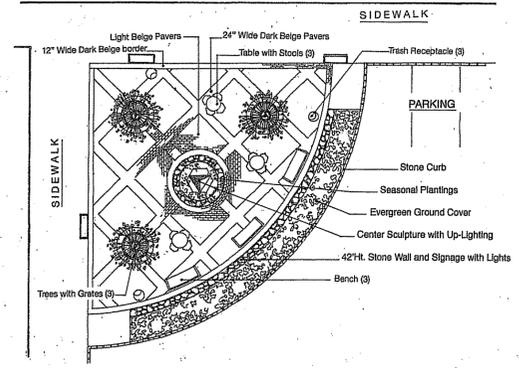
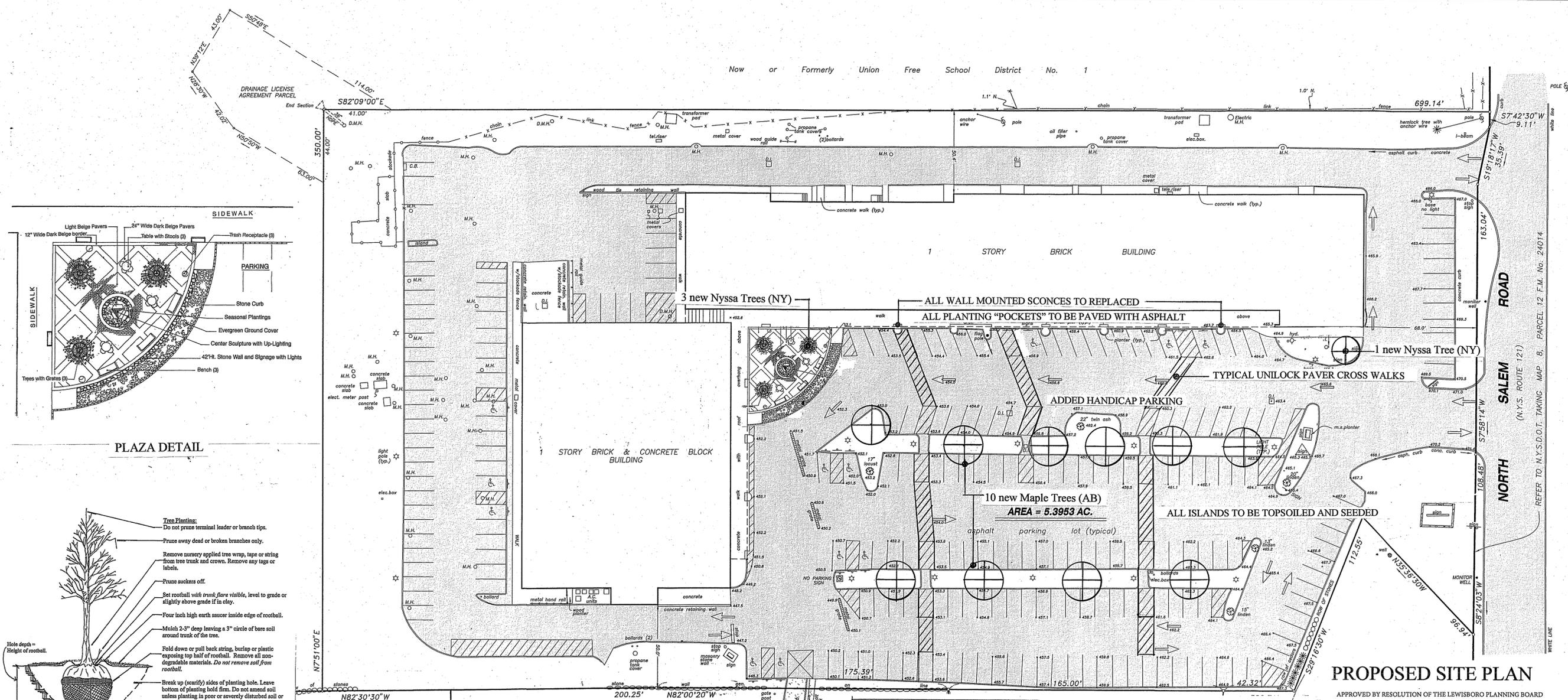
**Survey of Property**  
Prepared for  
**EK Cross River LLC**  
Situate in the  
**Town of Lewisboro**  
**Westchester County, New York**  
Scale 1" = 30' August 21, 2015

Jeffrey B. DeRosa  
New York State License No. 049330

**INSITE**  
ENGINEERING, SURVEYING &  
LANDSCAPE ARCHITECTURE, P.C.  
3 Garrett Place • Carmel, New York 10512  
Phone (845) 225-9690 • Fax (845) 225-9717  
www.insite-eng.com

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15223200 T628-3a  
EK Cross River LLC.dwg



**PLANT SCHEDULE**

KEY	QUAN.	BOTANICAL / COMMON NAME	SIZE
<b>TREES</b>			
AB	10	Acer rubrum "Red Sunset" - Red Sunset Maple	41/2"-5" Cal
NY	4	Nyssa sylvatica - Tupelo	3"-31/2" Cal.
VIN	125	Vinca "bowles"	1 Gal.

The above trees are NATIVE to NYS.

**PLANTING SPECIFICATIONS:**

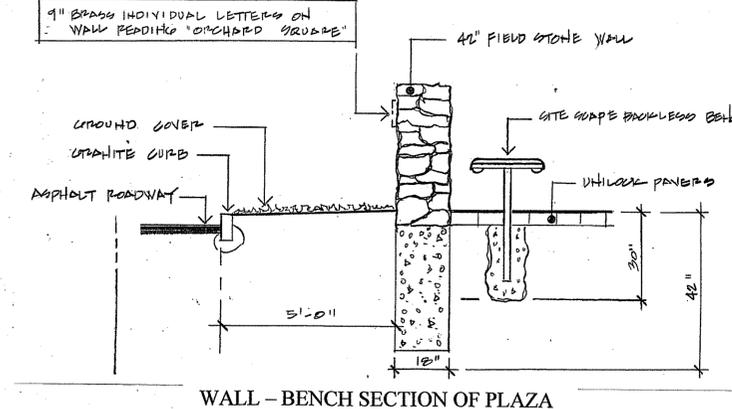
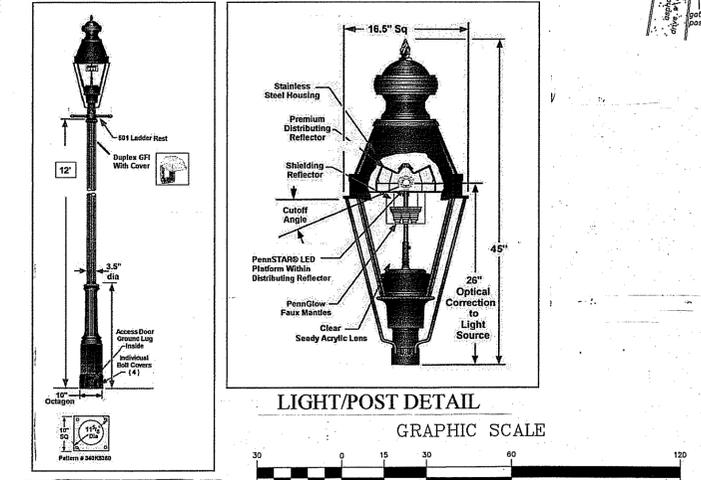
**GENERAL:** All plants shall meet the specifications for "plant material" as per the American Horticultural Society. The landscape architect reserves the right to inspect all plants prior to shipping. All plants shall be guaranteed for one full year from the time the landscaping is formally accepted by the owner. And the Town of Lewisboro, NY.

**PLANTING:** All plants shall be planted in planting pits two times the diameter of the plant ball or container, and 12" deeper than the plant ball or container. The plants shall be planted at the same grade as they were in the container or nursery. Backfill for all planting pits shall be as follows: Two parts native soil, one part screened topsoil and one part peat moss or humus. "Roots Plus" shall be added to all backfill, as per label directions.

**MULCHING:** All planting beds shall be mulched with three (3) inches of shredded bark. All trees shall be mulched with three (3) inches of shredded bark in a four (4) foot diameter circle around each existing tree.

**WATERING:** The contractor shall water all planted material, until formal acceptance of the landscaping from the owner.

**SEEDING LAWN AREAS:** All areas to be seeded shall have a minimum of four (4) inches of topsoil as a base. Seed bed shall be fine graded, with all stones and debris over 1" in diameter removed. Seed shall be spread at the rate of 10 pounds per 1000 square feet. Entire area shall be covered with "Penn-Mulch", at the rate of one bag per 700 S.F., and installed as per manufacturers specifications. An organic starter fertilizer shall be spread prior to installation of Penn-Mulch, as per label directions. An organic starter SEED MIX shall be Native Northeast Mix by Pennington.



**SITE FURNITURE AND LIGHTING SPECIFICATIONS:**

**BENCHES:** VICTOR STANLEY, 5'9" STRAIGHT BACKLESS BENCH. IN-GROUND MOUNT, FRB-6, TAVERN SQUARE GREEN.

**TABLE AND ATTACHED SEATING:** VICTOR STANLEY, 36" TABLE, AND 4 BACKLESS SEATS, A-426, TAVERN SQUARE GREEN.

**LITTER RECEPTACLES:** VICTOR STANLEY, SD-42, TAVERN SQUARE GREEN.

**PARKING LOT LIGHTING:** "NANTUCKET 1000" POST AND WALL MOUNT BY: PennGlobe. -12' high post. black

**PROPOSED SITE PLAN**

APPROVED BY RESOLUTION OF THE LEWISBORO PLANNING BOARD

Planning Board Chairman \_\_\_\_\_ Date \_\_\_\_\_

Planning Board Secretary \_\_\_\_\_ Date \_\_\_\_\_

TOWN ENGINEER'S CERTIFICATION  
Reviewed for compliance with the Planning Board Resolution dated \_\_\_\_\_

Joseph M. Cermele, P.E., CFM  
Kellard Sessions Consulting, P.C.  
Town Consulting Engineer

OWNER'S CERTIFICATION  
The undersigned is the owner(s) of the property shown hereon, is familiar with this drawing and its contents, and hereby approves same for filing.

Owners Name: /EK Cross River LLC Date: \_\_\_\_\_  
Owners Address: 3 West 57th St. NY, NY 10019

**SITE RESTORATION PLAN**

FOR  
ORCHARD SQUARE SHOPPING CENTER  
AT CROSS RIVER  
TOWN OF LEWISBORO, NEW YORK

OWNER: EK CROSS RIVER LLC.

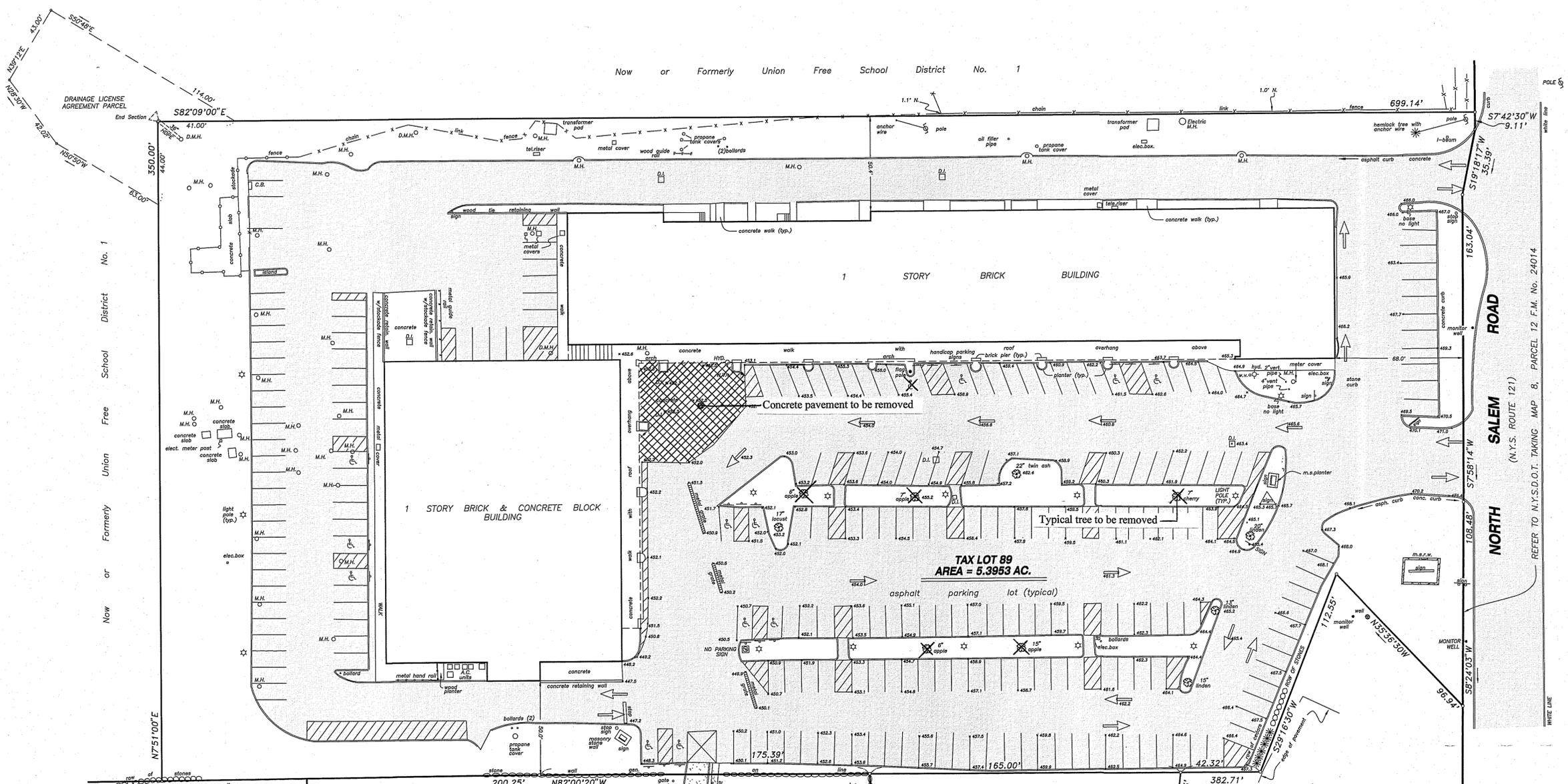
TAX MAP DESIGNATION 17/10533/89  
ZONING RB

April 16, 2015 PLAN SCALE 1"=30'  
Revised October 21, 2015 - As per Pl. Bd. Comments

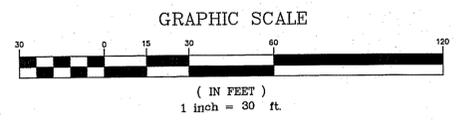
FRANK GIULIANO - LANDSCAPE ARCHITECTS  
8 PINE TREE DRIVE, KATONAH, N.Y. 10536  
PH: 914.962.3690  
FGIARCH@AOL.COM



Now or Formerly Union Free School District No. 1



- LEGEND**
- sign Handicap Parking
  - M.H. Manhole
  - D.I. Drainage Inlet
  - D.M. Drainage Manhole
  - x-x Chain Link Fence
  - Stockade Fence
  - ☆ Light Post
  - ⊗ Tree to be removed



Vertical Datum: Approx. NGVD 1929

Now or Formerly  
The Meadows At Cross River Water Corp.  
Parcel 15

**TAX LOT 116**  
AREA = 0.6908 AC.

REFER TO N.Y.S.D.O.T.  
TAKING MAP 16, PARCEL 21  
F.M. No. 24015  
N6746'47"E 70.96'  
N73'12'25"E 10.49'  
N73'55'18"W 45.89'  
S67'54'13"W 71.85'  
S67'54'13"W 71.85'  
N67'29'50"E 10.12'  
S84'46'48"W 53.87'  
16 FT.  
38" curb  
D.I.  
ANCHOR WIRE  
ANCHOR POLE

**OLD POST ROAD**  
(N.Y.S. ROUTE 35)

APPROVED BY RESOLUTION OF THE LEWISBORO PLANNING BOARD

Planning Board Chairman \_\_\_\_\_ Date \_\_\_\_\_

Planning Board Secretary \_\_\_\_\_ Date \_\_\_\_\_

TOWN ENGINEER'S CERTIFICATION  
Reviewed for compliance with the Planning Board Resolution dated \_\_\_\_\_

Joseph M. Cermela, P.E., CFM  
Killard Sessions Consulting, P.C.  
Town Consulting Engineer \_\_\_\_\_ Date \_\_\_\_\_

OWNER'S CERTIFICATION  
The undersigned is the owner(s) of the property shown hereon, is familiar with this drawing and its contents, and hereby approves same for filing.

Owners Name: /EK Cross River LLC \_\_\_\_\_ Date \_\_\_\_\_  
Owners Address : 3 West 57th St. NY, NY 10019

**REMOVAL PLAN**  
FOR  
ORCHARD SQUARE SHOPPING CENTER  
AT CROSS RIVER  
TOWN OF LEWISBORO, NEW YORK

OWNER: EK CROSS RIVER LLC.

TAX MAP DESIGNATION 17/10533/89  
ZONING RB

April 16, 2015 PLAN SCALE 1"=30'  
Revised October 21, 2015 - As per Pl. Bd. Comments

FRANK GIULIANO - LANDSCAPE ARCHITECTS  
8 PINE TREE DRIVE, KATONAH, N.Y. 10536  
PH: 914.962.3690  
FG1ARCH@AOL.COM





October 20, 2015

**VIA HAND DELIVERY**

Town of Lewisboro Planning Board  
Attn: Chairman Jerome Kerner  
20 North Salem Road  
Suite L/Lower Level  
P.O. Box 725  
Cross River, NY 10518

**Re: Application for Site Development Plan (Step I – Sketch Plan Review)  
Proposed multifamily development consisting of 49 AFFH Units with clubhouse to  
be constructed on a +/-35.4 acre parcel of vacant land located off NYS Route 22,  
Goldens Bridge Tax Map: Sheet 5; Block 10776; Lots 19, 20 & 21 (the “Property”)**

Dear Chairman Kerner and Members of the Planning Board,

In support of the above referenced Application, enclosed please find the following:

1. Application for Site Development Plan (Step I – Sketch Plan Review)
2. Check in the sum of \$205.00 for the required Application Fee
3. Affidavit of Ownership
4. Tax Payment Affidavit
5. Map of the Property prepared by Divney Tung & Schwalbe entitled Net Lot Area Calculations
6. Twelve (12) sets of the site development plans (3 sheets) prepared by Insite Engineering dated October 20, 2015
  - OP-1 Overall Site Plan
  - SP-1 Layout Plan
  - SP-2 Grading Plan

The enclosed submission proposes a multifamily community consisting of 49 AFFH Units plus a caretaker's unit, clubhouse and other recreational facilities in compliance with the Town's recently amended zoning code. The proposed site plan has gone through several iterations based on our soil investigation work and grading analysis. The Town's zoning supports the development of up to 31.2 Density Units on the Property, but the availability of adequate soils for stormwater facilities and septic disposal, as well as our goals of (i) permanently preserving at least 50% of the site as open space, (ii) no wetland disturbances (some wetland buffer disturbance will be necessary to accommodate the required stormwater basins), and (iii) limiting steep slope disturbances, resulted in the proposed plan for 24.3 Density Units (22% fewer DU's than the zoning supports on this Property).

Our vision for this development is based upon our very successful and well received AFFH community called “Bridleside” located on June Road in North Salem, which was completed in 2014 and is fully occupied. In this regard, we have included some photographs which show the attractive, small scale architecture of the multifamily buildings constructed at Bridleside.



The proposed plan provides us with the opportunity to permanently preserve at least 50% of the Property through the use of conservation easements in a similar fashion to what we accomplished at Bridleside.

We are looking forward to presenting the plans for sketch plan review at your Board's meeting on November 17, 2015.

Sincerely,

A handwritten signature in cursive script that reads "John R. Bainlardi".

John R. Bainlardi, Vice President

Wilder Balter Partners Inc. is a leading developer of award-winning, new construction homes in the New York metropolitan area. For more than 25 years, WBP companies have built affordable residential communities and luxury homes in Westchester, Nassau, Suffolk and Fairfield County and the Hudson Valley. WB Residential Communities Inc. (WBRES) is the property management affiliate of Wilder Balter Partners. Our team oversees 32 WBP developed properties with more than 3,200 apartments located in New York, Connecticut and the US Virgin Islands. For additional info, please click on this link: <http://wbhomes.com>

**TOWN OF LEWISBORO PLANNING BOARD**

PO Box 725, 20 North Salem Road, Cross River, NY 10518

Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com) Tel: (914) 763-5592

**Site Development Plan/Subdivision Plat Application - Check all that apply:**

Waiver of Site Development Plan Procedures   
 Site Development Plan Approval   
 Special Use Permit Approval   
 Subdivision Plat Approval

Step I   
 Step I   
 Step I

**SKETCH PLAN REVIEW**

Step II   
 Step II   
 Step II  Step III

**Project Information**

Project Name: TBD  
 Project Address: Rt 22 - Vacant Land, Goldens Bridge  
 Gross Parcel Area: 35.4 acres Zoning District: CC-20 R-4A Sheet(s): 5 Block (s): 10776 Lot(s): 19, 20 + 21  
 Project Description: Proposed development of a multifamily community consisting of 49 AFM units with clubhouse and caretaker's unit in 6 buildings with appurtenant parking, recreational facilities and permanent open space.

Is the site located within 500 feet of any Town boundary? YES  NO   
 Is the site located within the New York City Watershed? YES  NO   
 Is the site located on a State or County Highway? YES  NO

Does the proposed action require any other permits/approvals from other agencies/departments?

Town Board <input type="checkbox"/>	ZBA <input type="checkbox"/>	Building Dept. <input checked="" type="checkbox"/>	Town Highway <input type="checkbox"/>
ACARC <input type="checkbox"/>	NYSDEC <input checked="" type="checkbox"/>	NYCDEP <input checked="" type="checkbox"/>	WCDH <input checked="" type="checkbox"/>
NYSDOT <input checked="" type="checkbox"/>	Town Wetland <input checked="" type="checkbox"/>	Town Stormwater <input checked="" type="checkbox"/>	

Other \_\_\_\_\_

**Owner's Information**

Name: PROPERTY GROUP PARTNERS, LLC Email: jsussman@pgp.us.com  
 Address: 609 Fifth Ave, 6th Floor, NY, NY 10017 Phone: (212) 490-2626  
 Attn: Jeffrey I. Sussman, President

**Applicant's Information (if different)**

Name: WILDER BALTER PARTNERS, INC Email: jbainlardi@wilderbalter.com  
 Address: 570 Taxter Rd., Suite 673, Elmsford, NY 10523 Phone: (914) 610-3638  
 Attn: John R. Bainlardi, VP

**Authorized Agent's Information**

Name: Insite Engineering Email: jcontelmo@insite-eng.com  
 Address: 3 Garrett Place, Carmel, NY 10512 Phone: (845) 225-9690  
 Attn: Jeffrey J. Contelmo, P.E.

THE APPLICANT understands that any application is considered complete only when all information and documents required have been submitted and received by the Planning Board. The applicant further understands that the applicant is responsible for the payment of all application and review fees incurred by the Planning Board.

THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his/her knowledge and belief, and authorizes visitation and inspection of the subject property by the Town of Lewisboro and its agents.

APPLICANT'S SIGNATURE By: John R. Bainlardi, VP DATE 10/19/2015  
 OWNER'S SIGNATURE Paul Slynko, V.P. DATE 10/19/2015

**TOWN OF LEWISBORO PLANNING BOARD**

PO Box 725, 20 North Salem Road, Cross River, NY 10518

Email: [planning@lewisborogov.com](mailto:planning@lewisborogov.com)

Tel: (914) 763-5592

Fax: (914) 763-3637

**Affidavit of Ownership**

State of: Connecticut

County of: Fairfield

David Shepherd, being duly sworn, deposes and says that he/she resides at 22 Linda Lane, Darien, CT 06820

in the County of Fairfield, State of Connecticut

and that he/she is (check one)  the owner, or  the VICE PRESIDENT of Property Group Partners LLC  
Name of corporation, partnership, or other legal entity Title

which is the owner, in fee of all that certain log, piece or parcel of land situated, lying and being in the Town of Lewisboro, New York, aforesaid and know and designated on the Tax Map in the Town of Lewisboro as:

Block 10776, Lot 19, 20 + 21, on Sheet 5

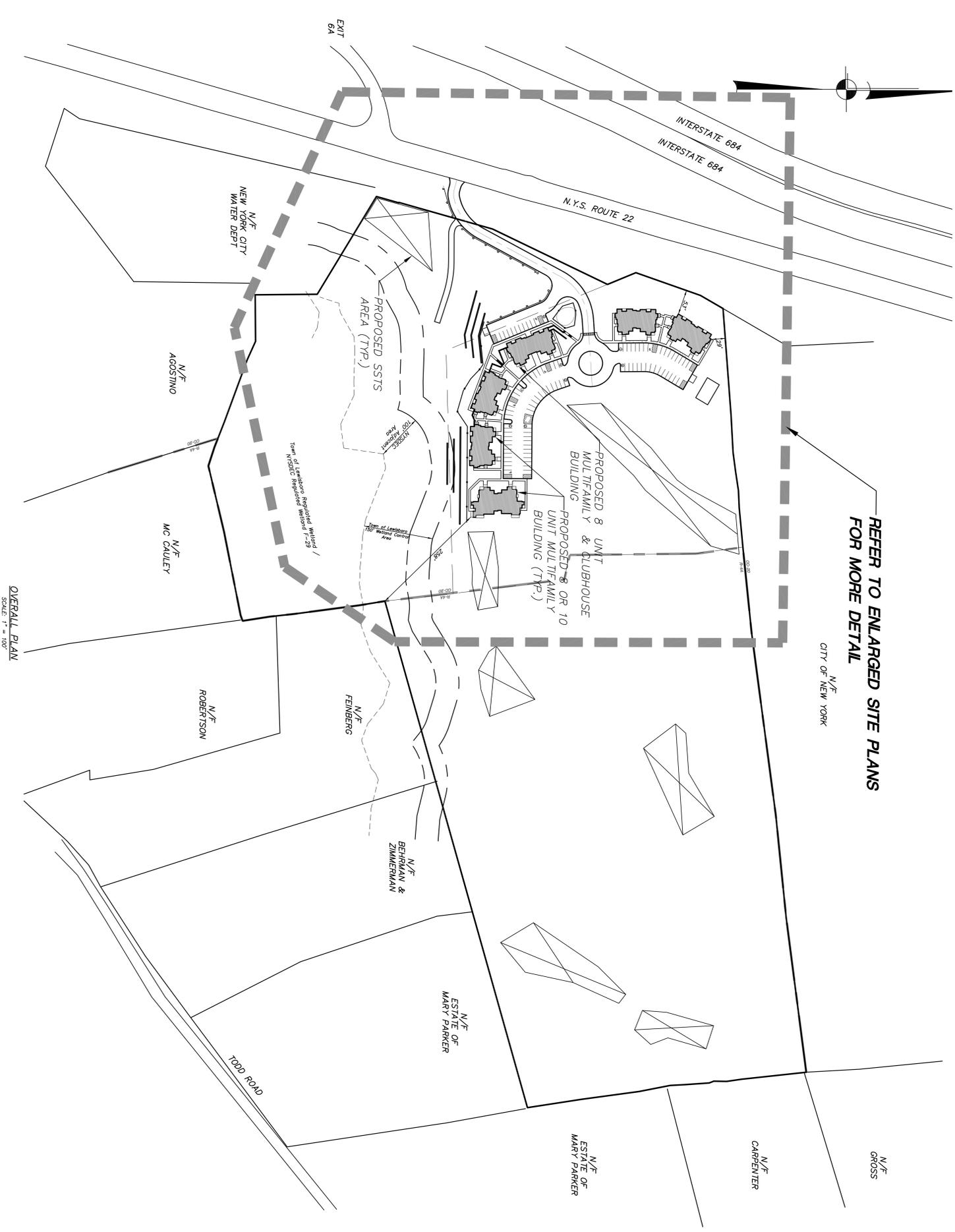
[Signature]  
Owner's Signature

Sworn to before me this 19<sup>th</sup> day of October, 2015

**L.M. BRACKEN**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES APR. 30, 2016

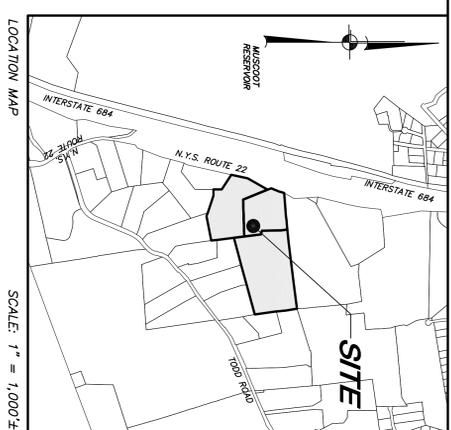
L.M. Bracken

Notary Public - affix stamp



REFER TO ENLARGED SITE PLANS FOR MORE DETAIL

OVERALL PLAN  
SCALE: 1" = 100'



LOCATION MAP  
SCALE: 1" = 1,000'

**APPLICANT:**  
Wilder BALTER Partners, Inc.  
1000 Road  
Emerson, NY 10523

**SITE DATA:**  
Zone: GC-20 (Comps Commercial)  
Total Acreage: 35 AC ±  
Tax Map No.: Block 10768 & 21  
Lots 18, 20 & 21  
Proposed Use: Multifamily Dwellings

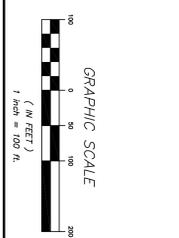
- GENERAL NOTES:**
- Boundary and geographic mapping shown hereon is based on a Survey of
  - The wheel and building as shown hereon is based on a Wilder Location Survey of Property prepared by Lark Land Services PC.

**R-MF ZONING REQUIREMENTS (GC-20 DISTRICT):\***

Multifamily dwellings are a permitted use in GC-20 District, subject to the requirements of Section 20-20 R-MF Multifamily Residence District.

<b>MINIMUM SITE AREA</b>	5 Acres
Minimum permitted gross lot area:	35.4 Acres ±
<b>DEVELOPMENT DENSITY - DENSITY UNIT CALCULATIONS</b>	
Existing Net Lot Area (per Net Lot Area Calculation Form)	15.6 Acres
Net Lot Area (per Net Lot Area Calculation Form)	31.2 *
Total Permitted Density Units	24.3 *
* Before any increase (up to 50%) in Density Units which may be authorized by the RR if applicant constructs at least 1/3 of additional Density Units as AFFH Units.	
<b>Proposed Density Units:</b>	
1 Bedroom dwelling units	15
2 Bedroom dwelling units	5
3 Bedroom dwelling units	3
<b>Total Proposed Density Units</b>	<b>24.3</b>
<b>PARKING REQUIREMENTS:</b>	
Required: 1 parking space per Dwelling Unit (DU)	24.3 DU x 2.0 = 48.6 spaces
2 parking spaces per DU for 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	

ATTENTION: THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 207 OF THE VEHICLE AND TRAFFIC LAW.



NO.	DATE	PERSON	BY
<b>SITE</b>			
3 General Place ENGINEERING SURVEYING & LANDSCAPE ARCHITECTURE P.C. (646) 225-8600 www.wilderbalter.com			
<b>PROJECT:</b> WILDER BALTER PARTNERS, INC. ROUTE 26, TOWN OF LEMBOURG, WESTCHESTER COUNTY, NEW YORK			
<b>DRAWING:</b> OVERALL SITE PLAN			
PROJECT NUMBER	13246.100	PROJECT MANAGER	J.L.C.
DATE	10-20-15	DRAWN	S.J.C.
SCALE	1" = 100'	BY	D.L.M.
			DRAWING NO. <b>OP-1</b> SHEET 1 OF 3





**LEGEND**

- EXISTING PROPERTY LINE
- EXISTING WETLAND LIMIT LINE
- TOWN 150' CONTROL AREA
- NYSDEC 100' ADJACENT AREA
- EXISTING WETLAND SYMBOL
- EXISTING WEL
- EXISTING EDGE OF WATER
- EXISTING 10' CONTROL
- EXISTING 2' CONTROL
- EXISTING 10' CONTROL
- PROPOSED 2' CONTROL
- PROPOSED 10' CONTROL
- PROPOSED SPOT GRADE

\* REFER TO GENERAL NOTES ON DRAWING GP-1 \*

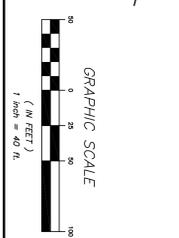
NO.	DATE	PERSON	BY
<b>INSITE</b>			
ENGINEERING SURVEYING & LANDSCAPE ARCHITECTURE P.C.			
3 Gerrit Place (646) 225-8600 www.insite-ny.com			
<b>PROJECT:</b>			
WILDER BALZER PARTNERS, INC.			
ROUTE 28, TOWN OF LEMSBOURG, WESTCHESTER COUNTY, NEW YORK			
<b>DRAWING:</b>			
CONCEPTUAL GRADING PLAN			
PROJECT NUMBER	13246.100	PROJECT MANAGER	J.L.C.
DATE	10-20-13	DRAWN	S.J.C.
SCALE	1" = 40'	CHECKED	D.L.W.
			SHEET 3

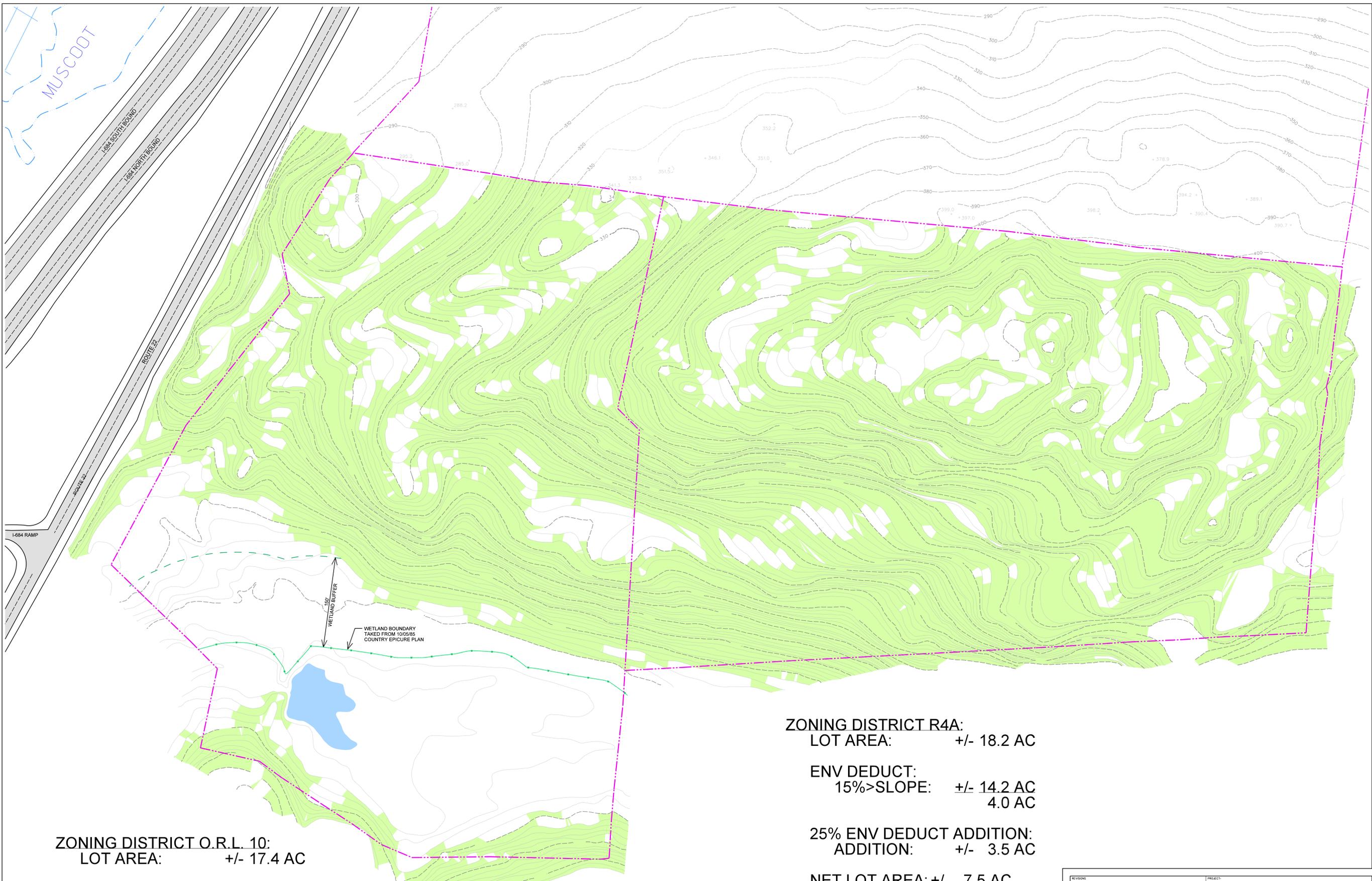
ATTENTION: THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 2209 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK.

INTERSTATE 684 (NORTH BOUND TRAVEL LANE)  
INTERSTATE 684 (SOUTH BOUND TRAVEL LANE)

N.Y.S. ROUTE 22  
CONCEPTUAL GRADING PLAN  
SCALE: 1" = 40'

INTERSTATE 84 (EXIST 6A NORTH)  
EXIT RAMP





**ZONING DISTRICT O.R.L. 10:**  
**LOT AREA: +/- 17.4 AC**

**ENV DEDUCT:**  
**WETLAND: +/- 4.4 AC**  
**15%>SLOPE: +/- 8.0 AC**  
**5.0 AC**

**25% ENV DEDUCT ADDITION:**  
**ADDITION: +/- 3.1 AC**

**NET LOT AREA: +/- 8.1 AC**

**ZONING DISTRICT R4A:**  
**LOT AREA: +/- 18.2 AC**

**ENV DEDUCT:**  
**15%>SLOPE: +/- 14.2 AC**  
**4.0 AC**

**25% ENV DEDUCT ADDITION:**  
**ADDITION: +/- 3.5 AC**

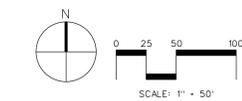
**NET LOT AREA: +/- 7.5 AC**

NOTE: ALL SITE DESIGN CONCEPTS AND INFORMATION INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF DIVNEY TUNG SCHWALBE, LLP. THIS DRAWING WAS CREATED AND DEVELOPED FOR USE IN, AND IN CONNECTION WITH, THE SPECIFIED PROJECT INDICATED HEREON AND SHALL NOT BE USED FOR, OR INCORPORATED IN, ANY PERSONS' ENTITY WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF DIVNEY TUNG SCHWALBE, LLP.

WRITTEN DIMENSIONS ON THIS DRAWING SHALL HAVE PRECEDENCE OVER SCALED MEASUREMENTS. CONSULTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THEREFORE WE ARE NOT RESPONSIBLE FOR ANY VARIATIONS FROM DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.

LEGAL NOTICE: IT IS A VIOLATION OF ARTICLE 148 OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON TO ALTER THIS DOCUMENT IN ANY WAY EXCEPT AS PROVIDED IN SECTION 7509(12), ARTICLE 148, NEW YORK STATE EDUCATION LAW.

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 All rights reserved.



<table border="1"> <thead> <tr> <th>REVISING NO.</th> <th>DATE</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		REVISING NO.	DATE	ISSUE																																					<p><b>PROJECT:</b>  <b>LEWISBORO LAND CORP.</b>          Lewisboro, New York</p>	
REVISING NO.	DATE	ISSUE																																								
<p><b>DRAWING TITLE:</b>  <b>NET LOT AREA CALCULATIONS</b></p>		<table border="1"> <tr> <td>DESIGNED BY: MSA</td> <td>DRAWN BY: RC</td> </tr> <tr> <td>PROJECT NO: 326</td> <td>DATE: 02/24/11</td> </tr> <tr> <td>DRAWING NO:</td> <td></td> </tr> </table>		DESIGNED BY: MSA	DRAWN BY: RC	PROJECT NO: 326	DATE: 02/24/11	DRAWING NO:																																		
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<p><b>DIVNEY • TUNG • SCHWALBE</b>          Intelligent Land Use</p> <p><small>Divney Tung Schwalbe, LLP          One North Broadway          White Plains, NY 10601          914 428 0010          914 428 0017 FAX</small></p>		<p><small>Planning          Engineering          Landscape Architecture          Environmental Approvals          Project Management</small></p>																																								
		<p><b>EX-2</b></p>																																								

**TO:** Town of Lewisboro Planning Board

**FROM:** Lewisboro Conservation Advisory Council

**SUBJECT:** Wilder Builder Partners  
Route 22, Goldens Bridge NY 10526  
Sheet 5, Block 10776, Lots 19, 20, & 21

**DATE:** November 9, 2015

---

The Conservation Advisory Council (CAC) reviewed the applicant's plans and accompanying documents for a multifamily housing community at our November 2 meeting.

At this early stage, the CAC generally feels that this application is appropriate for this location, although we feel that some aspects of the proposal could be improved. We ask the applicant to try to minimize the intrusion of stormwater features into the wetland buffer. We would like to see the involvement of the community in the complete streets concept and to enable a bike or walking path to the shopping center and the transportation facilities to the north. We also encourage the applicant to reach out to Bedford Audubon, which abuts this property to the east (the former Parker properties), and investigate a connecting trail to the Bedford Audubon preserves. The CAC also suggests that the applicant consider making some of the parking area, which might be used infrequently, of a permeable pavement or grasscrete-type of surface. We would also like to see permeable pavement considered where it might be appropriate in the hardscaping.

Application No.: 68-15 WP  
Fee: \$255 Date: 10/28/15

TOWN OF LEWISBORO  
WETLAND PERMIT APPLICATION BY: .....

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: RESIDENCE 19-N LOST NATIONS RD LEWISBORO NY  
Sheet: 45A Block: 9825 Lot(s): 21 Poundridge

Project Description (identify the improvements proposed within the wetland/wetland buffer and the approximate amount of wetland/wetland buffer disturbance):

LINE BOTTOM OF EXISTING 2400SF POND (BOX 30)  
NO GRADING.

Owner's Information P.O. BOX 940 SO. SALEM, NY 10590

Owner's Name: J. TED CHILDS JR Phone: 914-764-1967

Owner's Address: 19 LOST NATIONS ROAD, LEWISBORO Email: TED@TEDCHILDS.COM  
Poundridge, NY 10596

Applicant's Information (if different)

Applicant's Name: SAME Phone: 914-764-1967-RCS

Mailing Applicant's Address: P.O. Box 940, South Salem, NY 10590 Phone: 914-643-8401-CELL

Authorized Agent's Information (if applicable)

Agent's Name: CARMINE L. LABRIOLA Phone: 914 403 7313

Agent's Address: 222 GUINARD BLENSTER NY Email: Finance@RElandscapes.com  
10509

To Be Completed By Owner/Applicant

1. What type of Wetland Permit is required? (see §217-5C and §217-5D of the Town Code)  
 Administrative  Planning Board
2. Is the project located within the NYCDEP Watershed?  Yes  No  
2400 s.f.
3. Total area of proposed disturbance:  < 5,000 s.f.  5,000 s.f. - < 1 acre  ≥ 1 acre
4. 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: NONE

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.

X Owner/Applicant Signature: [Signature] Date: 10-26-2015

AFFIDAVIT OF OWNERSHIP

STATE OF )  
COUNTY OF ) ss:

TED Childs

, being duly sworn, deposes and says that

she/he resides at 19-11 Lost Nation Rd, Lewisboro NY  
in the County of: Westchester Round Ridge, NY 10576

State New York *MAILING ADDRESS: J.T. CHILOSI, JR*  
of: New York *P.O. BOX 940*  
*SOUTH STATEN, NY* 10590

And that she/he is (check one) (1) the owners, or (2) the \_\_\_\_\_  
of \_\_\_\_\_ Title

\_\_\_\_\_ name of corporation, partnership or other legal entity  
which is the owner, in fee of all that certain lot, piece or parcel of land situated, lying  
and being in the Town of Lewisboro, New York, aforesaid and known and designated  
on the Tax Map in the Town of Lewisboro as Lot Number 21

Block 9825 on sheet 45A

For (check one):

- SKETCH PLAN REVIEW  PRELIMINARY SUBDIVISION PLAT  FINAL SUBDIVISION PLAT
- SITE DEVELOPMENT PLAN  SPECIAL USE PERMIT  WAIVER OF SITE PLAN PROCEDURES
- WETLAND PERMIT  STORMWATER PERMIT  FILING WITH WESTCHESTER COUNTY CLERK

Sworn to before me this

26 day of October, 2015

J.T. Childs 10-26-2015  
Signed

Carmine Labriola  
Notary public (affix stamp)

<b>CARMINE L LABRIOLA</b> Notary Public, State of New York No. 01LA4608263 Qualified in Putnam County Commission Expires October 31, 2017
---

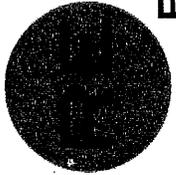


## Administrative Wetland Permit Fee Schedule

Type of Permit (Administrative Permits Only)	Application Fee
Mechanical Equipment (generator, fuel storage tank, air condenser, etc.) and Associated Utilities	\$150
Removal of Underground Storage Tank	\$150
Addition to Residence	\$500
Detached Accessory Building/Structure (<300 s.f. ground footprint)	\$150
Detached Accessory Building/Structure (≥300 s.f. ground footprint)	\$500
Deck, porch, patio, fence	\$150
Walkway, piers, wall, gate, stairs	\$150
Above-ground Pool/Hot Tub and Mechanical Equipment (includes associated deck, patio, walls, walkway, etc.)	\$300
In-ground Pool and Mechanical Equipment (includes associated deck, patio, walls, walkway, etc.)	\$750
Recreational Court (tennis, basketball, volleyball, etc.) and Associated Utilities	\$500
Above-ground or Underground Utilities	\$150
Installation or Modification of Driveway/Driveway Surface	\$500
Installation or Modification of Stormwater Practice/Drainage	\$200
Septic repair	\$150
Soil Testing (deep and percolation test holes)	\$150
<b>Notes:</b>	
1. Where multiple activities are proposed, multiple fees will be required	
2. The above permit fees shall not apply when an escrow account has been established by the Planning Board; Wetland Permit applications to be reviewed by the Planning Board require a \$255 application fee	
3. For proposed actions not listed above, the application fee shall equal \$150 per 1,000 s.f. of disturbance. No permit fee in this category shall be less than \$150 or greater than \$750	

*2400 S.F / LIQUOR INSTALLATION*

*375<sup>00</sup>*



# LANDSCAPES, INC. RELATED SCIENCES, INC.

P.O. Box 502 – Bedford Hills, NY 10507 – (845) 277-3777 – (914) 403-7313 - [finance@relandscapes.com](mailto:finance@relandscapes.com)

October 27, 2015

Town of Lewisboro  
Orchard Square, Suite L  
20 North Salem Road  
Cross River, NY 10518

*Re: Mini-Report/Log, Explanations, Recommendations, Restitution Proposed---19-11 Lost Nations Road, Lewisboro, NY*

**Item #1.** Reasons for not obtaining permit or administrative permission-Original recreation areas were performed by an administrative supervisor, we went beyond his limits and codes, plead guilty, willing to pay fine, request the suggested restitution remediation be counted towards the fine amount. Reasons for neighbor complaint-excess noise level, chain saws/chippers. Nothing else, property has (30) Acre buffer area.

**Item #2.** Explanation-What was done in small increments over a 3 year period, not knowing how much area, what we were doing, based also on whether the financial capability was available and if the areas were to be enhanced for family/friends gathering, or whether Mr. Childs was going to recover or not from his operations-cancer, heart, prevailing conditions.

**Item #3.** Recovery problems from infestation overload of blood-sucking mosquitoes-Site-specific problem due to high elevation fog and moisture cover, no light, no air circulation, because of heavy cover of obnoxious under brush and small sapling trees, diseased trees and storm damages left behind on the approximately (10) acre top of Omega Hill, the Core. Childs wanted no chemical treatments for pest controls because of his relationship and respect for ecology. The typical human being would be in a combat zone for mosquito attacks. Mr. Childs tried everything to assist in implementing an integrated approach suggested by pest control experts. Nothing worked. Owning (40) Acres, having to stay inside his house.

**Item #4.** The Wetland/Retention Basin was used by land developer as Retention Basin-Now dysfunctional pond, breeding ground for mosquitoes. Assumptions-Pond dug originally to hold large volumes of water during blasting/excavation and rock crushing operations, No inlet/or outlet areas, Dug too deep without any concern for holding water purposes, Loose rock bottom.

**Item #5.** Noise from Chain Saws/2 Years Ago-Mr. Childs had (SavATree Company) come up and clear Core Area of accumulated storm damage/fallen, dead, diseased trees, and they stated he was losing the big Beech trees adjacent to pond due to excess water over root crown area, there were a number of dead trees fallen out of that area, Noise periodically, chain saws-Mr. Childs had RE Landscapes come in to selectively clear brush trees under 6" caliper, hand rake plant ecology, no mow grasses, prune upper canopy for more light and air circulation.

**Item #6.** Mosquito problems were eliminated by eliminating their cultural-biological needs. Mr. Childs requested easier access to native walking trails, less maintenance cost for his grass cutters. RE Landscapes, Inc. performed a periodic area enhancement by pulling trail weeds by hand, supplying a weed matt and adding 2-3 inches gravel on top over Path System and cleaning, pruning and planting woodlands.

**Item #7.** Mr. Childs determined the highest and best use for (40) Acre Estate, Omega Hill for the future of his family and environmental values.

- A. To further enhance the Core (10) areas around the single family home, not to subdivide any additional lots.
- B. To either gift the rear (30) Acres for a land trust and preserve or some kind of Lewisboro preserve that would be most beneficial to reduce his tax basis and protect these acres' natural characteristics, his trails, etc.

**Item #8.** Noise from Chain Saws/Again this Summer/Fall-Sept./Oct. Complaint-Note/From Childs' residence he hears chain saws every day, including weekends. NOTE: Childs went to every adjacent property/home owner on Church Street and explained, invited them to see what he was doing, the extend/open communication after hearing the Town received two complaint letters. No one stated they complained.

**Item #9.A.** Aug./Sept./Summer 2015-The completion of the majority of selective clearing and recapping accessibility of Path System on the Core areas.

**Item #9.B.** In the naturally open areas which did not have feature trees, layout a putting green and a few matts 150 sq. ft. and cultivate by hand ecology habitat No Mow Grasses, Gerstner Wild Life Vegetation Areas with woodland plantings.

**Item #10.** The last area to fix to make it a sustainable ecology and not an unfinished human attempt at a natural pond, which presently looks like the most negative aspect of the (40) Acres, depreciating the real estate value. As it is, residences similar to Mr. Childs' are selling at 50% of their original development cost values. Functioning Wetlands have natural esthetic beauty and ecological values. The existing Wetland/Retention Basin Pond-To fix it to have sustainable use. Mr. Childs tried.

- A. Adding approx. 5,000 to 15,000 gallons of fresh water per year-water just leaks out of bottom, not economical, every year for (15) years.
- B. Adding bentonite clay bottom treatment, voids too large in bottom.
- C. Utilizing storm water from residence roof and driveway, popular Rain/Garden approach, not enough water, leaks out.
- D. Saving large feature Beech tree adjacent to pond, create high water level which pumps excessive storm water above tree crowns into pond.

Pond Evaluation-No mud depth at bottom to form clay seal, just fractured loose porous rock formation.

Solution- Not to Re-Shape Pond Embankments or Disturb areas in and around pond, especially with the lack of inlet/or outlet water volume/does make sense.

Many of Mr. Childs' frogs cannot make it throughout Summer months. Deer and habitat use the watering hole, especially when in the woodland areas all the mid-Summer vernal pools dry up.

**Item #11.** Permit/Application in front of all of you-Supply and install a pond liner in the lower part approx. 80' x 25'. Procedure & Experience: RE Landscapes, Inc./Related Sciences, Inc. has installed many of these in all sized ponds:

- A. Remove all transplantable wetland plantings that Mr. Childs has planted there previously on lower embankment (pull net along inside of pond), catch any wildlife.
- B. Start one side, leaving shallow water approx. 2'-3' depth in pond. Chase any additional wildlife or catch with nets and put into buckets.
- C. The loose fit of liner allows wildlife to crawl along bottom out to edges.
- D. As liner is spread over bottom along the lower embankment, dig a shelf approx. at 3'-4' water high mark on embankment and put stones over liner edges to naturalize its look.

The pond has no outlets, no fish, only frogs salamanders, turtles, installation November. The only machine work may be assist in reaching along embankment to put hand-dug existing wetland plantings (planted last year) and the weight of the liner assist to unfold and pull it along the approx. 80 L.F. length. The operation takes approx. (7-10) Men to hand-pull/tuck and mend edges to the native setting. Prune, split, replacement existing wetlands plantings, mulch and plant, ecology retention, embankment seed mix with straw mulch, rolled matting along embankments (2 days).

Schedule-Spring 2016 (1 day schedule). Add plantings as follows:

- 1. To pond area: List/Quant/Values on Separate Sheet
- 2. To Vernal Pool Area: List/Quant/Values on Separate Sheet

Item #12.

Evaluation of Disturbances in the Approx. Wetland Setbacks Areas:

- A. Approx. 800-1,000 L.F. of existing item IV Paths-resurfaced with 3/8" gravel, value approx. (30) cu. yds. gravel plus labor.....**\$4,000**
- B. Selective clearing and pruning, raking and creating living ground cover habitat.....**\$5,000**
- C. Golf Green and Tees approx. 250 sq. ft.....**\$5,000**

NOTE: All disturbed areas were following existing contours, majority by hand. No de-stumping or import/export fill, minor amount.....**TOTAL VALUE \$14,000**

Item #13.

Restitution Fine: We would like to:

- A. Install liner.....**\$8,000**  
and remediate embankments with additional plantings  
and erosion control.....**\$1,500**
- B. Supply and install additional Wetland Plantings in proximity of vernal pool.....**\$750**

**TOTAL VALUE \$10,250**

Item #14.

Listings of Product Information:

- A. No Mow Grass and Kestners seeding for habitat
- B. Liner manufacturer and specification
- C. List of plantings/new supply and plant Spring 2016 from Wetland supplier nurseries.

Vernal Pool-Plant List (approx. 2" or better):

1. Joe Pye Weed-sensitive fern
2. Blue Fung Iris-Arrowwood Viburnum
3. Soft Bull Rush
4. Switch Grass
5. 1 Row Weed

Depending on Quality and size/availability.....\$750

Pond Embankment:

1. Turtle Head
2. Chairmaker's Bulrush
3. Soft Stem Bulrush
4. Lizard Tail
5. Potato/Duck
6. Sweet Flag
7. Red Twig Dogwood
8. Cat Tails
9. Cartex
10. Blue Vervain
11. Aster
12. Riverbank Wild Rye
13. Yellow Water Iris
14. Pickerel Weed

Same, depending on Quality and size/availability.....\$1,500

Planting site-specific locations will be based of field and climatic conditions.

Respectfully Submitted,

*Carmine L. Labriola*

Consultant and Estimator  
Cell (914) 403-7313  
Office (845) 277-3777

TED CHILDS  
POND

SUBMITALS

\* PROPOSED LINEAR SPECIFICATIONS  
Better MORE DURABLE EXTRA STRENGTH PSI - FOR ROCKY  
Bottom Protection  
Support



**STRENGTH • COMMITMENT • GUARANTEED CONTAINMENT**

www.btlfilers.com o 3451 SW Empire Dr. o Prineville, OR 97754 o US only: 1-800-280-0712 o 541-447-0712 o FAX 541-447-0759

# BTL™-24

## Single Scrim RPE

LOW TEMPERATURE - HYDROCARBON STABLE

DESCRIPTION	BLACK 12 X 12 COUNT PER INCH
FABRICATION & WAREHOUSE	PRINEVILLE, OREGON
WEIGHT	11.7 OZ./SQ. YD. (+/-5%) ASTM D 751
THICKNESS	24 MIL (+/-5%) ASTM D 5199
COATING THICKNESS	3.5 MIL EACH (+/-5%)
TENSILE STRENGTH (GRAB METHOD)	WARP 350 LBS. WEFT 330 LBS. ASTM D 5034
ELONGATION TO BREAK	WARP 29%
TEAR STRENGTH (TONGUE METHOD)	WARP 110 LBS/INCH WEFT 110 LBS/INCH ASTM D 2261
BURSTING STRENGTH (MULLEN)	650 PSI ASTM D 3786
HYDROSTATIC RESISTANCE	425 PSI ASTM D 751
PUNCTURE RESISTANCE	97 LBS. 182 LBS. FED. STD. 101C, METHOD 2065 ASTM D 4833
SEAM STRENGTH (SHEAR), min.	WARP 196 LBS/INCH WEFT 184 LBS/INCH ASTM D 4851
SEAM STRENGTH (PEEL), min.	WARP 4 LBS/INCH ASTM D 4851
LOW TEMPERATURE COLD CRACK	-85° F ASTM D 2136
PERMEABILITY	0.0143 CM/SEC ASTM D 4491
CARBON BLACK CONTENT CARBON BLACK DISPERSION	3.9% A-1 ASTM D 4218
UV RESISTANCE	>90% STRENGTH RETAINED AFTER 2000 HRS. ASTM G-151

ALL DATA IS DRAWN FROM U.S. TESTING AND PRECISION LABORATORIES. AVAILABLE ON REQUEST.  
03/2014

# NO MOW GRASSES



*This lawn is mowed once a year in early to mid-June when grass seedheads appear. No further mowing is usually required.*

Corn gluten can be used for organic pre-emergent annual weed control. Research has shown that corn gluten is an effective alternative to chemical herbicides for preventing the germination of annual weeds. Corn gluten is available in many garden centers and mail order garden supply catalogs.

Your "No Mow" lawn can be treated with the same weed control and lawn care products used on traditional lawns. Always follow the directions when using herbicides and other lawn care products. These chemicals should be used sparingly, if at all.

With minimal fertilizing and watering, you'll reap the benefits of reduced maintenance, lower costs and a healthier environment!

### **Mowing and Turf Care**

To maintain a more "lawn-like" look, mow at a height of 4 to 5 inches when the seedheads appear, usually in June. If you require a more "cropped" or manicured look, you can mow your turf every month or so at a height of 3.5 to 4 inches. **Do not mow closer than 3 inches, and never remove**

**more than one third of the top growth, as this will damage the turf.**

**If you notice a build-up of dead brown grass in your "No Mow" turf, the lawn should be "de-thatched" to encourage new spring growth.** De-thatching should be done in early spring, before the grass begins actively growing. This can be accomplished by hand using a de-thatching rake, or with a mechanical de-thatching machine. Most lawn service companies offer de-thatching services.

Your "No Mow" lawn will form a soft, 4 to 6 inch tall flowing carpet of grass. In fall, leaves should be removed. Mowing with a mulching mower is the easiest method. The nutrients from the mulched leaves are all the fertilizer your "No Mow" lawn should ever need!

The only other thing you need to do... is decide what to do during the time you would have normally spent mowing your lawn!

### **"No Mow" with Annual Rye for Erosion Control**

On erosion-prone sites and steep slopes, we recommend seeding "No Mow" grass seed with an Annual Rye nurse crop\* for rapid soil stabilization. When planting on slopes in the fall, be sure to plant your seed no later than September 15th, to ensure sufficient growth of the nurse crop to hold the soil.

In Zone 4 and colder Annual Rye will usually winter kill (except in milder winters). In Zone 5 and warmer Annual Rye will typically survive the winter and will require mowing in the following spring and summer. If using an erosion blanket, Annual Rye is not required.

*\*We provide this premixed option for your convenience.*

### **"No Mow" Seed Prices & Seeding Rates**

Plant "No Mow" at rates of 5 lbs per 1000 sq. ft., and 220 lbs per acre.



Amount (lbs.) "No Mow" "No Mow" with Annual Rye for erosion control

Item #50091	Item #50092	
5 to 19	\$5.95 per lb.	\$5.95 per lb.
20 to 49	\$4.95 per lb.	\$4.95 per lb.
50 to 199	\$4.25 per lb.	\$4.25 per lb.
200 to 499	\$3.95 per lb.	\$3.95 per lb.
500 to 1,000	\$3.75 per lb.	\$3.75 per lb.

**Minimum Order 5 lbs.**

"No Mow" is POSTPAID in the U.S.

# Kester's Drought Tolerant Mix



Many of our customers have very poor, sandy soils so Kester's developed this new perennial mix. A mixture of perennial legumes and forbs that will stay green into the winter months providing excellent food source for deer. This perennial mix

will tolerate droughty to dry soils. Works well in sandy soils where the pH is low. Can be planted in the Spring or in the Fall of the year.

Kester's Wild Game  
Food Nurseries INC.

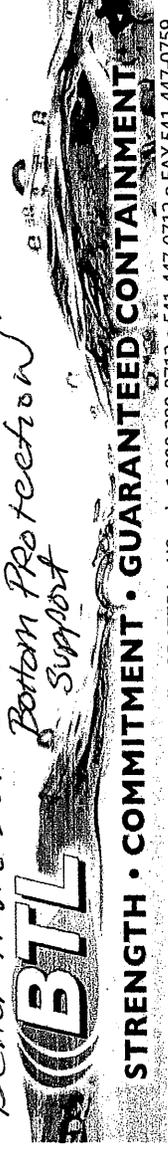
Improving Wildlife Habitat  
For Over 75 Years

75 LBS.

MIXED WITH CLOVER  
OTHER SPECIAL VARIETIES  
BESIDES NO MOW GRASS  
& LOW GROW LINKS LAYOVER  
GRASSES,

LED CHILDS  
POND

\* PROPOSED LINER SPECIFICATIONS  
Better MORE DURABLE EXTRA STRENGTH PSI - FOR ROCKY  
Bottom Protection Support



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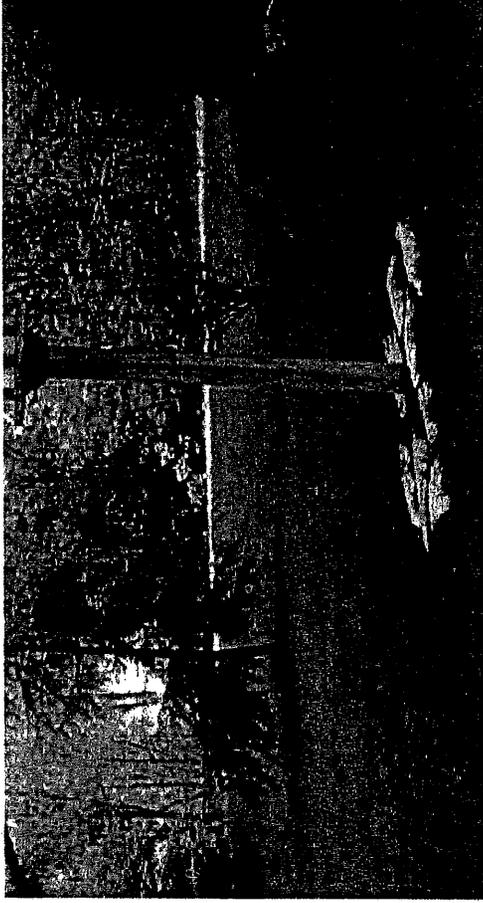
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03/2014



*This lawn is mowed every 4-6 weeks instead of every 1-2 weeks.*

## **“No Mow” Lawn Mix**

*Serves as an Alternative to Chemical-Addicted Manicured Lawn  
Proven Successful Since 1994*

**Prairie Nursery’s “No Mow” Lawn Mix is a specially designed blend of six slow-growing fine fescue turf grasses, which will:**

- ✓ Save Time and Money!
- ✓ Grow to form a dense turf.
- ✓ Thrive in full sun or partial shade.
- ✓ Require little, if any, watering or fertilizing.
- ✓ Biologically reduce weed growth, once established.
- ✓ Require limited mowing, once or twice a year... or never!

In more southerly areas, seeding can be extended into late October. Cool evening temperatures and gentle autumn rains create ideal conditions for germination and growth of these cool-season grasses. Very few weeds germinate in the fall.

### **Early Spring Seeding**

Seeding in March through mid-May is a good second choice to early fall seeding. However, most weeds germinate in spring and early summer, and can compete with your “No Mow” seedlings. Remember that the reason you don’t have to mow this grass very often is because it grows slowly. Weeds will grow much faster, and can out-compete spring-planted turf seedlings.

**O**ur “No Mow” lawn mix is composed of six slow-growing fine fescue varieties, which are more drought resistant than a bluegrass lawn because of their deeper root systems. The “No Mow” lawn mix is recommended for the cooler, medium rainfall areas of the Upper Midwest and Northeastern United States, and Southern Canada. This turf mix grows well in sun or partial shade. It does best on sandy or loamy soil, and on well-drained clay soils with at least four inches of good, loose topsoil. **It is not recommended for wet soils, deep shade, compacted soils, or poorly-drained heavy clay.** (See “Understanding Your Soil” on pages 78-79.)

### **Preparation**

As with any seeding, proper soil preparation is critical to success. The area to be planted must be completely free of weeds prior to seeding. If not removed, the existing weeds will compete with the fescue for nutrients, moisture and sunlight. Please refer to the Site Preparation guidelines on pages 79-80 for proper soil preparation.

### **Late Summer / Early Fall Seeding**

It is strongly recommended that you plant your “No Mow” between late August and late September.

### **Watering**

**Water new seedlings daily for fifteen to thirty minutes**, unless the soil is damp. Water in the early morning, to prevent fungal diseases that can result with late afternoon and evening watering. Continue watering for the first six weeks after seeding, especially if planted in late spring, or in dry soils. Once the planted area begins to green up, watering can be cut back to every two to five days, depending upon your soil type and weather conditions.

**Once established, water only during dry periods.** Occasional, thorough soakings are better than frequent light sprinklings. This encourages deep root growth, and makes your turf more drought resistant.

### **Fertilizer & Weed Control**

**Fertilizer is not recommended for “No Mow” fescue turf**, and should be applied sparingly, if at all. If you must, fertilize in early spring or late summer only. Use a slow-release, balanced fertilizer with equal portions of nitrogen, phosphorus and potassium. Avoid high nitrogen fertilizers that stimulate excessive top growth, which requires mowing.

## Kester's Wild Game Food Nurseries INC.

*Improving wildlife habitat for over 90 years*



<b>Home</b>
<b>Wetland Plant's</b>
<b>Deer Food</b>
<b>Pheasant Food</b>
<b>Perennial Seeds</b>
<b>Annual Seeds</b>
<b>Native Grass</b>
<b>Consulting</b>
<b>Links to website</b>
<b>Terms</b>
<b>Contact Us</b>
<b>Products</b>

Kester's is dedicated to the improvement of all types of wildlife habitat. Whether your looking to attract deer, upland game birds, or ducks and geese we have many different products to help you reach your goals. We have been helping people for the last 90 years to improve wildlife habitat. From the backyard enthusiast to small game farms or land owners. To fish and hunt on your own land it what we at Kester's are all about.

The Dept. of Interior, U.S. Corps of Eng., U.S. Fish & Wildlife, National Parks, National Wildlife Refuges, and Waste Water Filtration Systems have used many of our wildlife products.

The number of wild ducks or other game that can exist on any area is governed by the amount of food that grows there to support them. If you don't have an adequate food supply wild game will look elsewhere. As civilization crowds them from their natural habitat, it is necessary to propagate their food in other areas. The planting of natural foods for wildlife is an act of conservation, which helps preserve wildlife habitat for future generations.

Providing some cover is also essential. Wildlife need a place to hide when they feel threatened. Providing adequate food and cover will improve the wildlife in your area.

### Popular Products

- [Wild Rice Seed](#)
- [Duck Foods](#)
- [Sago Pondweed](#)
- [Japanese Millet](#)
- [Deer Screen Switchgrass Blend](#)
- [EverGraze White Ladino Clover](#)
- [Kester's Drought Mix](#)
- [Gamebird Mix](#)
- [Dwarf Essex Rape](#)
- [Fall Draw](#)

### Top Downloads

1. [EverGraze Ladino Clover \(PDF\)](#)
2. [RegalGraze Ladino Clover](#)
3. [Wetland Construction \(PDF\)](#)
4. [Wood Ducks \(PDF\)](#)
5. [More Wood Duck Food \(PDF\)](#)
6. [Farm land stuff \(PDF\)](#)
7. [Deer food plots \(PDF\)](#)
8. [Ducks & Land \(PDF\)](#)
9. [Brassicas & Chicory for Forage \(PDF\)](#)
10. [Agrfacts Brassicas \(PDF\)](#)

Technical support is offered Monday - Friday from 9 a.m. to 5 p.m.

Store Hours : Monday - Friday

9 a.m. to 5 p.m. (Central Time)

Phone: 920-685-2929

Fax: 920-685-6727

Email: [pkester@vbe.com](mailto:pkester@vbe.com)

# Kester's Drought Tolerant Mix



Many of our customers have very poor sandy soils so Kester's developed this new perennial mix. A mixture of perennial legumes and forbs that will stay green into the winter months providing excellent food source for deer. This perennial mix will tolerate droughty to dry soils. Works well in sandy soils where the pH is low. Can be planted in the Spring or in the Fall of the year.

Kester's Wild Game  
Food Nurseries INC.

Improving Wildlife Habitat  
For Over 75 Years

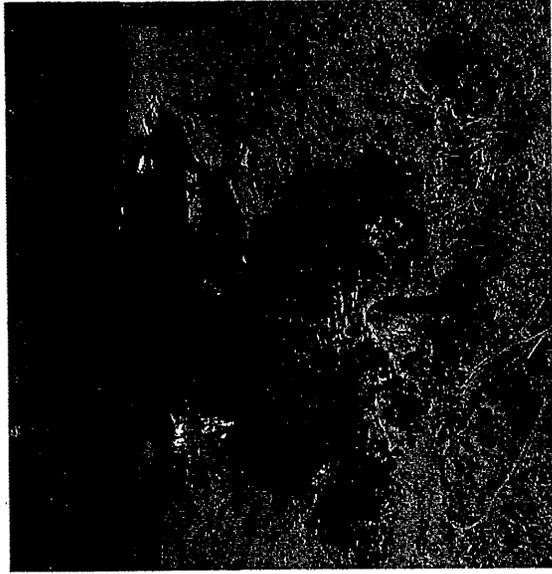
75 LBS

MIXED WITH CLOVER  
OTHER SPECIAL VARIETIES  
BESIDES NO MOW GRASS  
& LOW GROW LINKS LAYOVER  
GRASSES,

# Fresh Start Maintenance of Small Ponds & Lakes

New Liner Technologies - Easy to Install - Last 30 Years

**No Expensive Permitting or Dredging - Less Future Maintenance**



**Before**

Marshy, over-weeded swamp area

Create Healthy, Open Waterways:

- Irrigation Storage - Rain Gardens
- Retainage Basins
- Prevent drying out during droughts

Increase Property Value with Green Capital Improvement Approach

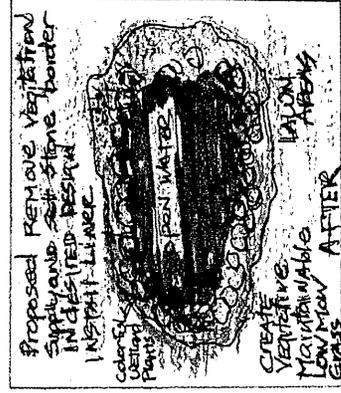
## Plant Wetland Gardens & Passive Recreation Areas

No Chemicals - Sustainable - Appropriate for: Residential, Farms, Corporate

**COST** - For approx. 2,000-5,000 sq. ft. pond liner installation depending on preparation **minimum \$5,000 - \$10,000** additional fees for landscape improvements

Native, fresh, pure water habitat for fish, frogs, birds

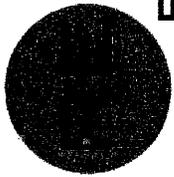
**After**



**Related Sciences, Inc. / RELandscapes, Inc.**

**Carmine L. Labriola, Consultant**

P.O. Box 502 ■ Bedford Hills, NY 10507 ■ (845) 277-3777 ■ [info@relandscapes.com](mailto:info@relandscapes.com)



# LANDSCAPES, INC. RELATED SCIENCES, INC.

P.O. Box 502 – Bedford Hills, NY 10502 – (845) 277-3777 – (914) 403-7313 - [finance@irelandscapes.com](mailto:finance@irelandscapes.com)

August 31, 2015

Mr. John Kellard  
Kellard Sessions Consulting P.C.  
500 Main Street  
Armonk, NY 10504  
[jkellard@kelses.com](mailto:jkellard@kelses.com)  
(914) 760-1802

*— original Response  
Letter to town of  
Lewisboro*

Re: *Wetland Violation 8/27/2015-Stop Work Order-Ted Childs'Residence-19-11 Lost Nations Road*

We would like to explain the circumstances. We are guilty with an explanation.

- Mr. Childs went for all the proper building permits from the start of his residence located on (40) acres.
- During that period he established a Walking Path Plan throughout the 40 acre parcel. As part of our work, we refined that path system for the Core around his residence of approximately (10) acres, and existing pond approximately (80' x 25').
- He established the grading and installed the left over item IV from the eleven million pounds of rock that was the result of rock/removal for residence foundation excavation in the path and driveway system.
- When he desired to build a Tennis Court, Basketball Court, Golf Practice area, he went through all the necessary permitting.
- Mr. Childs has a long standing heart condition, had open heart surgery 19 years ago, and over the past (4) years has had two cancer surgeries. He has had limited funds and really didn't know how or what to do to attempt to finish the Core Passive Recreation Areas to enhance the use and maximize the value of his total (40) acre property.
- Mr. Childs has great sensitivity to the challenges confronted by those with a physical disability. His home internally (hallway / door width, sink placement / height) and externally (door width / front and back wheel chair ramps, and paths that are shaped so as to be wheel chair accessible, is constructed to be sensitive to the challenges confronted by those with a physical disability. He is a past member of the U. S. President's Committee on Employment of People With Disabilities; and was a member of the National Council on Disability team that drafted the report, "Empowerment for Americans with Disabilities"---Mr. Childs chaired the Business Advisory Council Committee---this full report was presented to President George W. Bush. Many of his friends and professional colleagues are handicapped. He himself has a difficult time on the Path Systems and was unable to access the natural beautiful Lewisboro Rock Formations. So, over the past (2) years he has added 3/8" washed gravel to the Path System and natural stone curbing to be able to maintain the Path free of weeds and tripping hazards.

- The additional clearing that was performed was selective to remove vines, small trees under 6" caliper, diseased trees, fallen large limbs due to constant wind and trees from winter and storms. The approximately (10) Acre Core Laurel was pruned and many new trees were planted, including new shrubs, and a new combination of wild bird and deer feeding plants and grasses throughout and adjacent to the Path Systems.

- The existing Golf Green originally "permitted" was enhanced by a few temporary tee mats, temporary green mat and new shrub plantings, ornamental grasses with all open areas seeded with a natural no mow/grass with seed mixture for wild turkeys and habitat. In some of the areas, every so often he established seating areas for resting and observation of the Rock Formations.
- The majority of the wood that he has generated he has given to local neighbors and friends to heat their homes. He cuts the wood and ages the wood, dries the wood, recycles the wood for free to those who want and need it.
- The area he calls Below his house, the driveway, floods every Spring because of the recent phenomenon of (1"-2") of rain in one hour. This additional excessive water has created an extremely wet root system to a majestic Beach Tree in the area and all the other smaller trees died due to water. We cut down the dead trees.
- We installed a driveway drain connected to his gutters on the house as well which goes to his fresh water Frog Pond.
- In the Flooding Area, we established a reasonable amount of water retention and established a 5' x 3' Vernal Pool for excess water during flooding periods of rain. The Vernal Pool has a high water pump which pumps excess water into his Holding Pond 15 feet away but located by existing grades 2' higher than the Vernal Pool area.
- His Holding Fresh Water Pond is approximately (80' x 25'). He has about (100 plus) frogs that he cares for with love and affection.
- He has an animal control specialist catch snakes/predators and release them elsewhere away from the pond.
- He had us plant shelter for frogs by planting approximately 1,000 wetland varieties of submerged and surface/embankment plantings.
- He has paid Mermaid Pool Water Company to put in every season several thousand gallons of fresh supplemental water for frogs and habitat. I would call his pond a Private Domesticated Controlled Rain Garden because it does not have any other source of recharging water supply.
- Mr. Childs has completed his general maintenance of the woodlands. He desires to have (10) Acres cared for by Save A Tree who has performed large selective pruning and clearing and storm damage remediation and RE Landscapes Inc., also a certified arborist company.
- The noise level must have disturbed neighbors from time to time. He did not receive any communication from them, though. Since notification by your team that neighbors had expressed concern, Mr. Childs has gone to each residence on Lost Nations Road, and to each of the homes on Old Church Lane to explain the project at his home, and to apologize for not having initiated contact in advance of beginning the work, and for any noise disturbance the project has caused.
- Consistent with our carefully thought out plan, Mr. Childs and I believe that we will not have to do any more excessive work/causing increased noise levels, except for general storm and Path Maintenance. It is a fact that on the Thursday he was presented with the "Stop Work" order, Mr. Childs stated that the plan was to conclude the work the next day, asked permission to do so, and his request was denied.
- He will pay the fine given to him. He will definitely comply with any remediation of areas if necessary within reason to meet the terms and conditions of establishing what he has done and needs to do to meet permitting regulations.

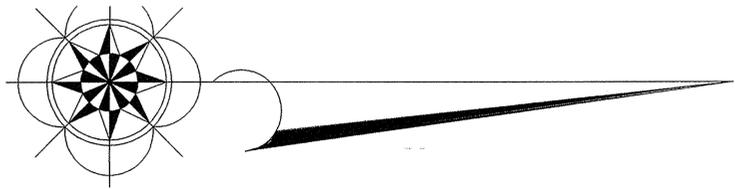
- If he has reduced the area allowance requirements to work within the Wetlands limits, he would increase the Wetlands and plantings in the area below his driveway, adjacent to his existing pond and Vernal Pool area.
- His intentions for the wellbeing of the Wetlands and property beyond the 10 Acres is not to touch the remaining (30) acres, leaving it as a Natural Preserve.
- Please note that the initial motivation for any of this work was two to three years of trees down or rotting, extreme tree limb damage, and an area accumulation of water that was contributing to the death of one prized Birch tree, and several smaller trees. It was when he realized that we were creating new space in the core area which could be used to further enhance the property that he sought my guidance on the possible expansion of the golf project and path system as an extension of the previously approved work. We explained to Mr. Childs that for a lot of the work he wanted to do he needed a permit; but, because he did not know how much he wanted to do initially, he decided to get the permit later. We performed the work for Mr. Childs, renting out our men and providing the necessary materials only.

Sincerely,

*Carmine L. Labriola*

Consultant and Estimator

Cell (914) 403-7313 - Office (845) 277-3777

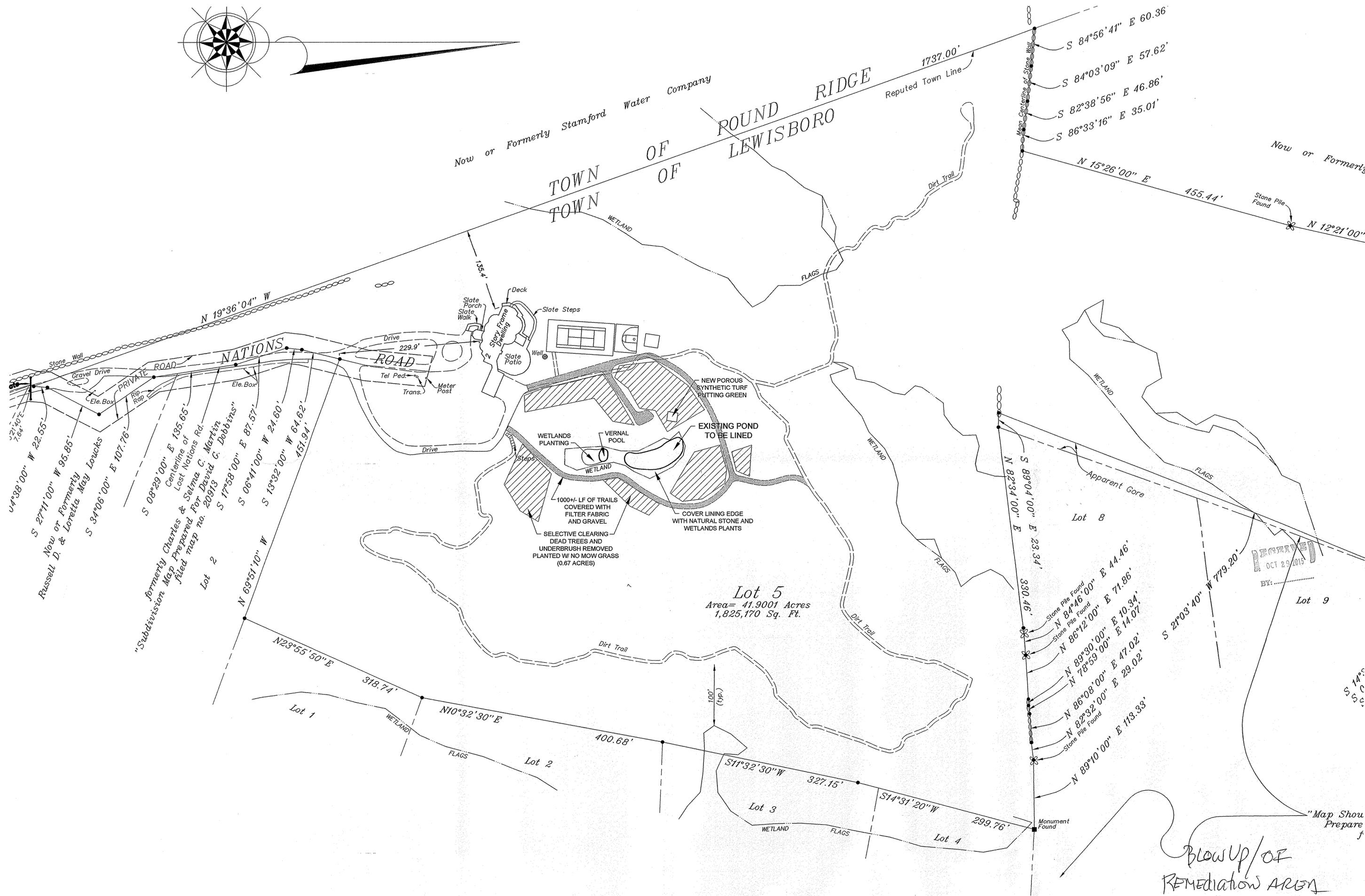


Now or Formerly Stamford Water Company

TOWN OF POUND RIDGE  
TOWN OF LEWISBORO

1737.00'  
Reputed Town Line

S 84°56'41" E 60.36'  
S 84°03'09" E 57.62'  
S 82°38'56" E 46.86'  
S 86°33'16" E 35.01'  
N 15°26'00" E 455.44'  
N 12°21'00" E



NATIONS ROAD  
PRIVATE ROAD  
N 19°36'04" W  
S 09°29'00" E 185.65'  
Centerline of Lost Nations Rd.  
Formerly Charles & Selma C. Martin  
Filed map no. 20918  
S 17°58'00" E 87.57'  
S 06°41'00" W 24.80'  
S 13°32'00" W 64.62'  
457.94'

4°38'00" W 22.55'  
S 27°11'00" W 95.85'  
Now or Formerly Loretta May Loucks  
S 34°06'00" E 107.76'  
Ele. Box  
Rip Rap

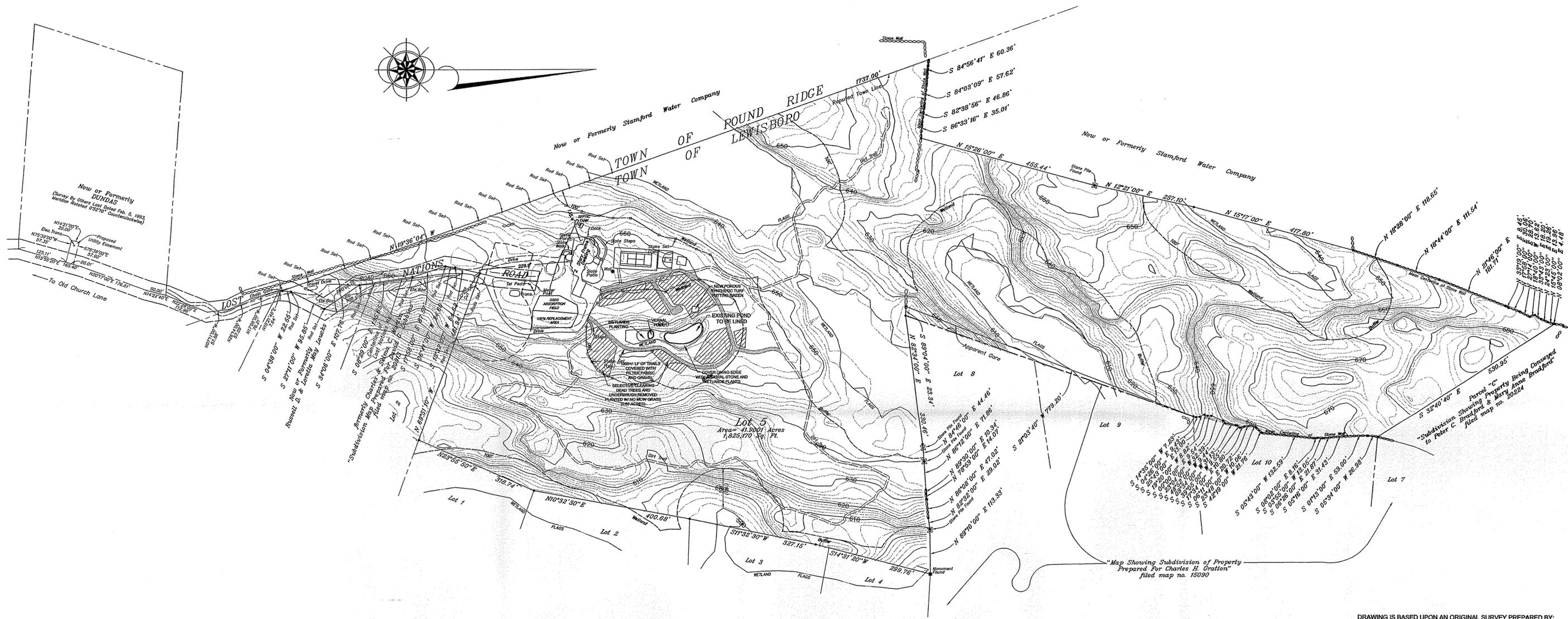
Lot 5  
Area= 41.9001 Acres  
1,825,170 Sq. Ft.

N 82°34'00" E 23.34'  
S 89°04'00" E 23.34'  
330.46'  
N 84°46'00" E 44.46'  
N 86°12'00" E 71.86'  
N 89°30'00" E 10.34'  
N 78°59'00" E 14.07'  
N 86°08'00" E 47.02'  
N 82°32'00" E 29.02'  
N 89°10'00" E 113.33'  
Stone Pile Found  
Stone Pile Found  
Stone Pile Found  
Monument Found

RECEIVED  
OCT 29 2015  
BY: \_\_\_\_\_

Blowup of  
REMEDIATION AREA  
Submitter  
10/27/2015

"Map Show Prepare f



DRAWING IS BASED UPON AN ORIGINAL SURVEY PREPARED BY:  
 DONNELLY LAND SURVEYING, P.C.  
 1929 COMMERCE STREET  
 YORKTOWN HEIGHTS, NY 10598  
 (914)962-2215  
 DONALD D. COLEMAN, JR., NYS LLS #49822

**LOT No. 5**

As shown on a map entitled "SUBDIVISION OF PROPERTY PREPARED FOR JAMES A. KOHLBERG" filed in the Westchester County Clerk's Office, Division of Land Records on May 17, 1996 as map no. 25704.

Situate in the  
 TOWN OF LEWISBORO  
 COUNTY OF WESTCHESTER, NY  
 Scale: 1"=100'

January 23, 1992 - Date of Original Field Survey  
 June 29, 1998 - Date of this map with proposed improvements & stake out reflected  
 March 16, 2000 Excavated Area Added  
 June 22, 2000 Proposed Dwelling Revised  
 Sept. 5, 2000 Foundation Location  
 Sept. 21, 2000 Proposed Basement Added  
 Jan. 30, 2003 Gravel drive, rip rap, gate, patio, porch, walks, deck, well, dirt trails, tel. pole, meter post, frame, added by Donnelly Land Surveying, P.C., field work completed on Nov. 20, 2002.

TED CHILDS RESIDENCE  
 19-11 LOST NATIONS ROAD  
 ROUND RIDGE, NY 10576  
 TOWN OF LEWISBORO  
 MAP 045A, BLOCK 09825, LOT 021

Restoration & Remediation  
 Wetland Submittal  
 Plan TED Childs  
 Agent CARMINELLA  
 10/27/2015



# **BIBBO ASSOCIATES, L.L.P.**

*Consulting Engineers*

Joseph J. Buschynski, P.E.

Timothy S. Allen, P.E.

Sabri Barisser, P.E.

October 15, 2015

*(Via e-mail & USPS)*

Lewisboro Planning Board  
20 North Salem Road  
P.O. Box 725  
Cross River, NY 10518

Attn: Jerome Kerner, AIA, Chairman

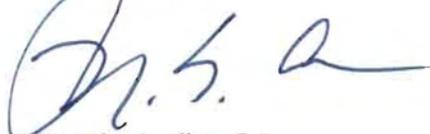
Re: J-2 Boniello Builders  
Wetland Activity Permit Approval  
Town Stormwater Permit  
Sh. 26, Blk. 10803, Lot 18

Dear Mr. Kerner:

On behalf of our client we are requesting that an extension be granted for Resolutions Cal #39-14WP and 15-14SW that were adopted by the Lewisboro Planning Board on May 19, 2015 for the above referenced project.

Thank you in advance.

Very truly yours,



Timothy S. Allen, P.E.

TSA/mme

cc: J. Johannessen  
G. Boniello  
File

*Site Design ♦ Environmental*

---

Mill Pond Offices · 293 Route 100, Suite 203 · Somers, NY 10589  
Phone: 914-277-5805 · Fax: 914-277-8210 · E-Mail: bibbo@optonline.net



DE LALLA & ASSOCIATES, LLC.  
LANDSCAPE ARCHITECTS

November 4, 2015

Mr. Jerome Kerner  
Chairman, Planning Board  
Cross River Shopping Center @  
Orchard Square  
Suite L/Lower Level  
Cross River, NY 10518

**Re: Popoli/Sicuranza Subdivision**  
NYS Route 35  
South Salem, NY 10590  
(Sheet 40, Block 10552, Lots 3, 4 & 5)

Dear Mr. Kerner,

I am writing to request an additional 90 day extension of time for the Final Subdivision Plat Approval granted by the Planning Board on December 8, 2009. The applicants have signed a contract to sell the property to a group interested in installing the private road and building homes on the five undeveloped lots. The applicants have indicated that they are currently close to finalizing the agreement and will need additional time to complete the process. Therefore we are requesting the application be placed on the next agenda of Planning Board to consider this request.

Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,

James A. DeLalla, RLA

Cc: Mr. Pat Popoli  
Mr. Angelo Sicuranza  
Michael Sirignano Esq.



Site Planning  
Civil Engineering  
Landscape Architecture  
Land Surveying  
Transportation Engineering

Environmental Studies  
Entitlements  
Construction Services  
3D Visualization  
Laser Scanning

November 10, 2015

Honorable Chairman Jerome Kerner, AIA  
and Members of the Planning Board  
Cross River Shopping Center @ Orchard Square  
PO Box 725, 20 South Salem Road  
Suite L (Lower Level)  
Cross River, NY 10518

RE: JMC Project 13112  
JT Farm Subdivision  
1125 Route 35  
Town of Lewisboro, NY

**Site Plan Extension**

Dear Chairman Kerner and Members of the Planning Board:

On behalf of JT Farm we are respectfully requesting a retroactive extension of Planning Board Resolution #9-13, dated November 18, 2014. After the Site Plans and Final Subdivision Plat were signed by the Town and owner, the Westchester County Department of Health issued comments that required additional time beyond the expiration date in order to address.

Attached is the Health Department letter dated September 3, 2015 with very minor comments. We are currently addressing the comments and resubmitting to the Health Department for review and approval. Once an informal approval is granted, we will submit to the Town for signatures, then to the Health Department for signature and then file the Final Subdivision Plat with the County Clerk.

We trust that the enclosed information and above are sufficient for your review and use in extending the Site Plan Approval. In the interim, if you have questions or require additional information, please do not hesitate to contact our office at (914) 273-5225.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying PLLC

Stephen Spina, PE  
Project Manager

cc: Mr. James Toon  
Ms. Ellen Toon

F:\2013\13112\Kerner 11-10-2015.docx

# Site Design Consultants

Civil Engineers • Land Planners

October 30, 2015

Chairman Jerome Kerner, AIA  
Members of the Lewisboro Planning Board  
Cross River Shopping Center at Orchard Square  
Suite L – Lower Level  
20 North Salem Road  
Cross River, NY 10518

Re: Arias / Lex Holding Company Ltd.  
411 Smith Ridge Road

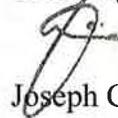
Dear Chairman Kerner and Members of the Planning Board:

We are providing this letter as a request for an extension of time for resubmission of approval regarding the above referenced Planning Board Resolution for Arias / Lex Holding Company Ltd., granting Final Subdivision Plat Approval. Since the subdivision plat has not yet been approved, we are requesting a time extension to keep this project current.

In addition, we respectfully request that Condition no. 24 not be required since the Health Department's position on this matter does not require the CO for Lot 2 prior to the installation of the septic system on Lot 1. We request that the Resolution be amended and this Condition be removed from the Resolution.

Kindly place this item on the agenda for the November Planning Board Meeting for a time extension and discussion of Condition 24. Please let us know if you have any questions, or advise us of additional information that may need to be provided to support this request. We have enclosed eleven prints of the amended Subdivision Plat for your review. Thank you.

Sincerely,



Joseph C. Riina, P.E.

Cc: G. Arias  
Lex Holding Co., Ltd.

JCR/cm/Enc./sdc 02-20



November 10, 2015

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

Re: 397 Smith Ridge Road, Lewisboro, NY 10590

Dear Chairman Kerner and Members of the Planning Board:

In accordance with Section 217-9F(5) of the Wetland Law, I formally request an extension to Wetland Permit #115-12WP due to expire on November 16, 2015.

- a. All construction and planting work within the wetlands has been completed, and in advance of the wetland permit expiration date November 16, 2015.
- b. The extension is requested because the Wetland Certificate of Compliance cannot be issued until receipt by the Town Wetlands Engineer of some documents on which I have been waiting. Such documents include, but are not limited to, the as-built survey and the sign-off letter from NYSDOT.
- c. All construction and planting work within the wetlands was initiated and completed within the time frame allowed.
- d. There are no changes in facts or circumstances involved with or affecting the regulated resource area nor with the property for which the expiring activity permit approval was issued.

Thank you for your consideration.

Respectfully,

Steven R. Kaplan

## Danielle Cinguina

---

**From:** Ciorsdan Conran <Planning@lewisborogov.com>  
**Sent:** Thursday, November 05, 2015 4:27 PM  
**To:** Jan Johannessen; Danielle Cinguina  
**Subject:** FW: Bacio..extention

---

**From:** Ed Delaney - Bibbo Associates [mailto:EDelaney@bibboassociates.com]  
**Sent:** Thursday, November 05, 2015 4:13 PM  
**To:** 'Ciorsdan Conran'  
**Cc:** tallen@bibboassociates.com; michael@sirignano.us  
**Subject:** FW: Bacio..extention

CC...worked the first time.....we are very close to getting our building permits except for a few tech/legal details....`please consider this e-mail a formal request to the PB for another 90 day extention of their approvals...thanks for alerting me to this....ED

---

**From:** Ed Delaney - Bibbo Associates [mailto:EDelaney@bibboassociates.com]  
**Sent:** Monday, August 03, 2015 4:21 PM  
**To:** 'Lisa Pisera' <Planning@lewisborogov.com>  
**Subject:** RE: Bacio

Lisa...on behalf of the owners of the Bacio site I would like the Board to consider this request to extend their approval for an additional 90 days. It took a little longer than we thought to secure the drainage easement from the neighbor but it is all worked out now . I understand that the original approval expires on 8/17 this month and although I believe that we have satisfied all the resolution requirements I think this request will provide a safety net should we need one....thanks....ED DELANEY

**From:** Lisa Pisera [mailto:Planning@lewisborogov.com]  
**Sent:** Thursday, July 30, 2015 4:29 PM  
**To:** 'Ed Delaney - Bibbo Associates' <EDelaney@bibboassociates.com>  
**Subject:** RE: Bacio

Just a letter of request. Email is fine.

Thank you.

~ **Lisa Pisera**  
Planning Board Secretary  
914-763-5592

### Office Hours

Tuesday, Wednesday and Thursday  
9:00 a.m. - 3:00 p.m.

[Planning Board Home](#) | [Town of Lewisboro, New York](#)

**The Planning Board Office will be closed on the following dates:**

Thursday, July 16th; Friday, July 17th; Thursday, September 10th; and Tuesday, September 15th

TOWN OF LEWISBORO

LOCAL LAW NUMBER \_\_-2015 OF THE TOWN OF LEWISBORO

AMENDMENT TO CHAPTER 220, SECTIONS 220-10(A) AND 220-10(E)(2)  
OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

**Section 1.** Chapter 220, Section 220-10(A), entitled “Building lots,” is hereby amended to read as follows:

**§ 220-10. Building lots.**

- A. Every building ~~and structure~~ hereafter erected, ~~and every use hereafter established,~~ shall be located on a lot as defined herein. ~~Accessory buildings, structures and/or uses shall only be permitted and located on the same lot as a duly authorized principal building, structure and/or use to which it is accessory, and no lot shall be created that has an accessory building, structure or use without a principal use.~~ Accessory buildings, structures and/or uses shall only be permitted and located on the same lot as a duly authorized principal building, structure and/or use to which it is accessory, or on a lot under the same ownership that is adjoining or across the street from said lot.

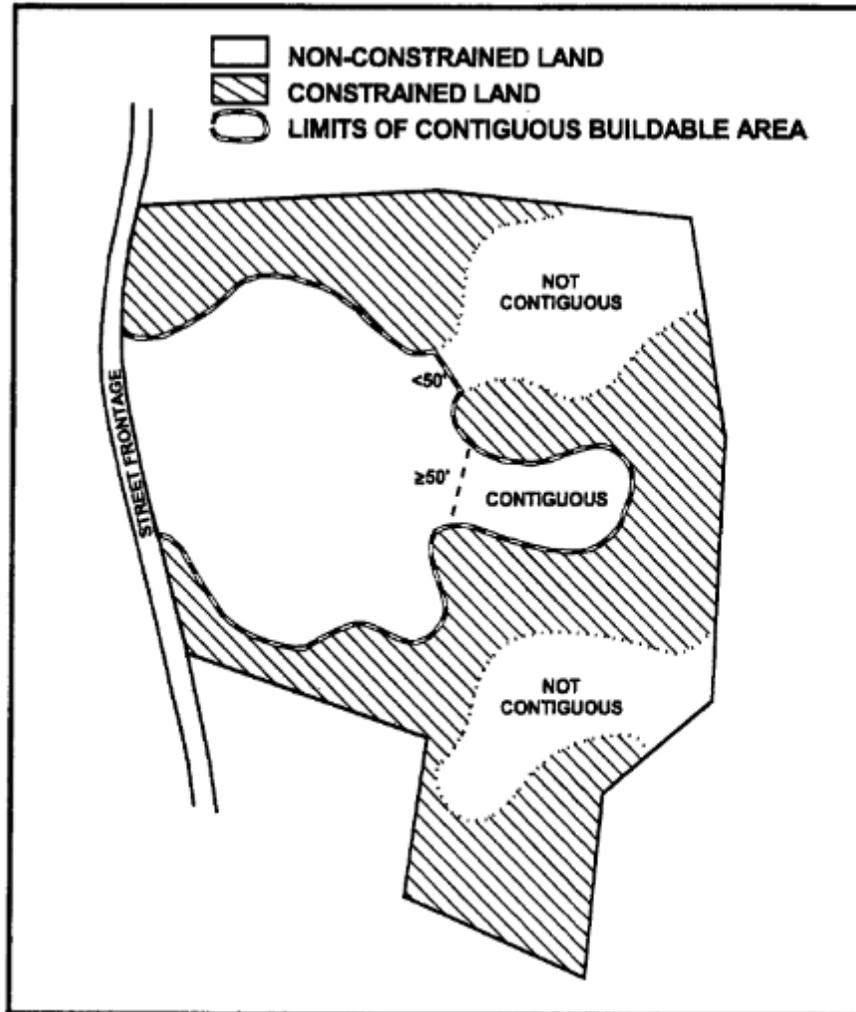
**Section 2.** Chapter 220, Section 220-10(E)(2), entitled “Buildable area,” is hereby amended to read as follows:

**§ 220-10. Building lots.**

- E. Parts of lots not counted toward minimum area requirements.
- (1) For any new lot created by subdivision, no part of such lot less in width than 1/3 of the required minimum lot width for the district in which it is located shall be counted as part of the required minimum lot area.

(2) Buildable area.

- (a) The area of any new lot created by subdivision must be documented to contain a portion of the basic required minimum lot area as specified in § 220-23 or 220-24 which consists of land likely to be buildable. Such portion of land shall not include land under water, land meeting the definition of "wetlands and watercourses," "one-hundred-year floodplain," or land with slope of or greater than 15% over a horizontal distance of 25 feet or more in the direction of the slope.
- (b) Said portion of the basic required minimum lot area **of any new lot created by subdivision** must be a contiguous segment of each lot having a minimum width of 50 feet between opposing limits of said contiguous buildable area (refer to Figure B below). Any portion of a lot less in width than 1/3 of the required minimum lot width shall not be included.



**Figure B**  
**Contiguous Buildable Area**

- (c) The portion of the basic required minimum lot area **for any new lot created by subdivision** shall be as follows:

Zoning District	Required Minimum Contiguous Area Consisting of Land Likely to be Buildable (square feet)
R-4A	50,000
R-2A	40,000
R-1A	35,000
R-1/2A	20,000
R-1/4A	10,000
R-2F-10	9,300

<b>Zoning District</b>	<b>Required Minimum Contiguous Area Consisting of Land Likely to be Buildable (square feet)</b>
R-2F-7.5	7,125
R-MF	No regulation

- (d) The principal building and sewage disposal system (not including centralized sewer systems) **for any new lot created by subdivision** shall be constructed in the contiguous buildable area.

**Section 3.** If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

**Section 4.** This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: \_\_\_\_\_, 2015

BY THE ORDER OF THE TOWN BOARD OF  
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK