

TOWN OF YORKTOWN PLANNING BOARD

Albert. A. Capellini Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone: (914) 962-6565, Fax: (914) 962-3986

PUBLIC MEETING AGENDA VIDEO CONFERENCE

March 8, 2021

7:00 PM

To participate in this meeting, please register in advance:

<https://us02web.zoom.us/meeting/register/tZckduirrzIoE9YHRmztQLW5mXxXJRN2I32j>

1. Correspondence
2. Meeting Minutes – February 22, 2021

REGULAR SESSION

3. **Gallinelli Minor Subdivision**
Request for First 90 Day Time Extension
Location: 27.13-1-49; 2777 Quinlan Street
Contact: Site Design Consultants
Description: Approved 2-lot subdivision on 1.48 acres in the R1-20 zone, by Planning Board Res #18-16, dated September 17, 2018 and reapproved by Res #20-12 on August 10, 2020.
4. **Hansmann Major Subdivision**
Adjourned Public Informational Hearing
Location: 6.13-1-10, 6.17-2-63; 280 East Main Street, Jefferson Valley
Contact: Ralph Mastromonaco, PE, PC
Description: Proposed 3 lot subdivision on 11.43 acres in the R1-80 zone.
5. **Nantucket Sound, LLC**
Public Hearing
Location: 37.18-2-86; 385 Kear Street
Contact: Site Design Consultants
Description: Proposed three story, 8,100 sf building consisting of 2,500 square foot retail use on the first floor and two upper floors of 2,800 square foot and 3 apartments each on 0.36 acres in the C-2R zone.
6. **650 Pines Bridge Road**
Public Hearing
Location: 70.10-1-29; 650 Pines Bridge Road
Contact: Ciarcia Engineering, P.C.
Description: Proposed 3-lot subdivision on 8.06 acres in the R1-80 zone with one existing residence.
7. **Stahmer Subdivision Lot 2**
Adjourned Public Hearing Tree Permit
Location: 59.10-1-10.1; 535 Jerome Road
Contact: P.W. Scott Engineering & Architecture, P.C.
Description: Proposed amended site plan for Lot 2 of an approved subdivision. Proposed residence is to be a Tesla showhouse that includes a 24 kWh solar roof, which exceeds the small-scale solar permit.

WORK SESSION

8. Illington Road Dam

Town Board Referral

Location: 69.08-1-11; 408 Illington Road

Contact: P.W. Scott Engineering & Architecture, P.C.

Description: Application for a Wetlands and Tree permit for dam repair and restoration.

9. Alek-Tris Subdivision

Discussion Subdivision

Location: 16.10-3-26; 1075 East Main Street, Shrub Oak

Contact: Architectural Visions, PLLC

Description: Proposed 3 lot subdivision where one two-family home and cottage currently exist on 1.66 acres in the R1-10 zone.

10. Yorktown Energy Storage Tier 2 Battery Storage System

Acceptance Decommissioning Plan & Bond

Location: 6.17-1-24; 3901 Gomer Court, Jefferson Valley

Contact: Melissa Samaroo, PV Engineers, P.C.

Description: Approved Tier 2 (5,000kW/15,000kWh) battery energy storage system which will be no more than 15% of the lot coverage with a maximum of five containers.

11. Little Red School House Daycare

Zoning Board Referral #6/21

Location: 37.09-1-59; 2300 Crompond Road

Contact: Melanie Sindaco

Description: The request is for renewal of a special use permit for a daycare in the former location of the Montessori School at the United Methodist Church.

12. Taco Bell – Mohegan Lake

Discussion Amended Site Plan

Location: 15.16-1-21; 3571 Mohegan Avenue

Contact: JMC Site Development Consultants

Description: Proposed Taco Bell restaurant and drive-thru on 0.83 acres in the C-2 zone, at the corner of East Main Street and Mohegan Avenue.

13. Large-Scale Solar Power Generation System at Shrub Oak Plaza

Discussion Special Permit

Location: 16.09-2-13, 1426 East Main Street, Shrub Oak

Contact: Ecogy New York

Description: Proposed installation of a 260 kW DC/233.3 kW AC Large-Scale Roof-mounted and Ground-mounted solar energy system at the existing Shrub Oak Plaza. Ground-mounted solar energy system will be three separate accessory canopy structures over existing parking.

14. Granite Knolls Sports Complex

Town Board Referral

Location: 26.13-1-2; Stony Street

Description: A proposed resolution subject of permissive referendum authorizing the Yorktown Supervisor to sign a lease agreement to lease certain premises between the town and HESP Solar, LLC for the construction of a solar facility and four charging stations at the Granite Knolls Sports Complex.

Correspondence

Louis Mastro
2338 Brookside Avenue
Yorktown Heights NY, 10598
(914)497-7450

RECEIVED
PLANNING DEPARTMENT
MAR 2 2021
TOWN OF YORKTOWN

To concerned residents of Yorktown:

The home on 1952 Commerce Street, built in the 1900's was originally owned by the Weiss family who owned large areas of land in Yorktown ((Veterans Road and Commerce Street). In 1940 my father purchased the house on Commerce Street. He repaired and added new steps in the front porch and the rear of the house because they were falling apart. In 1942 Mr. Weiss offered my father some property in the rear of the house where my father built and established his ice and coal business.

* In 1960 urban renewal wanted to buy all properties from Underhill Ave. to the Triangle. My father and Joe Roma were able to convince the town board to install a sewer system, in doing so they stopped Urban Renewal to tear down the beautiful homes and new business came to Yorktown.

In 1979 my father passed away, my family decided to sell the house to Al Cappellini and then he sold the house again to Liz Russo in which she renovated the inside for offices for her real estate business leaving the outside the same. Liz later purchased 50 feet from our business property for more parking.

Yorktown Motto's, "Progress with Preservation" does not make sense if beautiful homes are demolished and erect hotels that do not have any character and causing traffic congestion. My oil business is awfully close to the house, when vendors deliver my oil and oil burner parts it is going to cause a problem entering and exit the property. I still own 25 feet of the property next to the house.

I feel that Yorktown is becoming too commercial which is sad that more historical homes will be demolished, there is many empty stores that can be utilized commercially.



Date: 2/16/21

to: Planning Board
Chairman

RECEIVED
PLANNING DEPARTMENT

FEB 25 2021

TOWN OF YORKTOWN

from: Jean Murphy
520 Elizabeth Rd
Yorktown Heights
NY

subject: Oxymoron
Underhill farms

what farms?

The proposed develop-
ment at 118 + Under-
hill avenue makes me
ill just reading about
restaurant, coffee shop, trails
retail/office space,
town houses, 10 buildings,
clubhouse, pool, etc.

please think about this
urban sprawl monstrosity
when it comes before
your board. I hope

Yorktown does its own
unbiased traffic study of
this already busy corner.
I, for one, will never drive
through the original
entrance gate for
any thing they build.
I'll bet President of
Unicorn contracting does
not have his home in
Yorktown. Just inflict
and run. How about
the "overlay zones"? How
coincidental.

I am not in favor
of the proposed
development - Yorktown
doesn't need it.

Jean Murphy

2/16/21

FEB 23 2021

To ^{TOWN OF YORKTOWN} John Tegeder -
from: Jean Murphy
50 years resident

subject: Underhill "farms"
what farms?

Dear John Tegeder, I
am writing about the
monstrosity development
at intersection of Route 118
and Underhill Avenue.

OMG it sounds awful. Where
does Unicorn President live?

I bet its not Yorktown but
will he inflict this on us?
he states "Underhill farms is an
investment in Yorktown..."
yes, for him. Please have York-
town do its own traffic study.
that corner is already busy.

When I moved here 50 years ago, Yorktown was great. Now I can't even get on Rte 202 from Elizabeth Road.

Please, please... please reign in this project. restaurant, coffee shop, retail/office space, walking trails, parking, ugh

John, please

Jean Murphy
520 Elizabeth
Rd
Yorktown

Popeyes! OMG

Draft Minutes

Gallinelli

Site Design Consultants

Civil Engineers • Land Planners

February 22, 2021

Mr. Richard Fon, Chairman
Members of the Yorktown Planning Board
1974 Commerce Street
Yorktown Heights, NY 10598

RECEIVED
PLANNING DEPARTMENT

FEB 22 2021

TOWN OF YORKTOWN

Re: Resolution No. 20-12
Angelo Gallinelli
2777 Quinlan Street

Dear Chairman Fon and Members of the Planning Board:

On behalf of our client, Angelo Gallinelli, we are respectfully requesting a 1st 90-day time extension of the Re-approval Resolution which is expiring on March 9, 2021. The Resolution is dated August 10, 2020.

Please place this project on the March 8, 2021 Planning Board Agenda for discussion. Thank you.

Sincerely,


Joseph C. Rina, P.E.

/cm/sdc 17-32

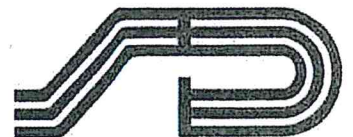
251-F Underhill Avenue • Yorktown Heights, New York 10598

60 Walnut Grove Road • Ridgefield, Connecticut 06877

(914) 962-4488

(203) 431-9504

Fax (914) 962-7386



Hansmann



TOWN OF CARMEL
(MAHOPAC)
PUTNAM COUNTY

TAX

ZHAGUI

AMSTEL/
MONARO

BATCHIE/
ZANGARI

RECK

MARTINS

FELLER

JUVINO

BURKE

WEAVER

MC CREA

WOOD ST

ANTONUCCI

BONESSO

SALICRUP

MIRAGLIA

WALLACE

GOGOLA

TELESCO

ROJAS

OSCEOLA RD

BRUEN

KENNEDY

RICHARDSON

BOCK

COSENZA

MAIORANO

ALEXANDER

MERRIAM

BRENNAN

VALENTINE

MOUNTAIN RD

CORREIA

MARTINO
CONTRACTING

PERRY ST

LAKEVIEW RD

HANSMANN

ORCHARD RD

EAST MAIN ST

MAHOPAC ST

1 inch = 200 feet

RALPH G. MASTROMONACO, P.E., P.C.

Consulting Engineers

13 Dove Court, Croton-on-Hudson, New York 10520

Tel: (914) 271-4762 Fax: (914) 271-2820

Civil / Site / Environmental

www.rgmpepc.com

Richard Fon, Chairman and Members
Town of Yorktown Planning Board
Albert A. Capellini Community and Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598

February 26, 2021

Hand Deliver

Attn: Robyn Steinberg, AICP

Re: Realty Subdivision at Osceola Road
Town of Yorktown, NY

RECEIVED
PLANNING DEPARTMENT

FEB 26 2021

Dear Hon. Chairman and Members of the Board:

TOWN OF YORKTOWN

Enclosed please find the following information:

1. Six (6) sets of plans as follows:
 - a.
 - b. Preliminary Plat / Improvement Plan, Grading / Utilities, Proposed Subdivision prepared for Kristine Hansmann dated February 18, 2021, Sheet 1 of 5 Sheets,
 - c. Existing Conditions Map, Proposed Subdivision prepared for Kristine Hansmann dated February 18, 2021, Sheet 2 of 5 Sheets
 - d. Preliminary Plat, Tree Plan, prepared for Kristine Hansmann dated February 18, 2021, Sheet 3 of 5 Sheets,
 - e. Tree Schedule, Proposed Subdivision prepared for Kristine Hansmann dated February 18, 2021, Sheet 4 of 5 Sheets,
 - f. Details / Notes / Profiles, Proposed Subdivision prepared for Kristine Hansmann dated February 18, 2021, Sheet 5 of 5 Sheets,

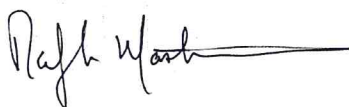
We are also enclosing the Affidavit of Mailing dated February 25, 2021 along with the adjoiners list.

All other materials for the March 8, 2021 meeting of the Planning Board were provided by a downloadable ink on February 19, 2021.

Inasmuch as this is now revised as a three-lot plan with only a loop cul-de-sac, we believe these revised plans address many of the comments from the neighbors that we received and evaluated.

We request placement on the March 8, 2021 meeting of the Planning Board for adoption of Lead Agency and to commence the subdivision review.

Sincerely,



Ralph G. Mastromonaco, PE

Cc: Kristine Hansmann

RALPH G. MASTROMONACO, P.E., P.C.

Consulting Engineers

13 Dove Court, Croton-on-Hudson, New York 10520

Tel: (914) 271-4762 Fax: (914) 271-2820

Civil / Site / Environmental

www.rgmpepc.com

RECEIVED
PLANNING DEPARTMENT

FEB 26 2021

TOWN OF YORKTOWN February 25, 2021

Robyn Steinberg, AICP
Town of Yorktown Planning Department
Albert A. Capellini Community and Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598

Via Email

Re: Realty Subdivision at Osceola Road
Town of Yorktown, NY

Dear Robyn,

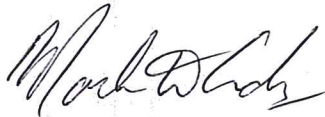
This is to certify that I, Mark ten Eicken, mailed the attached PIH, Public Informational Hearing Notice to the list of adjoining property owners (attached) by First Class Mail.

The mailings went to the post office on February 22, 2021.

The list of owners was taken from the latest Assessment Rolls of the Town of Yorktown and the Town of Carmel.

Please call if you have any questions or require additional information.

Sincerely,



Mark ten Eicken

Cc: Kristine Hansmann

HANSMANN, JACOB
280 EAST MAIN ST.
JEFFERSON VALLEY, NY 10535
6.13-1-10

JUVINO, FRANK
3869 MAHOPAC ST.
JEFFERSON VALLEY, NY 10535
6.14-1-1

MERRIAM, NICHOLAS
3833 MAHOPAC ST.
JEFFERSON VALLEY, NY 10535
6.17-2-71

BRENNAN, LIA J
3819 MAHOPAC ST. **+ P.O. Box 187**
JEFFERSON VALLEY, NY 10535
6.17-2-70

BURKE, THOMAS & PATRICIA
3906 PIKE PL.
JEFFERSON VALLEY, NY 10535
6.13-1-8
Mahopac, NY 10541

CORREIA ENTERPRISES, LLC
250 EAST MAIN ST.
JEFFERSON VALLEY, NY 10535
6.17-2-65

VALENTINE, JAMES &
3807 MAHOPAC ST.
JEFFERSON VALLEY, NY 10535
6.17-2-69

GOGOLA, RICHARD & SASSER,
304 OSCEOLA RD.
JEFFERSON VALLEY, NY 10535
6.17-2-9

MARTINO, ROBERTO
286 EAST MAIN ST.
JEFFERSON VALLEY, NY 10535
6.17-2-62

FELLER, STEVEN A &
3914 PIKE PL.
JEFFERSON VALLEY, NY 10535
6.13-1-9
Mahopac, NY 10541

ALEXANDER, YOLANDA &
302 MOUNTAIN RD.
JEFFERSON VALLEY, NY 10535
6.17-2-17

CELEST RECK
29 PIKE PLACE
MAHOPAC, NY 10541
85.15-1-73

MARK BATCHIE
33 TROUT PLACE
MAHOPAC, NY 10541
85.15-1-72

MORTON AMSTEL
31 TROUT PLACE
MAHOPAC, NY 10541
85.15-1-71

STEPHEN J. TAX
29 TROUT PLACE
MAHOPAC, NY 10541
85.15-1-70

CLAUDIO E. PAQUAY ZAGUI
7-9 RTE. 6N
MAHOPAC, NY 10541
85.16-1-2

FEB 24 2021

TOWN OF YORKTOWN

Sign Notification Certification

Per Section §205-7 of the Town of Yorktown Town Code, every applicant that submits an application to an approval authority empowered to approve or deny said application must post one or more notification signs on the property which is the subject of said application.

Section ^{6.17}613 Block ²1 Lot ⁶³10

Project Name: HANSMANN SUBDIVISION

Address: OSCEOLA ROAD

Applicant's Name: KRISTINE HANSMANN

Address: 202 E. MAIN ST JEFFERSON

Phone: 914 271 4762 VALLEY NY 10535

No. Signs Posted: 1

Sign #1 Location: END OF OSCEOLA RD

Sign #2 Location: _____

Sign #3 Location: _____

- Please Attach and Label Photos on Additional Sheets -

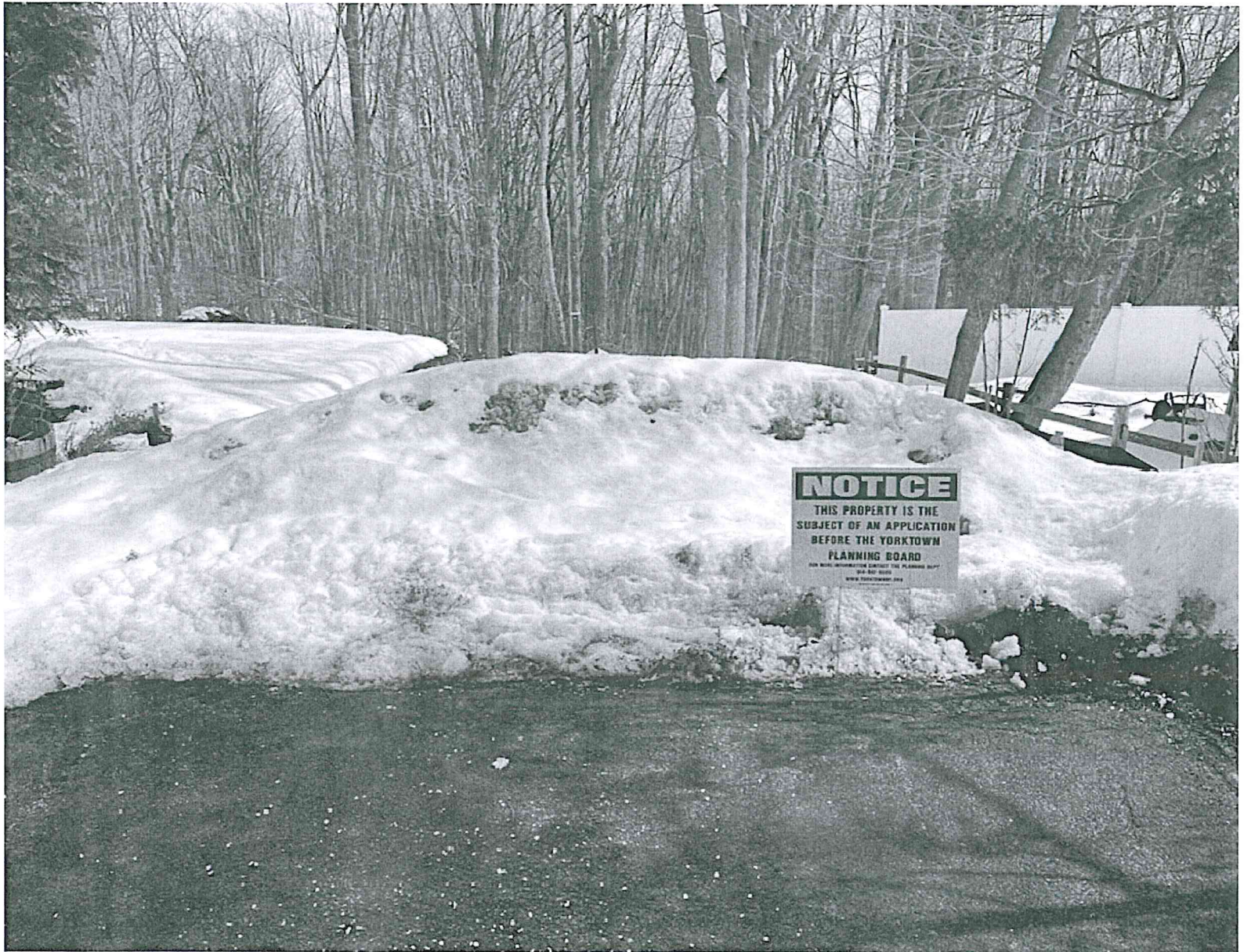
Applicant's Signature: 

Land Owner's Signature: for K. Hansmann
RAUL G. MASTROMONACO

RECEIVED
PLANNING DEPARTMENT

FEB 24 2021

TOWN OF YORKTOWN





Town of Yorktown www.yorktownny.org

RECEIVED
PLANNING DEPARTMENT

MAR 1 2021

TOWN OF YORKTOWN

BUREAU OF FIRE PREVENTION

Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598
Tel. (914) 962-5722 ext.254

MEMORANDUM

Edward Kolisz, Fire Inspector

Fax (914) 962-1731

Email: ekolisz@yorktownny.org

Office hours: Weekdays 8:00-10:00 a.m., 3:00-4:00 p.m.

TO: Planning Board, Town of Yorktown
From: Edward Kolisz, Bureau of Fire Prevention
Re: Hansmann Subdivision
Date: March 1, 2021

On February 16th 2021 the Bureau of Fire Prevention met to discuss the current plan for the proposed Hansmann Subdivision. The Lake Mohegan Fire District (LMFD) and the entire Bureau is very concerned with the current access to this site. At this time, the LMFD ladder trucks cannot maneuver from Perry St. to Osceola Rd. The sharp turn, drastic change in grade, extreme narrowness and lack of the ability to turn the trucks around have prevented the Fire District from maneuvering the large apparatus onto Osceola Rd. The Bureau would like the intersection reengineered to accommodate the ladder trucks and the current length Osceola Rd. widened to accommodate two way travel for fire apparatus. Please contact the Bureau with any questions.

Robyn Steinberg

From: Eileen Wallace <eileenawallace@gmail.com>
Sent: Sunday, March 07, 2021 9:09 PM
To: Planning Department; Robyn Steinberg
Subject: Hansmann Development

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Board Members,

I would like to submit some further concerns/ questions regarding the proposed Hansmann subdivision.

1. How will the safety of all residents of Osceola Road & their homes be addressed? Will emergency vehicles be able to get to the people in need if the road is obstructed with construction vehicles & equipment? Osceola Road is very narrow.

2. Will the 300 trees slated to be removed by the developer be replaced? This seems to be an excessive amount of trees for the scope of the project. Will some type of sound barrier be placed to block the noise from Rt 6N/ East Main Street? We purchased our home 15 years ago because of the privacy, & quiet that will now be destroyed if all of these trees are allowed to be removed.

I look forward to hearing the applicant's response to these concerns & answers to all of the questions raised at the last meeting.

Sincerely,
Eileen Wallace

Sent from my iPhone

Robyn Steinberg

From: gerard bruen <mbruen9116@aol.com>
Sent: Monday, February 08, 2021 4:15 PM
To: Robyn Steinberg
Subject: Tonight's Public Informational Hearing, 2/8/21

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Steinberg:

It has just come to my attention, via a public notice letter that I received in today's mail, that there will be a meeting this evening in regards to the "Proposed Subdivision prepared for Kristine Hansmann."

I have listed my concerns for this project as follows:

1. The turn radius on Osceola Road & Perry Street.
2. Please note the road is narrow, thus the town uses smaller plows, garbage trucks & recycle trucks.
3. When stores such as Home Depot, Lumber Companies, etc. make deliveries to homes on Osceola Road, they must park on Perry Street and use a small spider forklift to bring the deliveries to the home.
4. I have witnessed a large vehicle that deliveries pool water that could not make the turn from Perry up to Osceola Road.

A few weeks ago, I personally spoke to Matt Slater, who assured me that he would set up a meeting for the residents before the planning board meeting. I brought to Mr. Slater's attention that Mountain Road would be a better venue for this type of heavy traffic. It is a straighter road with no curves. There also is another ongoing project right along side Ms. Hansmann's subdivision. Mountain would be the better choice for both. Mr. Slater agreed to this suggestion, however, he never got back to me and the meeting never materialized.

Regards,

Gerard Bruen
3860 Perry Street
Jefferson Valley, NY 10535
914-582-1073

Robyn Steinberg

From: Christine Gogola <christine.gogola@yahoo.com>
Sent: Friday, March 05, 2021 12:39 PM
To: Robyn Steinberg
Subject: More Questions for Hannsman Subdivision
Attachments: description.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

1) Last meeting it was stated that Osceola Road would not require a grade change now that the subdivision was revised. Why is that? These are our backyards where we entertain and our children play. If this extension is allowed to happen no matter how many houses are built the road should still be safe for all to use. The engineer himself stated that this would get a great amount of use as a turnaround.

2) Children safety should be a big concern with this as well. In the next two years I will have three teen age drivers in the house. The road is barely wide enough for two cars and not wide enough for a construction vehicle and a car. How will this be addressed?

3) The four way intersection at Mountain and Wood is dangerous as everyone other than the residents realize it is an unwritten four way stop. Construction vehicles like every other non Osceola Height Resident will just assume they have the right away. Will this be addressed by a four way stop sign?

4) School buses do not pick up in front of our houses here because the roads are not big enough and all school age children walk to the bus stop. The school district sees the limitation to our roads and so should everyone else. All these large trucks will be putting our children at risk.

5) Osceola Residents bought there homes because we like the exclusiveness of a subdivision and we like that the roads are dead ends. As you can see from the attached MLS from my home in 2005 I bought because it is on a quiet cul de sac. Hannsman property is not part of our subdivision and this subdivision will take the charm out of our neighborhood. Their proposed homes are far away from this road, while mine is between 5 and 10 feet. Should my home lose its safety and monetary value for one developer? If I researched correctly the proposed property was bought in the 1970's. They knew the limitations to the property they were buying. Statute of limitations have passed and tax maps can not be used to show ownership.

6) Developer did submit a letter from there attorney regarding the reserved strip clearly stating that it is still in the name of Lestor Perry. I understand recent paperwork has been submitted showing that an Osceola Heights resident inherited the estate of Lester Perry next of kin which would include the reserved strip at the end of each of the roads in the subdivision. There legal brief on this now seems pointless as it is not as they were claiming abandoned.

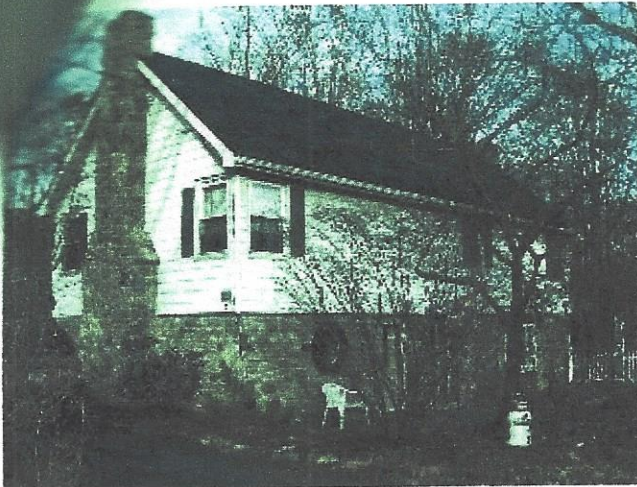
7) As I stated in a previous email this week this harsh winter caused some havoc on Osceola Road. The road in front of my house is breaking apart as well as a huge stress fracture where the incline is. This was from a several passes by a salt truck. How can you ensure our safety with using this road if heavier trucks are allowed to use. If needed I can show you pictures that these cracks and crumbles were not there this past summer.

Thanks

Charyn Watson

SINGLE FAMILY

1/10/2005 1:41:07 AM



MLS#: 2500477 SF A Area: 1 LP: \$449,900
 Addr: 304 Osceola Rd
 PO: Jefferson Valley Zip Code: 10535

City/Town: Yorktown Grid: H2 Map: 11
 Village: None Sch: Lakeland

Rooms: 7 Est SqFt: 1742 YrBlt: 1950 /
 Bedrooms: 3 Elem School: Franklin
 Baths: 2.1 Jr High School: Copper Beech
 Levels: 2 High School: Lakeland

Style: Colonial Model:
 Exter: Aluminum, Stone Color: White

Level1: LR/DR/PR/LAUNDRY/EIK
 Level2: MSTR BDRM&BTH/BTH/BDRM/BDRM
 Level3:
 Basemt:
 Neighborhd Assn: Y Additional Fees: Y

Living: 12 X 18
 Dining: 13 X 14
 Mst BR: 14 X 20
 Attic: Storage
 Att/Det: D

Homeowners Assn: N

Complex: Lake Osceola
 Tax ID#: 119540000020060000050000025000026
 Zoning: RES

Est Tax\$: \$7,653 Front: 190
 Tax Year: 2002 Depth: 273 Shape: R
 Assmt: \$8,900 Est Acres: 1.19

Amenities: Close2Shops, Cul-de-Sac, Eat in Kitch, Fireplace, Lake/Pond/Stream, Powder Room, Walk-In-Closets, Master Bath, Beach, Lake Assoc, Privacy, Water Access
 Includes: Ceiling Fan, Dishwasher, Dryer, Hot Tub, Microwave, Range, Refrig, Washer
 Excludes: Call L/A, Light Fixtr
 Heat: Hot Water Fuel: Oil Poss: NEG
 Parkg: 2 Car Garage, Det-Garage, Wall: Mixed A/C: None, Attic Fan
 Driveway Roof: Asphalt
 Water: Municipal Sewer: Septic Garbage: Public

Rem: Beautifully updated colonial with gorgeous stonework on quiet cul de sac. Includes lake rights to Osceola Lake. Features two fireplaces (one in master bedroom), beautiful new kitchen, enormous patio with gardens, screened gazebo w/hot tub. Large two car detached garage with work area and additional storage. Secluded, yet close to shopping and major highways. Perfect for entertaining and raising a family.

Directions: Rt6 to L on Hill, R on E Main, slight L onto Wood, R on Mt. View, L on Perry, go to end, R on Osceola

Weichert Realtors

Charyn Watson

914-681-0045

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A Service Innovation of
 Weichert Financial Services

Weichert
Gold
 Services

RECEIVED
PLANNING DEPARTMENT

FEB 25 2021

TOWN OF YORKTOWN

February 19, 2021

Anthony Amodeo
310 Lakeview Road
Jefferson Valley, NY 10535

Richard Fon, Chairman and Members
Town of Yorktown Planning Board
Albert A. Capellini Community and Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598

Re: Hannsman Subdivision

Dear Members of the Board,

In watching the planning board meeting on February 8, 2021 it came to my attention that the legal representation for Kristine M. Hannsman came to the conclusion that the reserved strip at the end of Osceola Road remains in title to the original developer, Lester A. Perry.

Lester A. Perry next of kin was his daughter Madeline Luna Perry Vanderhoek who was married to Leonard Vanderhoek. Madeline died November 20, 1999. Her husband Leonard died April 24, 2001. Leonard and Madeline had no children and on his death his estate was willed to me.

Therefore, if title is still presumed to be in the name of Lester A. Perry, I believe I own the reserved strip at the end of Osceola Parkway, Mountain Avenue, Lakeview Drive and Orchard Terrace as mentioned in the 1923 Osceola Heights Subdivision Map.

Sincerely,

Anthony Amodeo

Robyn Steinberg

From: Christine Gogola <christine.gogola@yahoo.com>
Sent: Tuesday, March 02, 2021 5:50 PM
To: Engineering Department; Matthew Slater; David Paganelli; John Tegeder; Town Attorney; Building Department; Robyn Steinberg
Cc: Ed lachterman; Alice Roker; vishnuv@optonline.net; Thomas Diana
Subject: Re: Revised Hannsman

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Robyn-

Above you stated the sign must be conspicuous to the public. The definition of conspicuous is standing out to be clearly visible. Again my point is how is it clearly visible if its only visible by me?? Also, when lots are sold as part of a recorded subdivision plan on which a street has been plotted by the grantor, the purchasers acquire property rights in the use of the street. It is a property right appurtenant to the land. Since this affects every lot owner in a subdivision each lot owner should be made aware. How do you handle this? They are expected to know by a conspicuous sign only seen by me. Town Code needs to be adjusted for situations like this. It is simple logistics.

Have a nice evening.

Regards, Christine

On Tuesday, March 2, 2021, 01:23:24 PM EST, Christine Gogola <christine.gogola@yahoo.com> wrote:

Hi-

I am not trying to be difficult but as I said different situations sometimes require different actions. Town code is amended often at Town Board meetings. If I am the only one seeing the sign what valuable purpose is serving. And yes my neighbors were involved at the last planning board meeting because on my time I printed the letter and personally gave them each a copy so they were aware. I WILL make sure that every i is dotted and t crossed with this agenda because it has been nothing but devious since inception.

Best, Christine

On Tuesday, March 2, 2021, 12:49:57 PM EST, Robyn Steinberg <rsteinberg@yorktownny.org> wrote:

Christine,

The Town Code requires the sign be placed on the property owned by the applicant. In Section 205-7(A): "The sign(s) shall be erected not more than 10 feet from each boundary of the property that abuts a public road and must be conspicuous to the public." Osceola Road is the property's only public road frontage where the sign can be placed. The sign says "This property is the subject of an application..." Putting an additional sign at the beginning of Osceola Road would not make sense. Several of your neighbors have contacted the Planning Dept, wrote letters to the Planning Board, and attended the February 8th meeting. The project and the documents submitted by the applicant are posted on the Town's website.

In addition, starting this month all of the Planning Board's meetings, both the regular sessions and work sessions, will be televised and will be available for viewing on demand on the Town's website or YouTube channel.

Thank you,

Robyn

Robyn A. Steinberg, AICP, CPESC
Town of Yorktown Planning Department
Albert A. Capellini Community & Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598
Phone | 914-962-6565
Email | rsteinberg@yorktownny.org
Web | <http://www.yorktownny.org/planning>

From: Christine Gogola [mailto:christine.gogola@yahoo.com]
Sent: Tuesday, March 02, 2021 12:07 PM
To: Engineering Department <Engineering@yorktownny.org>; Matthew Slater <m Slater@yorktownny.org>; David Paganelli <dpaganelli@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>; John Tegeder <jtegeder@yorktownny.org>; Town Attorney <townattorney@yorktownny.org>; Building Department <building@yorktownny.org>
Cc: Ed lachterman <elachterman@yorktownny.org>; Alice Roker <aroker@yorktownny.org>; vishnuv@optonline.net; Thomas Diana <tdiana@yorktownny.org>
Subject: Re: Revised Hannsman

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Good Morning again-

As I had some time to process all this I have another question? Is a sign going to be placed at the beginning of Osceola Road so all residents know what is going on? I am the only resident who can see the sign because it is a dead end. If it is truly a public hearing another sign should be posted where others, other than myself can see. This affects all the residents on Osceola Road and not just me because I border the property. This is a unique situation for many reasons and protocol needs to be tweaked because if leaving a sign where only one person can see it could show intentional avoidance of making this true public knowledge.

Thanks, Christine

On Monday, March 1, 2021, 01:43:40 PM EST, Christine Gogola <christine.gogola@yahoo.com> wrote:

Good Afternoon-

Thank you for uploading the revised plans for the Hannsman proposed development. I did receive my public notice letter and I do see a sign was posted. Partial work was done in July so it probably is about time??

I have a few questions.

- 1) since work was done on property that did not belong to Hannsman has a bond been issued by them to repair the road to its original state as this has not been approved. As we know this was all done prior to any approvals. A \$500 dollar driveway fee would maybe replace the five trees and mulch I maintained before the retaining wall.
- 2) many questions have been submitted when do we expect answers to them (property survey consists of part of road, retaining wall prohibits development of 2nd lot, 10 foot road in front of my house, etc....)?
- 3) Developer did submit a letter from there attorney regarding the reserved strip clearly stating that it is still in the name of Lestor Perry. I understand recent paperwork has been submitted showing that an Osceola Heights resident inherited the estate of Lester Perry next of kin which would include the reserved strip at the end of each of the roads in the subdivision??
- 4) and I have submitted some pictures of Osceola Road. This winter was harsh and as you can see the road is crumbling in front of my house as well as a stress fracture at the highest point of incline. This in itself would pose a safety liability with increased traffic from construction.

I have a large binder full of emails, texts, pictures and documents since July and in the past eight months I have received at best five responses. Every correspondence has been documented. These are our homes and as residents of this town we deserve better. Does Mr. Mastomonaco or Mrs. Hannsman have to look at this mess every day?? They should have been made to restore the property to its original state since they did not follow town protocol and destroyed land that did not belong to them. The response from their legal team was at best trivial.

My frustration has escalated because it seems that with all these reservations it keeps moving along. If there is no clear fee title to this road how can it be extended????

Regards, Christine







FEB 19 2021

TOWN OF YORKTOWN

TOWN OF YORKTOWN PLANNING BOARD

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

APPLICATION FOR APPROVAL OF A MINOR SUBDIVISION PLAT OR PRELIMINARY APPROVAL OF A MAJOR SUBDIVISION PLAT

Date Revised: February 17, 2021

1. Name of Project: Proposed Subdivision for Kristine M. Hansmann

2. Tax Map Designation: Section 6.17 Block 2 Lot 63
6.13 Block 1 Lot 10

3. Zone: R1-80 Acreage: 11.43 Acres

4. Total number of lots proposed: 3

5. Project narrative (brief description of proposed development):

Project is to subdivide an 11.43 acre parcel into three (3) building lots,

construction of an extension of Osceola Road with a turnaround and a water main extension.

The site will be served by proposed Onsite Wastewater Treatment systems.

6. Contact Person - CHOOSE ONLY ONE:

- | | | | |
|------------------------------------|--|------------------------------------|--|
| <input type="checkbox"/> Applicant | <input type="checkbox"/> Owner | <input type="checkbox"/> Architect | <input type="checkbox"/> Wetland Scientist |
| <input type="checkbox"/> Attorney | <input checked="" type="checkbox"/> Engineer | <input type="checkbox"/> Surveyor | <input type="checkbox"/> Landscape Architect |

7. Applicant

Name Kristine M. Hansmann

Firm Jefferson Valley Realty

Address 202 East Main Street Jefferson Valley, NY 10535

Phone _____

Fax _____

Email _____

8. Owner of Record

Name Same as Applicant

Firm _____

Address _____

Phone _____

Fax _____

Email _____

9. Attorney

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____

10. Engineer

Name Ralph G. Mastromonaco, PE
Firm Ralph G. Mastromonaco, PE, PC, Consulting Engineers
Address 13 Dove Court, Croton-on-Hudson, NY 10520
Phone 914-271-4762
Fax 914-271-2820
Email hardycross@aol.com
Lic. No. 054498

11. Surveyor

Name Scot B. Gray, LS
Firm T. C. Merritts, Land Surveyors
Address 394 Bedford Road, Pleasantville, NY 10570
Phone 914-769-8003
Fax _____
Email _____
Lic. No. 050672

12. Architect

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

13. Wetland Scientist/Specialist

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____

14. Landscape Architect

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

15. Is this project within 500 feet of the Town line? Yes No

16. Is this project within 500 feet of the Putnam County line? Yes No

17. Is this project within the Sustainable Development Study Area? Yes No

18. Is this project within 500 feet of:

The right-of-way of any existing or proposed state or county road? Yes No

The boundary of an existing or proposed state or county park or any state or county recreation area? Yes No

The boundary of state or county-owned land on which a public building/ institution is located? Yes No

An existing or proposed county drainage line? Yes No

The boundary of a farm located in an agricultural district? Yes No

19. Does the entire development plan for this project propose the disturbance of more than 5,000 SF of land? Note: If project is phased, include all phases in determination. Yes No

20. This project requires the following permits or approvals from the Town of Yorktown:

- Wetland Permit
- Stormwater Permit
- Tree Permit
- Planning Board special permit: _____
- Town Board variance or approval: _____
- Zoning Board of Appeals variance or special permit: _____

21. This project requires the following permits or approvals from other outside agencies:

- Westchester County Board of Health
- NYC DEP
- NYS DEC
- Other: _____

22. This parcel is in the following districts:

School District Lakeland School District Water District Yorktown Consolodated Water
Fire District Mohegan Fire District Sewer District None

23. Is a statement of easements relating to property attached? Yes None exist

A Long Form/Full EAF with the original signature of the applicant must be attached to this application when submitted. The signature of the applicant's design professional or attorney is not acceptable.

The applicant agrees to comply with the requirements of the Road Specifications, the Land Use Regulations, Zoning Ordinance, Tree Removal and Excavation ordinance, and any additions or amendments thereto.

The applicant agrees to execution and delivery of deeds and required documents for reserved parks/recreation/open space/drainage control, roads and road widening strips and descriptions of easements at the time of the public hearing. Such execution and delivery shall not operate to vest title of said property in the Town of Yorktown until such dedication is accepted in the form of a resolution adopted by the Town Board at a regular meeting of said Board.

The execution and delivery of the deeds to the roads in the proposed subdivision as provided for by the terms of the deeds to the roads in the proposed subdivision as provided for by the terms of the approving resolution shall not operate to vest title of said roads in the Town of Yorktown until such deed is accepted in the form of a resolution adopted by the Town Board at regular meeting of said Board.

This application shall be considered officially submitted when all plans and date required by Land Development Regulations, including final reports from the Director of Planning and Town Engineer are received by the Board.

Applicant	Owner of Record
Owner	Kristine M. Hansmann
_____ NAME (PLEASE PRINT)	_____ NAME (PLEASE PRINT)
_____ SIGNATURE	<i>Kristine M. Hansmann</i> SIGNATURE
_____ DATE	<u>10/13/20</u> DATE

Note: If the property owner is not the applicant for this application, in addition to the signature above, the owner of the property must also complete and have notarized one of the owner affidavits on the following page.

Note: By signing this document the owner of the subject property grants permission for Town Officials to enter the property for the purpose of reviewing this application.

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

Kristine M. Hansmann, being duly sworn, deposes and says that he is the owner in fee of the property described in the foregoing application for consideration of preliminary plat, and that the statements contained therein are true to the best of his knowledge and belief.

Kristine M. Hansmann

Sworn before me this 13 date of October, 2020

[Signature]
Notary Public

DANIEL P. BECKER
NOTARY PUBLIC, NEW YORK STATE
NO. 01BE5077108
QUALIFIED IN PUTNAM COUNTY
COMMISSION EXPIRES MAY 5, 2023

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

_____, being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____. That he is the _____ of _____ the corporation which is owner in fee of the property described in the foregoing application for _____ and that the statements contained therein are true to the best of his knowledge and belief.

Sworn before me this _____ date of _____, 20 ____

Notary Public

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

_____, being duly sworn, deposes and says that he is the agent named in the foregoing application for _____ and that he has been duly authorized by the owner in fee to make such application and that foregoing statements are true to the best of his knowledge and belief.

Justin M. Adams

Sworn before me this 13 date of October, 2020

Notary Public

DANIEL P. BECKER
NOTARY PUBLIC, NEW YORK STATE
NO. 01BE5077108
QUALIFIED IN PUTNAM COUNTY
COMMISSION EXPIRES MAY 5, 2023

F:\Office\WordPerfect\APPLICATION FORMS\APPMIN.wpd
Last updated: December 2011

Short Environmental Assessment Form
Part 1 - Project Information

RECEIVED
PLANNING DEPARTMENT

FEB 19 2021

TOWN OF YORKTOWN

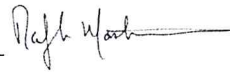
Instructions for Completing

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: Proposed Subdivision for Kristine M. Hansmann			
Project Location (describe, and attach a location map): 280 East Main Street, Yorktown Heights, NY 10535, (See Location Map)			
Brief Description of Proposed Action: Project is to subdivide an 11.43 acre parcel into three (3) building lots, construction of an extension of Osceola Road with a turnaround and an extension of the public water main. The site will be served by proposed Onsite Wastewater Treatment Systems. Project is in the R1-80 Zoning District.			
Name of Applicant or Sponsor: Kristine M. Hansmann		Telephone: 914-245-4444	
		E-Mail: hansmannk@gmail.com	
Address: 202 East Main Street			
City/PO: Yorktown Heights		State: New York	Zip Code: 10535
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 government Agency? If Yes, list agency(s) name and permit or approval: WCDH: Plat Approval			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		11.43 acres	
b. Total acreage to be physically disturbed?		3.55 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		11.43 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" 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? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>On Site Septic Systems are proposed</u> _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<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? 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: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>Storm water will be treated on site.</u>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Revised February 17, 2021		
Applicant/sponsor/name: <u>Ralph G. Mastromonaco, PE, PC</u> Date: <u>October 8, 2020</u>		
Signature: <u></u> Title: <u>Agent</u>		

**Comments Read at
the February 8th
Meeting**

Robyn Steinberg

From: Christine Gogola <christine.gogola@yahoo.com>
Sent: Sunday, February 07, 2021 5:59 PM
To: Robyn Steinberg
Subject: Questions for Hannsman Subdivision
Attachments: Questions.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

These questions were not answered in the paperwork submitted 1/22/21.

My questions are technical and related to my property.

I also have the same concerns addressed by Chris Wallace and Lynn Cosenza.

Christine

Questions

- 1) The property survey for 304 Osceola Road clearly states premises shown heron being Lots 17 and 18 **and a portion of Osceola Parkway adjacent to the southerly line**. The aerial view supports the survey as the maps on file show Osceola Road to be that of a rectangle when it is a parallelogram. The title **does state 10 foot reserved strip crosses easterly portion of premise** which further confirms that this property overlaps a portion of the road. See Exhibit A. How can a road extension occur if a portion of the road does not belong to the Town?

- 2) Page 2 on the paperwork submitted on January 22, 2021 by Ralph Mastromonaco it was stated that Osceola Road has only been maintained to the point where the pavement currently ends and that an exhaustive review did not locate any record of the subdivision roads having been accepted for dedication by the Town. **Therefore there is doubt that the applicant has the right to use the full length of Osceola Road.** We can argue that the Town lost this strip of land by Statute of Limitations because the portion of the road in question has not been used since 1967 and as probably as early as of 1946 as per the dated deed to this property. A retaining wall prohibited vehicular access of ingress and a rock wall at the end of strip prohibited egress. In Romanoff vs Village of Scarsdale and perlmutter vs Four Star Associates there was a clear fee dedication to the Town but in Smigel v Town of Rennselear the Supreme Court correctly set forth the applicable law regarding abandonment through non-use. The strip in question is similar but if this strip was Osceola Road it would not have been overturned because it has never been used for recreational activities. To reiterate a retaining wall at one end and a rock wall at the other end barricaded use. See Exhibit B.

- 3) Exhibit 5 on the paperwork submitted on January 22, 2021 by Ralph Mastromonaco stated “What remains unclear is that the deed out of Perry in Liber 4358 for filed Maps Lots 17 & 18 on Map No. 2542 containing “Together with all right, title and interest of Grantors in and to Street or Road running between these lots and property now owned by the purchaser immediately in front of, and adjacent thereto, which right is merely Quitclaimed, but not covered by the warranties herin.”, was it the intent of this language to convey with said lots ALL of the road to the grantee in that deed? As noted in this search, Tax Lots 16 & 17 carry with them addresses of Mountain Road and not Osceola Road so this adds to the question.” As applicant clearly stated there is no accepted dedication by the Town so can we imply since all the Maps of Osceola Road depict the right of way ending at the paved portion as shown on Highway Town Map and topographical maps that the intent was to convey all of the road to Grantee? See Exhibit C. Even though the Tax Maps show Osceola Road extending the full length of the road tax maps are a regulatory tool and should not be used to establish boundary lines or assurance of Title. The overall pattern is clear tax maps are a regulatory tool but are not admissible for proving ownership of a given parcel. Exhibit D. **Therefore AGAIN there is doubt that the applicant has the right to use the full length of Osceola Road.**

Does the Town proceed with this application with such a level of doubt because the only level of assurity by applicant is that Lester Perry owns ONLY the 10 foot reserved strip and that is exclusive of the easterly portion that crosses the property of 304 Osceola Road.

- 4) The subdivision plan shows that if Osceola Road is extended there is a 3 foot retaining wall needed adjacent to my property. 304 Osceola Road consists of two lots, Lot 17 and Lot 18. Currently it is used as one dwelling. Will this retaining wall take away my right as a lot owner to put a driveway in if in the future I plan to subdivide? It was also mentioned during the last meeting that the road would possibly have a 12 percent grade. A 12 percent grade would seem to render any driveway access for Lot 18 inaccessible and that would take away my property right of ingress and egress appurtenant to the land?
- 5) The general restrictions on buildings, uses and lots shall not apply to subdivision maps having been granted preliminary approval prior to May 20 1969. **What safety precautions would be put in place for the safety of my home and family as there is only a 15 foot distance from road to house?** With such a small setback maybe once again it was the intent of the Quitclaim language to convey with said lots ALL of the road to the grantee in that deed?
- 6) My septic tank and fields are approximately 5 feet from the proposed road? **How will this be addressed?** With a 12 percent grade it is high probability that water would flow downward and saturate my fields and that is a definitive environmental impact. Also if cars veer off the proposed road the weight can cause a major collapse and do serious damage. In winter storms to clear the proposed road an abundant amount of snow can cause damage as well.
- 7) The utility pole that is currently in the middle of the proposed road, **where would that be going?** It cannot be moved onto my property because my septic system is there and the power lines would then be approximately 5 feet from my house. Exhibit E
- 8) Osceola Road in front of my home is about 10 foot wide. Just enough to fit one car. Town codes says at least 20 feet. **How is this going to work?** As stated above in Question 5 I fear for safety of my home and family because a car will just veer onto my front lawn to make room. Exhibit F.

Robyn Steinberg

From: cosenza <lcza226@optonline.net>
Sent: Sunday, February 07, 2021 4:30 PM
To: Robyn Steinberg
Subject: Hansmann application -public comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I am a resident on Osceola Road and would like the following questions answered regarding the Hansmann application:

1. Osceola Road is a narrow dead end road. How is the road going to accommodate the construction vehicles that will be using the road - for 3 years? How will the extraordinary number of trees being removed be brought off of the property - Will Osceola Road be used for vehicles to carry out these trees? Can the road handle the weight of the construction vehicles?
2. I am the last house on the right on Osceola Road and delivery trucks use my driveway to turn around as the road is so narrow. How will the construction vehicles turn around when using the road without impacting or using my property? Where will your workers who drive up to the site park their cars as the road is very narrow?
3. The project paperwork said no houses are being proposed at this time. Does that mean that clearing the property alone is going to take 3 years without any construction even being done? If so, how much additional time will be added to the timeline? How long will this project really take - houses included?
4. If the address of the property is East Main Street, why are the residents of Osceola Road being inconvenienced when the address is not Osceola Road? If they can use fill on Osceola Road to accommodate a road extension why can't they use fill to create an access road on East Main Street - is the cost too high? If cost is the reason they will not enter through E. Main Street, then that is the property owners issue. It should not be a problem for the current residents on Osceola. If houses are built - will the addresses continue be East Main Street if there is no access from East Main Street?
5. As you enter Osceola Road at the bottom, it is very difficult to see when cars are coming down the road because of the garage at the bottom of the hill. Current residents have to be extremely careful to avoid hitting other vehicles coming in the other direction. While the project is being completed workers and construction vehicles will make the road even more dangerous due to the volume of additional vehicles and the difficulty in seeing around the garage. Once the project is completed, if 5 houses are built that is probably an additional 10 cars at a minimum using the road which makes coming in and out of Osceola more risky.

6. Finally, if the project does not move forward who is responsible for removing the ugly garbage bag they put in place as a barrier at the end of the road when they removed bushes without anyone's approval? The town shut down the project at this point. Who will be responsible for fixing what they ruined already?

Robyn Steinberg

From: Chris Wallace <christian.j.wallace@gmail.com>
Sent: Monday, February 08, 2021 11:44 AM
To: Robyn Steinberg
Subject: Re: Hansman public informational hearing question
Attachments: Letter to Planning Board Re Hansmann subdivision 2-8-2021.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Robyn - I would like to submit the attached letter regarding the Hansmann application's Public Informational Hearing on tonight's planning board agenda. Thank you.

Chris Wallace
914-263-7133

On Fri, Feb 5, 2021 at 2:54 PM Robyn Steinberg <rsteinberg@yorktownny.org> wrote:

Hi Chris,

The Public Informational Hearing is held the same way a Public Hearing is. The purpose is to hear from the public at the beginning of the review process, whereas a Public Hearing is held towards the end of the review process. Once the applicant gives their presentation and the Board asks questions, they will then open meeting to public comments. You can submit comments in writing or let me know that you would like to speak at the hearing prior to the meeting or during the meeting by raising your hand in the Zoom meeting. When the chairman asks me, I will call on each person that has indicated they want to speak.

Robyn

Robyn A. Steinberg, AICP, CPESC
Town of Yorktown Planning Department
Albert A. Capellini Community & Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598
Phone | 914-962-6565
Email | rsteinberg@yorktownny.org
Web | <http://www.yorktownny.org/planning>

From: Chris Wallace [mailto:christian.j.wallace@gmail.com]

Sent: Friday, February 05, 2021 2:37 PM

To: Robyn Steinberg <rsteinberg@yorktownny.org>

Subject: Hansman public informational hearing question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Robyn,

I see that the Hansmann subdivision is having a public informational hearing on Monday. I assume that that means the developer will present the project. Is there a forum for public comments at this stage or do we have an opportunity to speak if it gets to the public hearing stage?

Thanks Chris Wallace

Christian & Eileen Wallace
312 Osceola Road
Jefferson Valley, NY 10535

February 7, 2021

Via email (rsteinberg@yorktownny.org)

Town of Yorktown Planning Board
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598

We, as residents of Osceola Road for over 15 years, are deeply concerned with the proposed development at the end of our street. This property was a dead end for almost 100 years. The proposed subdivision will only be 5 houses but will undeniably change the entire neighborhood if approved and I plead with the Planning Board and Town Board to strongly consider effect this project will have on the area and not merely look at the potential tax dollars that could be added to the rolls if everything works out perfectly. We have many questions and concerns, so many that providing the below list is the only way to make sure that we are able to communicate them all for this forum.

Questions and Concerns Related to the Proposed Hansmann Subdivision at the end of Osceola Road

- 1) The narrowness of the existing streets does not lend itself to additional development. The existing street is barely wide enough for two cars to pass. These leads to all sorts of issues and questions:
 - a) As anyone who lives on the street can tell you if there is an oil truck making a delivery or someone getting furniture delivered you cannot get past them. Additionally there is one house on Osceola Road that regularly has numerous cars street parked on the street that must be maneuvered around. An extra 10 or 15 cars from the proposed five houses plus additional delivery truck activity on the street (which is only increasing) is only going to make this problem worse. This is also a potential safety issue for fire and police response time.
 - b) The intersection of Perry Street and Osceola Road has been a problem for years because of a 90-degree blind turn at that corner and lack of traffic signs. There is a similar even more dangerous issue at the corner of Perry and Mountain Street which all of these extra cars and trucks would also have to go through. Every driver thinks they have the right of way at both of these junctions because there are no stop signs or other traffic control. It is truly a miracle that a kid has not been hit by a car at either of these intersections. Additional car and truck traffic is only going to make these more dangerous.
 - c) I assume that the intensive sitework that would be required under the submitted plans would require a lot of heavy machinery which is going to have to be staged somewhere. Also, where would the workers be parking during development? There is no room on these streets. This all must be considered and communicated to the residents of the neighborhood.
 - d) Where would the construction trucks turn around? Our driveway tends to be where most delivery trucks, snowplows etc. turn around because it is the easiest driveway near the end of the street to navigate. I do not want heavy trucks and machinery in my driveway. What is the plan and how can we be assured that contractors will obey it?

- 2) I read the legal letter that the applicant submitted regarding the reserve strip and their opinion that it is basically not enforceable to limit future development. It seems clear that the purpose of the reserve strip was to prevent development at the end of these neighborhood roads and to retain the character of the neighborhood when it was planned and built starting in the 1920's. If the applicant's attorney is correct there may not be a legal reason to prevent access, but the purpose of the reserve strip and the desire to keep the neighborhood as it was envisioned should still be considered by the Planning Board when they are considering approval of the subdivision. It should also be strongly considered by the Town Board, who is responsible for approving the change in grade Osceola Road that very narrowly makes the project feasible – on paper at least. The retention of neighborhood character is of the utmost importance to the residents of the neighborhood that I have spoken to.
- 3) On the subject of the change in road grade (which is on either town property or existing adjoining property owners depending on one's interpretation of the earlier mentioned reserve strip issue - not on the applicants land) – Is there a clear rendering of the retaining wall that would be built as a part of this project. What will the walls look like? How much of a drop-off will there be from the top of the wall to the street, will the existing property owners be ensured that any water runoff issues be ensured that any problems cause by this change of grade are indemnified? Will the adjoining property owners at the end of the street have their property devalued because town allowed the applicant to change the grade of the proposed road? It seems like the bonding requirements on this project would need to be huge because of its size and the potential issues caused by the grade change and the intensive sitework. The applicant is proposing a grade change to land that it doesn't even own. This does not seem like a inconsequential request and it could possibly be a future town liability if existing property owners land is negatively impacted.
- 4) What is the proposed timeline of the development if approved? Would the applicant do all the sitework at once or in phases as lots and or houses are sold. It appears from the plans available to the public that they are removing almost 500 trees, that's insane. The last thing that anyone want is a large swath of land cleared for no reason because the market changes, or the project becomes infeasible because the sales prices do not support the cost of the project. What is the range of home prices that they envision? Is there a market study that can be submitted for review by the board and the public to give confidence that the plan is realistic, and this site won't be an eyesore for years to come? These houses are going to be overlooking a gas station, is the sales price they are expecting realistic to pay for all of the infrastructure that this plan requires? I would not buy an expensive house overlooking a gas station, will the market?
- 5) Has the applicant considered accessing the site from Mountain Road or any other access points via an easement from other parcel owners? I believe there is also an application that an adjoining undeveloped parcel recently had with the board. The Martino parcel abuts the Hansmann parcel at Mountain Road. It seems like it would not negatively impact the Martino parcel if they gave Hansmann an easement to access from Mountain Road which at least is a straight run to the site.
- 6) As mentioned earlier, what bonding requirements would be required for a complicated development like this? As the Planning Board and various town officials well know, this project got off to a horrendous start as the applicant simply applied for a driveway permit and started removing multiple trees on property that it did not own. The town had to file a stop work order to prevent further disturbance of land that the applicant did not own. This appears to be a clear case of "its better to beg for forgiveness than ask for permission". The applicant's property is well over 100 feet

from the end of the existing road, clearly this did not fall under a simple driveway permit issued by the town highway department with little to no vetting required. This was a clear bypass of the process as the applicant and its professional team must know that this is not how the process works. How is the Planning Board and the Town Board expected to trust the applicant when clearly disregarded the approval process right at the inception of the project? If this project is eventually approved how are we all protected?

Thank you for your consideration.



Christian & Eileen Wallace

Robyn Steinberg

From: James Telesco <jdt66@verizon.net>
Sent: Monday, February 08, 2021 10:30 AM
To: Robyn Steinberg
Subject: Proposed subdivision prepared for Kristine Hansmann

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is James Telesco. As a resident of Lake Osceola I would like to express my concerns regarding the Hansmann subdivision. Although I am not against new development I do have an issue with the access to this property from Osceola Road. This road is dangerous in good conditions with its steepness let alone in bad conditions. I believe the proper access to this property should be from Mountain Road. I also believe there is another property up for development that can also be accessed from Mountain Road also. Mountain Road is a straight road from Wood street and having access to two developments from one road would be less disruptive to the majority of our community. Please review my concerns at tonight's Planning Board meeting. Thank you.

[Sent from the all new Aol app for iOS](#)

Robyn Steinberg

From: Michelle Kennedy <mkcrossard@gmail.com>
Sent: Monday, February 08, 2021 1:52 PM
To: Robyn Steinberg
Subject: Fwd: Yorktown Planning Board Meeting February 8, 2021 - "Proposed Subdivision prepared for Kristine Hansmann"

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Yorktown Planning Committee Members,

As residents of Mountain Road, we are very concerned about the planned subdivision with a site located at 280 East Main Street, Jefferson Valley (also known as Section 6.13, Block 3, Lot 10 and Section 6.17, Block 2, Lot 63 on the Yorktown Tax Map.)

Specifically the following issues:

- How is the anticipated additional traffic going to be handled? Has a traffic impact study been conducted for local residents? The road has a sharp bend onto Perry Street that is already a hazardous corner for residents. There is also the matter of the intersection at Perry Street and Mountain Road, which is being used as a shortcut to Wood Street. How will this be handled once the construction vehicles are on the road? Are you planning to put up stop signs? In the event of inclement weather, where will the snow be plowed to, will there be enough room for construction vehicles and cars to safely pass each other?
- Why is the owner not providing direct access to East Main Street rather than Osceola Rd.?
- How long will the proposed construction last?
- What are the environmental impacts for the surrounding area, local residents? How will it affect the streams that flow into Osceola Lake?
- What is the anticipated noise level, apart from the construction, the tree clearing and large construction vehicles that are planning to use a small residential road to access the site.
- Where are the construction vehicles going to park and turn around, can the current roadways (Perry and Osceola Sts) handle the weight of these vehicles? If there is damage to the roads due to the construction, will the Town repair them in a timely manner?
-

This proposed subdivision will negatively impact all residents of Osceola Road, Perry Street and Mountain Rd. We ask the Planning Board to seriously consider all these issues and not allow the project to move forward.

Regards,

Michael and Michelle Kennedy
342 Mountain Road
Jefferson Valley, NY 10535

Robyn Steinberg

From: Ree Austin <reeaustin99@gmail.com>
Sent: Monday, February 08, 2021 12:01 PM
To: Robyn Steinberg
Subject: Yorktown Planning Board Meeting February 8, 2021 - "Proposed Subdivision prepared for Kristine Hansmann"

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Yorktown Planning Committee Members,

The residents of Osceola Heights are very concerned about the planned subdivision with a site located at 280 East Main Street, Jefferson Valley (also known as Section 6.13, Block 3, Lot 10 and Section 6.17, Block 2, Lot 63 on the Yorktown Tax Map.)

Specifically the following issues need to be addressed:

- Osceola is a small mountain road that cannot handle additional traffic. Has a traffic impact study been conducted for local residents? The road has a sharp bend onto Perry Street that is already a hazardous corner for residents.
- Why is the subdivision owner not providing direct access to East Main Street rather than Osceola Rd.?
- What is the scope and length of the project? How long will the proposed construction last? How soon after initial clearing of trees will construction begin? How long will the site clearing last?
- What happens if the subdivision owner runs out of money?
- There is a discrepancy over a reserved land strip that appears to be owned by an Osceola Rd resident and not part of the subdivision property that is planning to use it as an access point to the subdivision.
- Environmental impact - what are the environmental impacts for the surrounding area, local residents? What is the impact on the streams that feed directly into Osceola Lake, particularly the one that flows directly down Osceola Rd to Wood Street and into Osceola Lake. What is the anticipated noise level, apart from the construction, tree clearing, large construction vehicles are planned to be using a small residential road to access the site, this is going to be an absolute burden on the area residents.
- Where are the construction vehicles going to park and turn around, can the current roadway handle the weight of these vehicles? Osceola Road already has a large hole on it caused by a construction truck. If there is further damage to the roads due to this construction will it be timely and effectively repaired by the Town?

The proposed subdivision will negatively impact all residents of Osceola Road and the connecting streets of Perry Street and Mountain Rd., we kindly ask the Planning Board to seriously consider these issues before allowing the project to move forward.

Sincerely,

Peter and Daretia Bonesso
340 Osceola Road
Jefferson Valley, NY

Petition Received
January 10th

From: Christine Gogola <Christine.Gogola@brightstarcare.com>

Sent: Sunday, January 10, 2021 7:00 PM

To: Matthew Slater <m Slater@yorktownny.org>; David Paganelli <dpaganelli@yorktownny.org>; Building Department <building@yorktownny.org>; Engineering Department <Engineering@yorktownny.org>; Planning Department <planning@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>; John Tegeder <jtegeder@yorktownny.org>; Town Attorney <townattorney@yorktownny.org>

Cc: Thomas Diana <tdiana@yorktownny.org>; Ed lachterman <elachterman@yorktownny.org>; vishnuv@optonline.net;
Alice Roker <aroker@yorktownny.org>

Subject: Hannsman Property

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening-

I hope the New Year finds you all well. I see that the Hannsman property is again on the agenda of the planning board meeting scheduled for tomorrow evening. The developers whole spec is contingent on the extension of Osceola Road. In my previous **six** emails I have mentioned that my property survey and title state that the property known as 304 Osceola Road consists of a portion of Osceola Parkway. In addition, it seems that after a search there is no title for the reserved strip as aforementioned on the Osceola Heights map. The deed to 304 Osceola Road states that road in front of and adjacent to is quitclaimed and since there is no title on record that 10-foot strip would belong to 304 Osceola Road.

As I have not received any response on how this project is allowed continue, I am asking once again as I am thoroughly confused. How can one extend something that does not belong to them? By doing this partial road extension via a driveway permit my rights as a property owner have been infringed upon as I have to argue after the fact. I should not be looking at the terrible mess that is currently there and I hope this Spring it is restored to its original condition. There is no way that any reputable engineer would have thought that a driveway permit for a driveway 150 feet from the paved portion of Osceola Road would not know that this is a road extension. A means to an end was done at the expense of the residents of Osceola Road.

Osceola Road was never meant to be extended as that is why a retaining wall was in place. The Hannsman property is not part of Osceola Heights. I own Lots 17 and 18 but since its used as one dwelling there would be no need for driveway access to Lot 18. Lot 18 is the only reason that Osceola Road could be extended as every lot owner in a subdivision has the right of ingress and egress. The reserved strip or spite strip was an added measure that the properties not part of Osceola Heights would not be allowed to access our roads.

In all my research the one thing that stands out is the phrase "having a road near the property doesn't necessarily mean you have access to it."

This developer does not have access to Osceola Road but they do have access from East Main Street.

I do hope that this is the last time it comes to the planning board with the spec contingent to Osceola Road.

I once again have attached my property survey, title and deeds for reference **as well as a petition from the residents of Osceola Heights who are opposed to this.**

I hope to get an answer because I do not know where to turn next, maybe a letter to my Senator.

As always thanks for your time

Christine Gogola

Christine Gogola

Customer Service Specialist

Merchant Care Services INC.

DBA BrightStar of White Plains

222 Mamaroneck Avenue, Suite 310

White Plains, NY 10605

christine.gogola@[brightstarcare.com](mailto:christine.gogola@brightstarcare.com)

TITLE NO. W29447

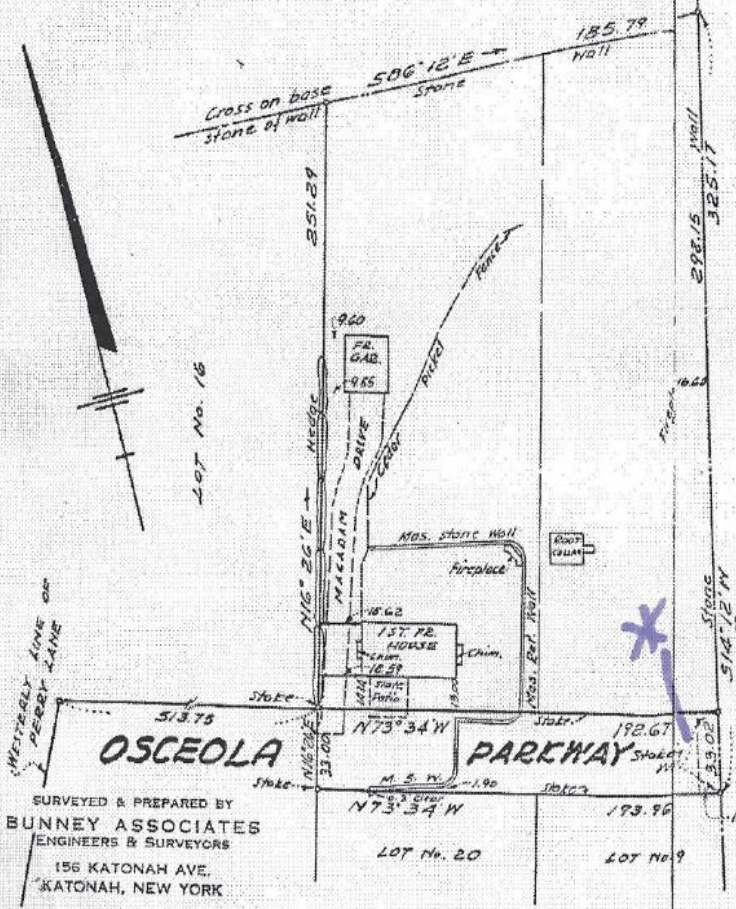
CERTIFIED TO CHICAGO TITLE INSURANCE COMPANY, - HOME TITLE DIVISION

SURVEY OF PROPERTY
PREPARED FOR
THOMAS J. DONNELLY
SITUATE IN
TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

SCALE 1" = 40'

DATE MAY 18, 1967
REVISED MAY 31, 1967

PREMISES SHOWN HEREON BEING LOTS 17 & 18 AND A PORTION OF OSCEOLA PARKWAY ADJACENT TO THE SOUTHERLY LINE OF SAID LOTS, SAME AS SHOWN ON MAP ENTITLED "MAP OF OSCEOLA HEIGHTS" SAID MAP FILED IN THE COUNTY CLERK'S OFFICE ON OCT. 19, 1923 AS MAP No 2542



SURVEYED & PREPARED BY
BUNNEY ASSOCIATES
ENGINEERS & SURVEYORS
156 KATONAH AVE.
KATONAH, NEW YORK
Alexander S. Bunney
N. Y. S. LIC. NO. 28694

SURVEYED AS POSSESSION

FILE NO. T700-15

This Indenture,

Made the -9th- day of -March- nineteen hundred and Forty-six,

Between LESTER A. PERRY and JESSIE E. PERRY, his wife, residing at Lake Oaceola (no street number) in the Town of Yorktown, County of Westchester and State of New York,

part 106 of the first part.

and AGNES D. BRUNDAGE, residing at Lake Oaceola (no street address) in the Town of Yorktown, County of Westchester and State of New York,

part 106 of the second part.

Witnesseth, that the part 106 of the first part, in consideration of

One and more..... Dollars, lawful money of the United States,

paid by the party of the second part, do hereby grant and release unto the party of the second part, her heirs

All those certain pieces or parcels of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, and more particularly known and designated as Lots Numbers Seventeen (17) and eighteen (18) on a certain Map entitled "Map of Oaceola Heights, Yorktown, Westchester County, Jefferson Valley, N. Y." dated September 25th 1923, made by Wilbur D. Lockwood, C. E. & S., and filed in the Office of the Register of Westchester County on October 19th 1923, as Map No. 2542.

Together with all right, title and interest of Grantors in and to Street or Road running between these lots and property now owned by the purchaser immediately in front of, and adjacent thereto, which right is herein merely quit Claimed, but not covered by the warranties herein.

Together with the right to the grantee, her heirs and assigns, to use for the purpose of travelling over either by way of foot or vehicles, and all of the roads, streets or avenues as shown on said map in common with others who may now own or purchase lots as shown thereon.

The grantors hereby grant to the party of the second part, her heirs and assigns, the right to the use of the plot of land designated on said map as "Community Park" in common with other owners of said lots.

And in consideration thereof, the said grantee covenants for herself, her heirs and assigns, that when the grantors herein shall have conveyed a number of lots on said map equal to 50 per cent of the whole number of lots as shown thereon, the said grantors shall have the privilege of calling a meeting of all the owners of lots on said map, and that she, the said grantee, will attend said meeting and will together with the other owners of lots on said map, form and join an organization or club which shall have for its purpose, the upkeep of said "Community Park" and the raising of sufficient funds to properly take care of taxes and necessary improvements relating to the "Park" the amount of dues to be determined by the organization or Club after its formation.

It is further understood and agreed that when the Organization or Club hereinbefore mentioned is formed, that the by-laws thereof to be adopted shall contain a section which shall permit each member thereof to have one vote on all matters for each lot owned by him or her at the time. In other words, each lot shall represent one vote.

Stamp 3/7/26

3753 213

AGREEMENT, made this 27th day of August, in the year one thousand nine hundred and thirty-six, between LESTER A. PERRY and JESSIE PERRY, his wife, residing in Jefferson Valley, County of Westchester and State of New York;

(hereinafter called the "PROPERTY OWNERS"), part 108 of the first part, and WESTCHESTER LIGHTING COMPANY (having its General Offices at # 5 South First Avenue, City of Mount Vernon, County of Westchester and State of New York), and NEW YORK TELEPHONE COMPANY (having its principal office at # 140 West Street, Borough of Manhattan, City, County and State of New York), both corporations of the State of New York, parties of the second part.

WITNESSETH:

WHEREAS, the Property Owners are the owners in fee of a certain tract of land, ~~located~~ situate in the TOWN OF YORFETOWN County of Westchester, State of New York, as shown upon a map of said property entitled "OSCEOLA HEIGHTS"

which has been duly filed in the office of the Register of said County ; and

WHEREAS, certain Streets, Roads and Avenues upon said premises, although not yet accepted by the municipal authorities as public streets, have been projected, mapped and partly opened with lots abutting thereon; and

WHEREAS, the Lighting Company is engaged in furnishing and supplying Gas and Electricity, and the Telephone Company in rendering Telephone Service, and the Property Owners have applied to the parties of the second part to construct and maintain their poles, subway, wires, cables and other fixtures and apparatus so as to enable them to render their respective services to, upon, through and over said premises:

NOW, THEREFORE, in consideration of the premises and the covenants herein contained, and of the sum of One Dollar by each party to the other in hand paid, the receipt whereof is hereby acknowledged, the parties hereto hereby agree as follows:

FIRST: The Property Owners, part 108 of the first part, hereby grant and convey unto the parties of the second part, their respective successors and assigns, the right, privilege and easement from time to time hereafter of entering upon the Streets, Roads and Avenues, as the same are now established or as the same may hereafter be laid out upon the said property, and constructing, maintaining and operating through, along, on, under, over and across the said Streets, Roads and Avenues a single line of poles, and/or subway together with necessary stubs, guys, anchors, lateral connections, apparatus, appurtenances and attachments for the joint use of the parties of the second part for the wires, cables, conduits and other fixtures and apparatus of the said parties of the second part, for conducting and transmitting Electricity and rendering Telephone Service in or along the said Streets, Roads and Avenues and in the premises abutting thereon and to the occupants of said premises and to such other property or persons as the parties of the second part from time to time may desire, together with the right to trim trees along the route of said lines of poles necessary to keep wires thereto attached clear at least eighteen (18") inches.

SECOND: It is agreed that the said poles, subway, lateral connections, conduits, wires, cables, and other fixtures and apparatus shall at all times remain the property and be subject to the control of the parties of the second part, their respective successors and assigns.

THIRD: The parties of the second part hereby agree that in entering upon said premises, doing such work and conducting and transmitting Electricity and furnishing Telephone Service they will do no

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of the following:

1. Covenants, conditions, easements, leases, agreements of record, etc., more fully set forth in Schedule herein as follows:
 - a) Utility company easement in Liber 3553 cp 213.
 - b) Right of way easement and covenants in Liber 4358 cp 7.
2. SURVEY EXCEPTIONS:
 - a. Retaining wall encroaches over southerly line onto Osceola Parkway.
 - b. Macadam driveway extends to Osceola Parkway.
 - c. Slate patio encroaches over southerly line onto Osceola Parkway.
 - d. Hedges vary from westerly line and encroach.
 - e. Stone wall varies from northerly and easterly lines and encroach.
 - f. 10' foot reserved strip crosses easterly portion of premises. Rights and easements of others are excepted.

as shown on survey made by Bunney Associates last dated 5/31/67.

For Residential Policies Only:

Policy insures that the existing buildings as shown on the above survey, unless stated to the contrary in the above noted survey exceptions, are located wholly within the bounds of the premises described in Schedule "A" description herein;

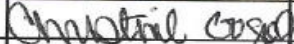
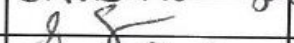
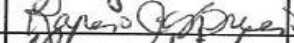
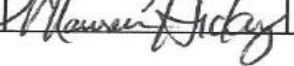
Inspection dated 2/20/05 shows the following:

- a. North line: No Change
- b. South line: No Change
- c. East line: No Change
- d. West line: No Change

FOR RESIDENTIAL MORTGAGE POLICIES ONLY: Policy insures against monetary loss to the insured mortgagee notwithstanding the above variations, encroachments and other matters set forth in the survey exceptions above and as noted in the above inspection.

NOTE: Any changes to existing structures or the addition of any structures are within bounds unless stated to the contrary in the inspection above. Compliance with zoning, setback and other governmental requirements is not certified or insured; Company further does not insure that any of the other matters noted in the above inspection are within bounds.

<p>Petition summary and background</p>	<p>As residents of the Osceola Heights Subdivision we are against road extensions for Osceola Road, Mountain Road, Lakeview Road and Orchard Road. These roads were never meant to be extended by means of a Reserved Strip clearly marked and outlined on the Map of Osceola Heights. New subdivisions and/or single family homes beyond the Reserved Strip are not part of our community and we should not be burdened by increased traffic and destruction of our roads due to construction of these proposed homes. In addition the environmental impact of development will be detrimental to Lake Osceola and the surrounding area.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned citizens who urge our town leaders to act now to stop any road extensions in the Osceola Heights Subdivision as well as the detrimental environmental impact that development will have for Lake Osceola and the surrounding area.</p>

Printed Name	Signature	Address	Comment	Date
Christine Casola		304 Osceola Rd		12/11/20
JOE COSENZA		313 OSCEOLA RD		12/13/20
KAREN O'BRIEN		325 MT RD		12/13/20
Maureen Hickey		317 Mt Rd		12/13/20

Applicant's Report on Reserve Strip

RALPH G. MASTROMONACO, P.E., P.C.
Consulting Engineers

13 Dove Court, Croton-on-Hudson, New York 10520
Tel: (914) 271-4762 Fax: (914) 271-2820

Civil / Site / Environmental

RECEIVED www.rgmpepc.com
PLANNING DEPARTMENT

JAN 25 2021

TOWN OF YORKTOWN

January 22, 2021

Richard Fon, Chairman and Members
Town of Yorktown Planning Board
Albert A. Capellini Community and Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, NY 10598

Hand Deliver

Attn: Robyn Steinberg, AICP

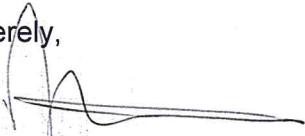
Re: Realty Subdivision at Osceola Road
Town of Yorktown, NY

Dear Hon. Chairman and Members of the Board:

Enclosed please find six (6) copies of a letter from Robert F. Davis, Esq. This letter and supporting documentation addresses the "Reserved Strip" noted on Filed Map #2542 Filed October 19, 1923.

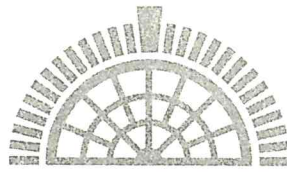
This is submitted for the Town Attorney. Additional materials will be submitted for the Planning Board.

Sincerely,



Ralph G. Mastromonaco, PE

Cc: Kristine Hansmann



RECEIVED
PLANNING DEPARTMENT

JAN 25 2021

TOWN OF YORKTOWN

SINGLETON, DAVIS & SINGLETON PLLC

ATTORNEYS AT LAW

THOMAS J. SINGLETON, 1930-2015
ROBERT F. DAVIS
WHITNEY W. SINGLETON*
ALEXANDER D. SALVATO

120 EAST MAIN STREET
MOUNT KISCO, NY 10549

914.666.4400
FAX: 914.666.6442
WWW.SDSLAWNY.COM

* ALSO MEMBER CONNECTICUT & FLORIDA BARS

January 14, 2021

Town Planning Board
Hon. Richard Fon, Chairman and Members of the Planning Board
Albert A. Capellini Community and Cultural Center
1974 Commerce Street, Top Floor, Room 222
Yorktown Heights, NY 10598

*Re: Proposed Subdivision for Kristine M. Hansmann
Osceola Road
Sections 6.13 and 6.17, Blocks 1 and 2, Lots 10 and 63*

Dear Chairman Fon and Members of the Planning Board:

Our firm has been retained by the Applicant to address Comment No. 2 in Town Planner Steinberg's memo to the Board dated January 8, 2021, i.e., "no further information has been found or submitted regarding the 10 ft. reserve strip at the end of the Osceola Road right-of-way", and the letter of neighbor Christine Gogola, who resides at 304 Osceola Road, relating to said reserve strip.

BACKGROUND

By way of background, Osceola Parkway, (now Osceola Road), along with parallel streets, Mountain Road, Lake View Drive and Orchard Terrace, was created by a 1923 subdivision depicted on the "Map of Osceola Heights", which was filed in the Office of the Register (Clerk) of Westchester County on October 19, 1923. The map was filed prior to the Town's Land Subdivision Regulations and the requirement of Planning Board Subdivision approval.

The Subdivision Map depicted at the end of each of the four subdivision streets, on the opposite end of those streets from Perry Lane, which ostensibly was named after the subdivider, a 10 ft. strip within each street, adjoining other property outside of the subdivision, labeled only "RESERVED" (the "reserved strip"). There were no restrictions on the use of the "reserved strip" or any other reference to it noted on the Map. See **Exhibit 1** annexed hereto.

Hon. Richard Fon, Chairman and Members of the Planning Board

January 14, 2021

Page 2

It also appears that no restrictive covenant or other enforceable document restricting the use of the “reserved strip” was ever filed as of record. It further appears that the 10 ft. “reserved strips” within the four streets in the Osceola Heights subdivision have never been designated either as separate tax lots or appended to adjoining tax lots, either within or without the subdivision.

Indeed, the Town’s Tax Map does not depict any of the “reserved strips”, but shows the four subdivision streets fully extending from Perry Lane on one end to adjoining properties on the other, including, in the case of Osceola Road, to the property of the Applicant. See the Tax Map excerpt annexed hereto as **Exhibit 2**.

Likewise, the Town’s Official Highway Map depicts all four subdivision streets, again, without any reference to any such “reserved strip”. The Highway Map depicts two of the streets, Mountain Road and Orchard Road, as being paved and maintained by the Town for their entire length and Lake View Road for virtually its entire length. The Highway Map depicts Osceola Road being maintained to the point where its pavement currently ends. See **Exhibit 3** annexed hereto.

The Town’s Street Map likewise depicts all four subdivision streets, extending for their full length, likewise without reference to any “reserved strip”. See **Exhibit 4** annexed hereto.

An exhaustive review of Town records by the Applicant and staff did not locate any record of the subdivision roads having been accepted for dedication by the Town.

In 2019, the Applicant caused a title search to be performed with respect to the portion of Osceola Road running between the tax lots adjoining the Applicant’s property and with respect to the “reserved strip”. A copy of the title report is annexed hereto as **Exhibit 5**. It was determined that the owners of said adjoining tax lots owned title either to the center line of Osceola Road, in Ms. Gogola’s case, or in the case of the other owner, whose property is accessed from and has its address on Mountain Road, title remains in the original developer, Perry, **but that neither of them have any ownership or other rights with respect to the “reserved strip”**. Further, no ownership rights at all specific to the “reserved strip” could be found in the filed records and therefore, it is presumed that title remains in the original developer, Perry, from the 1920s. Accordingly, there is no basis for Ms. Gogola’s claim in her letter of January 10, wherein she acknowledges that there is no title of record for the “reserve strip”, but that as a result, she owns the “reserve strip”. However, regardless of who owns title to the “reserve strip”, as set forth below, the Applicant is legally entitled to use it to access her property.

Hon. Richard Fon, Chairman and Members of the Planning Board

January 14, 2021

Page 3

Specifically, neither Ms. Gogola nor any other adjoining property owner has any ownership or other rights in the “reserved strip”. As noted above, the Town has consistently treated the “reserved strip” as part of Osceola Road and not as a separate tax lot or portion of any tax lot.

Consistent with the title report obtained by the Applicant and the foregoing analysis, Schedule B to Ms. Gogola’s title insurance policy for her adjoining property, in its “EXCEPTIONS FROM COVERAGE”, provided to the Board with her January 10, 2021 correspondence, included the following “SURVEY EXCEPTIONS” to her title insurance coverage:

- a. Retaining wall encroaches over southerly line onto Osceola Parkway.
- b. Macadam Driveway extends to Osceola Parkway.
- c. Slate patio encroaches over southerly line onto Osceola Parkway.
- d. Hedges vary from westerly line and encroach.
- e. Stonewall varies from northerly and easterly lines and encroach.
- f. **10-foot reserve strip crosses easterly portion of premises. Rights and easements of others are excepted.** (Emphasis added.)

THE LAW

Significantly, the Town of Yorktown Code, in Chapter 195, “Land Development”, § 195-29, “Streets”, provides in subsection E, that: “Reserve strips controlling access to streets shall be prohibited”. Thus, it is the express policy of the Town that such reserve strips are unlawful and as such will not be recognized and they have not been recognized on the Town’s Highway, Street and Tax Maps.

In a Decision in a Westchester County case which buttresses the Town’s prohibition against such “reserve strips” and which is dispositive of the neighbor’s claim that Osceola Road may not be extended over the “reserve strip” to benefit the Applicant’s property, *Warren v. Protano, Inc.*, 155 N.Y.S.2d 686 (Sup. Ct. Westchester Cty. 1956), the Court rejected the same claim of subdivision residents that the owner of a property outside the subdivision, in the same position as the Applicant, could not extend the subdivision road over a reserve strip to access his property. The Court explained the nature of that action as follows:

The action seeks judgment declaring, for the benefit of owners of property in a real estate subdivision, the existence and validity of an alleged easement restricting the use of a strip of

Hon. Richard Fon, Chairman and Members of the Planning Board

January 14, 2021

Page 4

land, one-foot wide, bounding in part the subdivision; and a judgment enjoining and restraining the defendants from continuing a certain street upon, across and over the said strip.

...

The subdivision of land known and designated as 'Mamaroneck Knolls' and hereinafter referred to as the 'Knolls' was owned and developed, starting in 1927, by Mamaroneck Knolls, Inc., a New York corporation. A subdivision map of the land . . . was filed in the office of Register of Westchester County on March 14, 1927, and an amended subdivision map of the land was filed in the office of said Register on June 3, 1927. By the maps, the lands were subdivided into lots, parcels and streets, and thereon appears a certain lot marked 'Reserved', a lot marked '20' Reserve Strip'; and also a strip of land, designated as '1.0' reserve strip' running around the boundary of the subdivision for a greater portion of such boundary. Certain streets laid out on the map, including Raleigh Road, purport on the map to dead-end at said strip, but there is no provision upon the map for any turn-around at the places where the streets purport to stop at the strip. The plaintiffs claim that the one-foot reserve strip was intended by the developer to be used as a means of keeping the Knolls private, safe and secluded and that, among other purposes, it was intended to prevent and has the effect of preventing the building of through roads or highways running on to adjoining lands. . . .

155 N.Y.S.2d, *supra*, at 689.

In rejecting the plaintiffs' claim that there was an implied "negative easement" over the "reserve strip", which benefitted them by prohibiting its use to extend the subdivision road to the adjoining property, the Court explained that:

Thus, there is legal authority for an easement as claimed by plaintiffs, but there is here a failure of proof. There is no due proof of a covenant express or implied, by the common grantor, Mamaroneck Knolls, Inc, as the basis for such an easement. The plaintiffs attempted to prove an oral agreement on the part of such grantor that the one-foot reserve strip would be held for their benefit for purpose of secluding the

Hon. Richard Fon, Chairman and Members of the Planning Board

January 14, 2021

Page 5

Knolls and to prevent the cutting through of roads of adjoining premises. **The court rejected such parol evidence, and rightfully so, for a negative easement to have the effect of limiting the use of particular lands for the benefit of other lands is an interest in realty. See, *Chapman v. Sheridan-Wyoming Coal Co.*, *supra*; *Nellis v. Munson*, 108 N.Y. 453, 15 N.E. 739, which may be created only by a duly executed writing. . . .**

In any event, as heretofore noted, the alleged premises of plaintiffs' case is a claimed easement by implication rather than an express covenant. In determining whether or not plaintiffs have in fact made out a case, it is to be noted that the policy of the law is to favor the free and unobstructed use of property, see, *Premium Point Park Ass'n v. Polar Bar*, 306 N.Y. 507, 512 119 N.E.2d 360, 362; *Baxendale v. Property Owners' Ass'n*, Sup., 138 N.Y.S.2d 76 78, affirmed 285 App.Div. 1148, 140 N.Y.S.2d 176, affirmed 309 N.Y. 871, 131 N.E.2d 287 and, therefore, the evidence to establish an easement by implication should be clear and convincing. See *Zeiger v. Interborough Rapid Trans. Co.*, 254 App.Div. 908, 5 N.Y.S.2d 527, affirmed, 280 N.Y. 516, 19 N.E.2d 922. There is absolutely nothing by way of proof in this case to support a finding of an implied easement restricting the use of the one-foot reserve strip for the benefit of purchasers of lots in the Knolls. Clearly, there was no showing of any real or reasonable necessity for the easement to exist for the beneficial use and enjoyment of the residential properties in the Knolls. **The fact that the filed maps showed the strip and designated it as a '1.0' reserve strip,' and that lot owners purchased with reference to such map, does not justify an inference of an implied covenant that the strip was to be reserved for the purposes claimed by plaintiffs. On the face of it, the words would indicate merely that the title to this strip and to other parcels on the map marked 'reserved' was to be retained and held by the subdivider (Mamaroneck Knolls, Inc.), and there is no satisfactory proof that it was to hold the same for any particular purpose. (Emphasis added.)**

155 N.Y.S.2d, *supra*, at 691-692.

Hon. Richard Fon, Chairman and Members of the Planning Board

January 14, 2021

Page 6

Likewise, the objecting neighbors in this matter have no valid or enforceable claim with respect to the “reserve strip”.

Nor could any such claim be based on a note on the filed Map, even if it were not so completely vague, be enforced against the Applicant in any event, as it is not within the Applicant’s chain of title. See, *Ioannou v. Southold Town Planning Board*, 304 A.D.2d 578, 758 N.Y.S.2d 358 (2d Dep’t 2003):

Restrictive covenants are strictly construed against those seeking to enforce them and will be enforced only where their existence has been established by clear and convincing proof . . . The recording statutes in a grantor-grantee indexing system charge a purchaser with notice of matters only in the record of the purchased lands’ chain of title back to the original grantor . . . A purchaser is not normally required to search outside the chain of title . . .

758 N.Y.S.2d, *supra*, at 360.

See, also, *Fuentes v. Planning Board of the Village of Woodbury*, 82 A.D.3d 883, 918 N.Y.S.2d 213 (2d Dep’t 2011), in which the Court set aside a determination of the planning board denying an application for the amendment of a filed subdivision plat to remove a note with the restriction that certain lots on the map “are not approved for building lots.” The applicant sought to build on the subject lots. The Court held that although the planning board minutes indicated the intent of the board in imposing the restriction that the lots remain undeveloped, “the planning board failed to make this restriction clear in any document which became part of [the] chain of title.” Thus, the language did “not adequately convey a perpetual restriction on development of these lots” to bind a subsequent purchaser of the lots. The Court held that the planning board’s finding that removing the restriction recorded on the map “would be detrimental to the public health was conclusory and not supported by the record”.

See, also, *O’Mara III v. Town of Wappinger*, 9 N.Y.3d 303, 849 N.Y.S.2d 9 (2007); *Butler v. Mathisson*, 114 A.D.3d 894, 981 N.Y.S.2d 441 (2d Dep’t 2014); *Underhill Avenue Corp. v. Village of Croton-on-Hudson*, 82 A.D.3d 963, 919 N.Y.S.2d 67 (2d Dep’t 2011); *Patten Corp. v. Association of Property Owners of Sleepy Hollow Lake, Inc.*, 172 A.D.2d 996, 568 N.Y.S.2d 970 (3d Dep’t 1991).

On the basis of the foregoing, Osceola Road, including within it the non-restricted “reserve strip”, entitles the Applicant to a building permit for her property, subject to suitable improvement of the “reserve strip”, pursuant to the provisions of Town Law §§ 280-a(1)(a) and (c), which state as follows:

Hon. Richard Fon, Chairman and Members of the Planning Board
January 14, 2021
Page 7

Permits for buildings not on improved mapped streets

1. No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on the official map or plan, or if there be no official map or plan, unless such street or highway is (a) an existing state, county or town highway, or (b) a street shown upon a plat approved by the planning board as provided in sections two-hundred seventy-six and two hundred seventy-seven of this article, as in effect at the time such plat was approved, or (c) a street on a plat duly filed and recorded in the office of the county clerk or register prior to the appointment of such planning board and the grant to such board of the power to approve plats.

If, like Osceola Road, a street is an existing street, or appears on the Town's Official Map or is depicted on a filed subdivision plat, it need not be a public street in order to entitle a property owner to a building permit. See, Practice Commentaries, § 280-a, Terry Rice, p. 141, McKinneys (2013) and the cases cited therein.

The Applicant's entitlement to a building permit for her property was correctly recognized by the Town Highway Superintendent when he recently issued her a Street Opening Permit to perform the necessary improvement work over the "reserve strip" pursuant to Chapter 250 of the Town Code, "Streets and Sidewalks". Of course the Applicant's individual subdivision lots will qualify for building permits under § 280-a by virtue of their frontage on the proposed subdivision street extending from Osceola Road.

For all of the reasons set forth above, Applicant has the right to use the full length of Osceola Road, including the "reserve strip", to access her property. Conversely, objecting neighbors have no right to prevent her from doing so.

The inability of the Applicant to utilize Osceola Road to access her property would effectively render her property landlocked, as access to her property over her only frontage on a public road, Route 6N, is too steep to afford vehicular access. In that event, the Applicant would be deprived of all reasonable use of her property.

We trust that we have now answered any questions of the Board and the Town's professional staff and its counsel regarding the status of the "reserve strip" and the Applicant's right to make use of same.

Hon. Richard Fon, Chairman and Members of the Planning Board
January 14, 2021
Page 8

Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Robert F. Davis", with a stylized flourish extending to the right.

Robert F. Davis

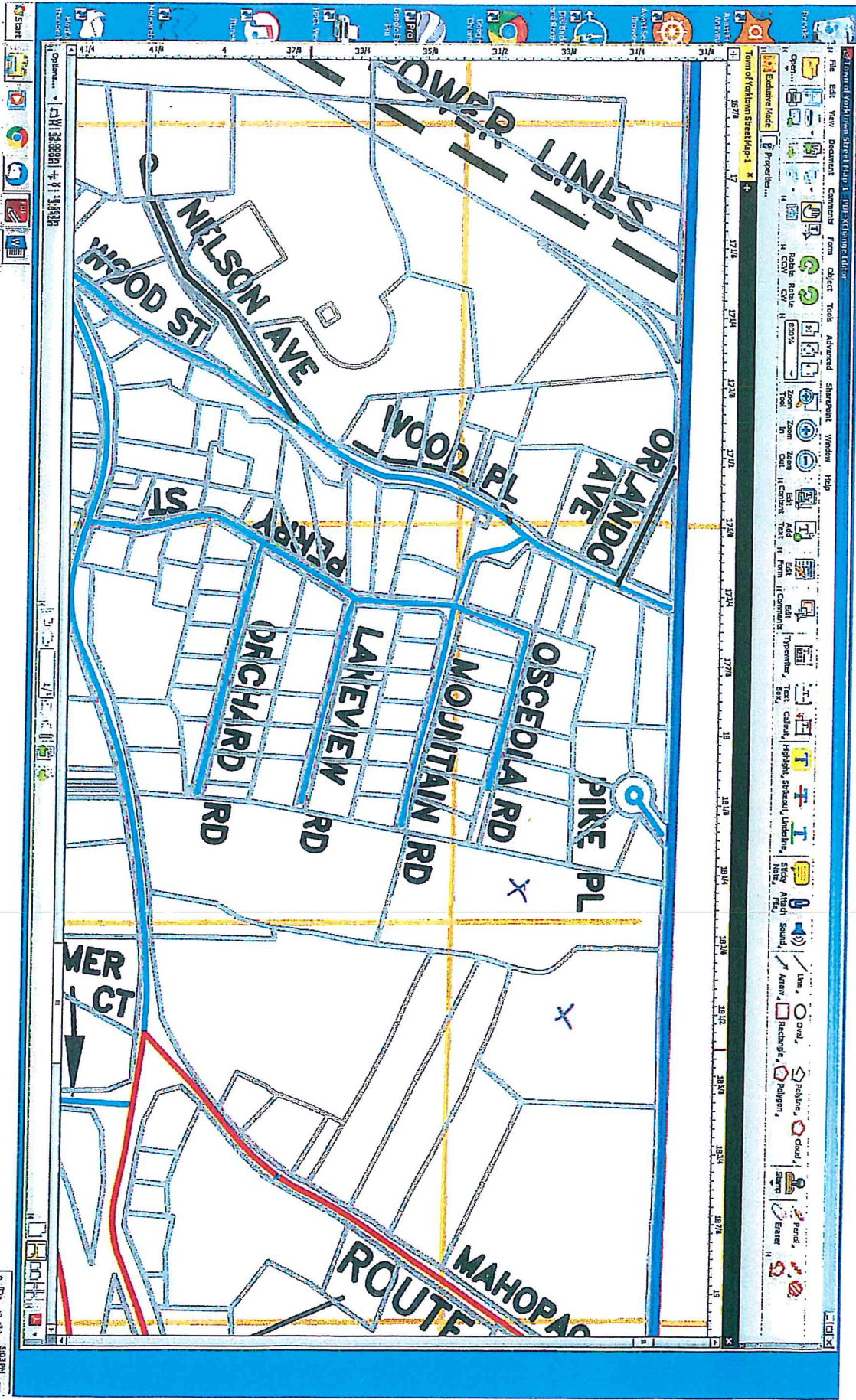
RFD:dds
Enclosures

c: Ralph Mastromonaco, P.E.
Kristine M. Hansmann

EXHIBIT 1

EXHIBIT 2

EXHIBIT 3



7000 WOODS ROAD
 PLANNING

EXHIBIT 4

EXHIBIT 5

Robert Davis

From: Patrick Clowry <patrick@attorneystitle.biz>
Sent: Thursday, October 03, 2019 3:33 PM
To: Robert Davis
Subject: RE: ACC19-7857W / Osceola Road

Correct

Patrick F. Clowry
Vice President
Attorney's Title Insurance Agency, Inc.
914-244-3738

On Thu, Oct 3, 2019 at 3:31 PM, Robert Davis
<RDavis@sdslawny.com> wrote:

Thank you Patrick. Is it fair to say in the opinion of you and the Examiner that title to the reserve strip remains in Perry, the initial grantor identified in your report-or not?

Robert F. Davis, Esq.

Singleton, Davis & Singleton

120 East Main Street

Mt. Kisco, New York 10549

P: (914) 666-4400

F: (914) 666-6442

e-mail: rdavis@sdslawny.com

web site: www.sdslawny.com

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From: Patrick Clowry [mailto:patrick@attorneystitle.biz]

Sent: Thursday, October 03, 2019 3:19 PM

To: Robert Davis

Subject: ACC19-7857W / Osceola Road

Hi Bob,

please find search attached hereto.

best,

Patrick F. Clowry
Vice President
Attorney's Title Insurance Agency, Inc.
126 Barker Street
Mt. Kisco, N.Y. 10549
914-244-3738
Fax 914-244-3814
www.attorneystitle.biz

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126 BARKER STREET

MOUNT KISCO, N.Y. 10549

(914) 244-3738 FAX (914) 244-3814

www.attorneytitle.biz

October 3, 2019

Robert F. Davis, Esq.
Singleton, Davie & Singleton
120 East Main Street
Mount Kisco, N.Y. 10549

RE: ACC19-7857W
304 Osceola Road, Yorktown

Dear Bob:

Your office has instructed this company to conduct a search on Osceola Road and the 10' Reserve Strip as outlined on Filed Map No. 2542 to determine the status and ownership of same. Please find below the results of our inquiry into same:

Osceola Road:

A Search was conducted to ascertain the fee ownership of Osceola Road, as it pertains to Lots 17 and 18 on Filed Map No. 2542 / Tax Lot 9.

Our first deed out of the developer, Lester A. Perry and Jessie E. Perry to Agnes D. Brundage, recorded in Liber 4358 Cp. 7 contained the following language, "Together with all right, title and interest of Grantors in and to Street or Road running between these lots and property now owned by the purchaser immediately in front of, and adjacent thereto, which right is herein merely Quit Claimed, but not covered by the warranties herein." Grantee in this deed was also granted the rights to use the roads as shown on said map for ordinary traveling purposes.

The Estate of Agnes D. Brundage subsequently conveyed said premises to Thomas J. Donnelly by virtue of a deed recorded in Liber 6711 Cp. 160. Said deed contained similar language as aforementioned, but is slightly varied "Together with all right, title and interest of Grantors in and to Street or Road running between these lots and property immediately in front of, and adjacent thereto."

The Estate of Thomas J. Donnelly then had conveyed the premise to Regis High School by virtue of a deed recorded in Liber 9947 Cp. 283. Said deed contained the same language as

RE: ACC19-7857W
304 Osceola Road, Yorktown
Continued Page 2

aforementioned, "Together with all right, title and interest of Grantors in and to Street or Road running between these lots and property immediately in front of, and adjacent thereto." This deed, unlike the prior two (2), contained within same, the *Standard Street Clause*.

Regis High School then conveys said premises to Roger G. Steves by virtue of a deed recorded in Liber 10069 Cp. 232. This deed to contains the same "Together with..." language as seen in the immediate prior deed and too contains within, the *Standard Street Clause*.

Roger G. Steves conveys the premises to Patricia Broadley-Steves by virtue of a deed recorded in Liber 10654 Cp. 279. This deed is for no consideration. As with the prior deeds, it too includes the "Together with..." language and also contained the *Standard Street Clause*.

Patricia Broadley-Steves conveys said premises by virtue of deed for no consideration to Roger G. Steves and Patricia Steves, recorded in Control No. 431000588. This is the first deed in the chain to not include the "Together with..." language. However, it does include the *Standard Street Clause* and "...being the same...in Liber 10654 Cp. 279...".

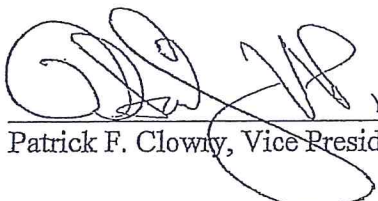
In our last deed of record for the examined chain, The Steves convey the premises to Richard Gogola and Christine Sasser, by virtue of a deed recorded in Control No. 451520540. This deed does not include the "Together with..." language, but does include the *Standard Street Clause* and "...being the same premises...in Liber 10069 Cp. 230...in Liber 10654 Cp. 279...under Control No. 431000588".

After the review of the chain described above, it is the determination of this company that the fee ownership of the lands lying in the bed of Osceola Road lies in the ownership of Lots 17 and 18 on Filed Map No. 2542 / Tax Lot 9, to the centerline thereof. For your convenience, I have included the entire deed chain as referenced herein.

10' Reserved Strip / Osceola Road:

A Grantee/Grantor search was performed to determine whether an Easement and/or Rights were or have been granted to a certain parcel designated as Section 6.17 Block 2 Lot 63 on the Official Tax Map of the Town of Yorktown. This parcel directly adjoins the 10' Reserved Strip as shown on Filed Map No. 2542, specifically at the end of Osceola Road. The search which began in the early 1900's has revealed that no Easement / Rights were found granted to any of the owners of this parcel over the 10' Reserved Strip in question. Further, no ownership rights specific to said reserved strip has been found of record.

Liability of the search is limited to the fees paid therefore.



Patrick F. Clowry, Vice President

ATTORNEY'S TITLE INSURANCE AGENCY, INC.

126 BARKER STREET
MOUNT KISCO, N.Y. 10549
(914) 244-3738 FAX (914) 244-3814
www.attorneytitle.biz

October 3, 2019

Robert F. Davis, Esq.
Singleton, Davie & Singleton
120 East Main Street
Mount Kisco, N.Y. 10549

RE: ACC19-7857W (I)
302 Mountain Road / 308 Mountain Road, Yorktown

Dear Bob:

Your office has instructed this company to conduct a search on Osceola Road and the 10' Reserve Strip as outlined on Filed Map No. 2542 to determine the status and ownership of same. Please find below the results of our inquiry into same:

Osceola Road:

A Search was conducted to ascertain the fee ownership of Osceola Road, as it pertains to Lots 19 and 20 on Filed Map No. 2542 / Tax Lots 16 and 17.

Lots 19 and 20 on Filed Map No. 2542:

Our first deed out of the developer, Lester A. Perry and Jessie E. Perry to Clifford E. Brundage, recorded in Liber 3516 Cp. 237 did not convey with it any portions of the road in front of or adjacent to the said lots under examination, but did convey the right to use "...any and all of the roads...on said map..." for ordinary travel.

Our next deed is from Clifford E. Brundage to Agnes C. Donnelly, recorded in Liber 3575 Cp. 333. This deed did not contain any language specific to the roads and did not convey any easement rights to use same, unlike the previous deed.

Agnes Donnelly Brundage then conveys both lots to Alice E. Bernstein, by virtue of deed recorded in Liber 4998 Cp. 379. Again, no mention of the roads being conveyed, but the rights of the grantee to use the roads reappears.

Deed from Alice E. Bernstein to James Timonen and Wayne Timonen, recorded in Liber 7075 Cp. 774 contains the *Standard Street Clause*. This is the first time this clause has been included.

James L. Timonen and Wayne A. Timonen convey said premises to Claremont Group,

RE: ACC19-7857W (I)
302 Mountain Road / 308 Mountain Road, Yorktown
Continued Page 2

Inc., by virtue of deed recorded in Liber 7118 Cp. 362. This deed contained the *Standard Street Clause*. The Grantee in this deed is the future developer of Lots 16 and 17 on Filed Map No. 2542 and subdivides these lots into two (2) distinct and separate taxable lots. They will become to be known as the following:

- 302 Mountain Road / Section 6.17 Block 2 Lot 17 / p/o Lots 19 & 20 on Filed Map No. 2542
- 308 Mountain Road / Section 6.17 Block 2 Lot 16 / p/o Lots 19 & 20 on Filed Map No. 2542

Both of these newly created parcels will go through numerous deed conveyances between them bringing us to present day. Each conveyance in their respective deed chains contained within, the *Standard Street Clause*, but no specific recitals as to any of the roads being conveyed or easement over same.

After the review of the chain described above, it is the determination of this company that the fee ownership of the lands lying in the bed of Osceola Road, in front of and adjacent to the lots under examination lies in the developer Lester A. Perry and Jessie E. Perry, although there is color of title created once the standard street clause appears. What remains unclear is that the deed out of Perry in Liber 4358 Cp. 7 for Filed Map Lots 17 & 18 on Map No. 2542 containing "Together with all right, title and interest of Grantors in and to Street or Road running between these lots and property now owned by the purchaser immediately in front of, and adjacent thereto, which right is herein merely Quit Claimed, but not covered by the warranties herein.", was it the intent of this language to convey with said lots *ALL* of the road to the grantee in that deed? As noted in this search, Tax Lots 16 & 17 carry with them addresses of Mountain Road and not Osceola Road so this adds to the question.

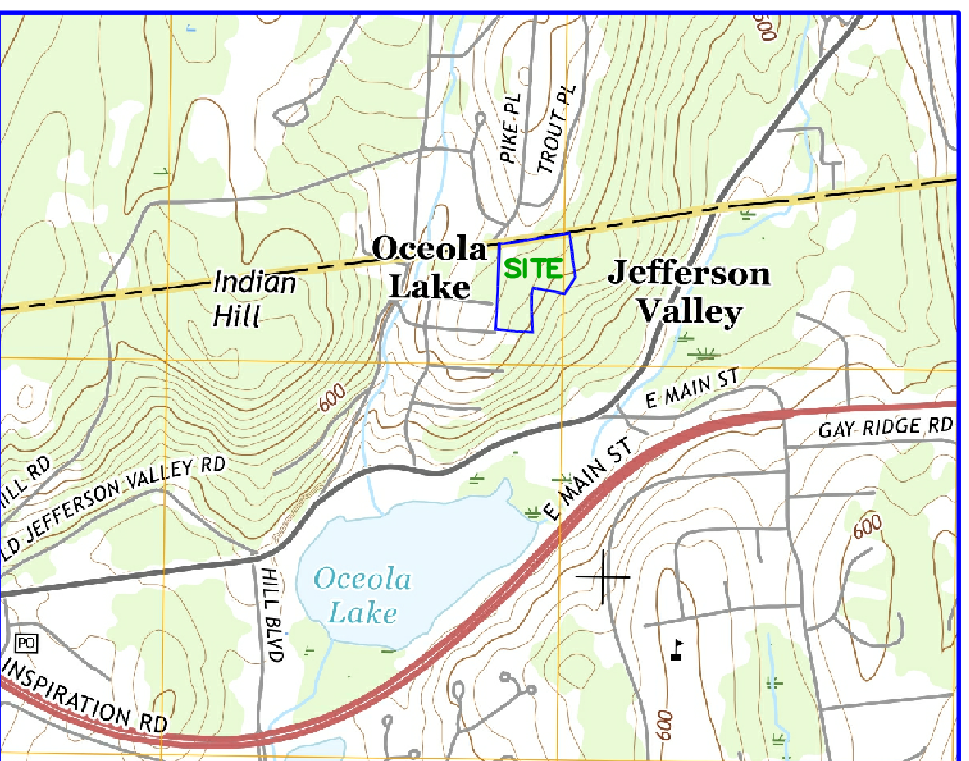
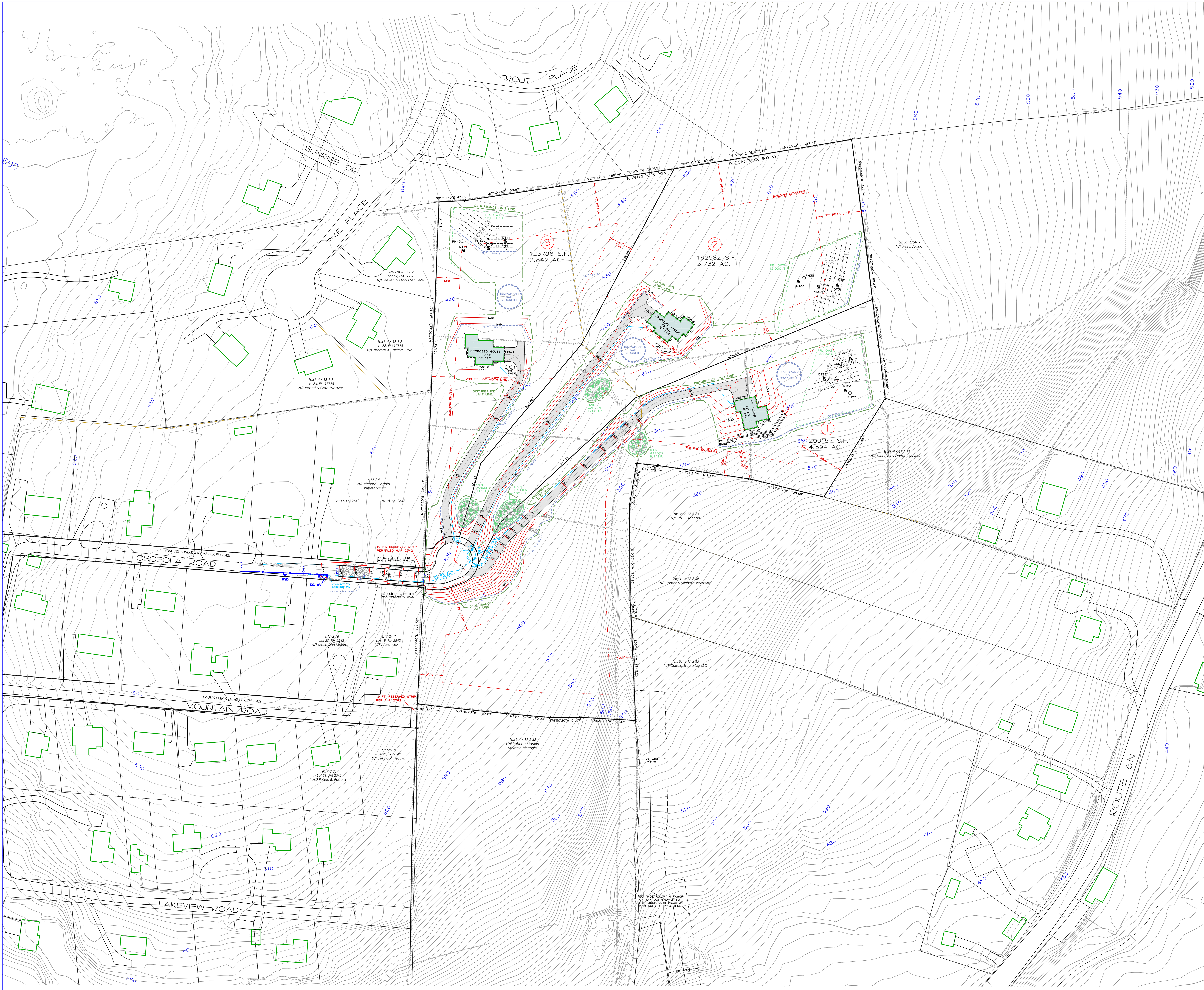
10' Reserved Strip / Osceola Road:

A Grantee/Grantor search was performed to determine whether an Easement and/or Rights were or have been granted to a certain parcel designated as Section 6.17 Block 2 Lots 16 & 17 on the Official Tax Map of the Town of Yorktown. This parcel directly adjoins the 10' Reserved Strip as shown on Filed Map No. 2542, specifically at the end of Osceola Road. The search which began in the early 1900's has revealed that no Easement / Rights were found granted to *any* of the owners of this parcel over the 10' Reserved Strip in question. Further, no ownership rights specific to said reserved strip has been found of record.

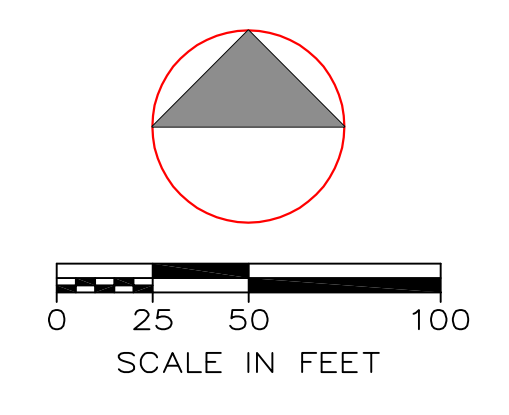
Liability of the search is limited to the fees paid therefore.



Patrick F. Clowry, Vice President



LOCATION MAP
N.T.S.



LEGEND

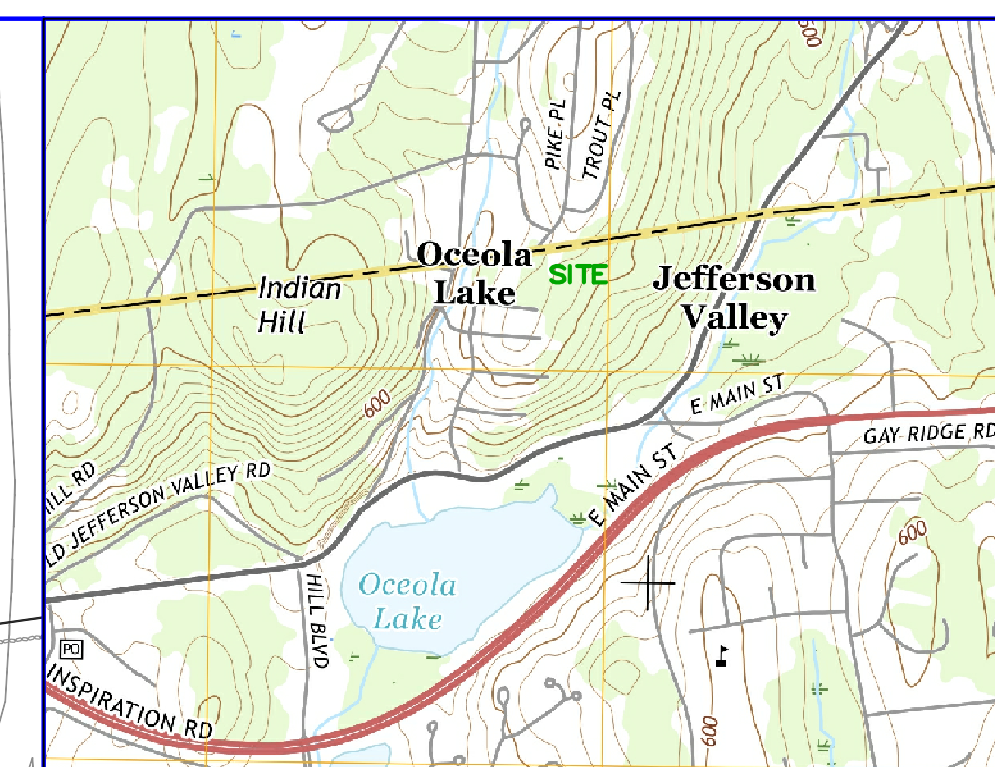
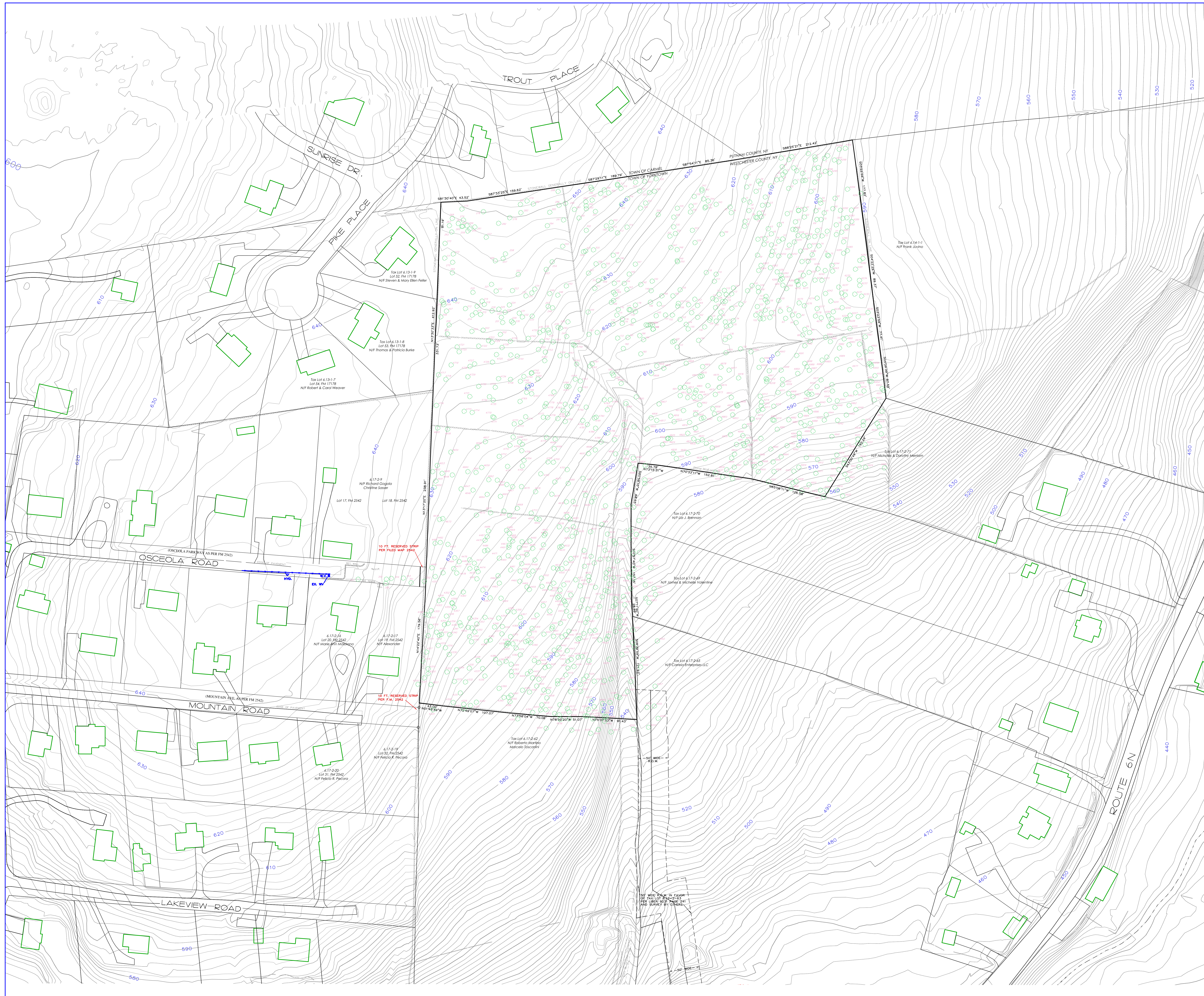
EXISTING	PROPOSED	DESCRIPTION
		CATCH BASIN
		DRAIN MANHOLE
		HYDRANT
		DRAIN INLET
		WATER VALVE
		MONUMENT
		O.W.T.A.
		CONTOUR LINE
		SPOT ELEVATION
		DEEP TEST PIT
		PERCOLATION HOLE
		DRYWELL

ZONING SCHEDULE

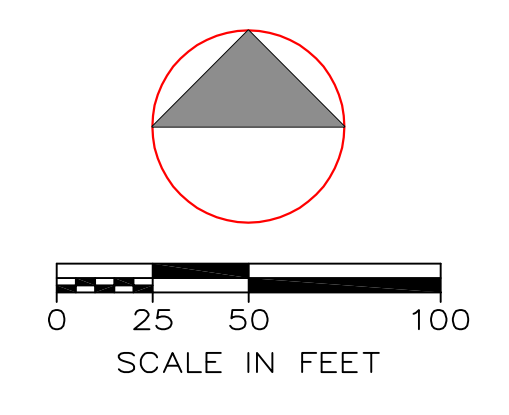
OSCEOLA ROAD	REQUIRED	PROPOSED	LOT 1	LOT 2	LOT 3
ZONE: R1-80					
MINIMUM AREA S.F.	80,000	200,157	162,582	123,796	
MINIMUM WIDTH FT.	200	200	200	216	
MINIMUM DEPTH FT.	200	324	414	546	
MINIMUM YARD FT.					
FRONT	75	79	88	111	
ONE SIDE / BOTH	30/80	67/146	60/138	52/132	
REAR	75	195	300	220	
MAX. BLDG. HEIGHT FT.	35	< 35	< 35	< 35	
MAX. BLDG. COVER %	10	0.9	1.3	1.8	
TAX DESIGNATION					
SEC. 8.13 BLK. 1 LOT 10					
SEC. 6.17 BLK. 2 LOT 63					

RALPH G. MASTROMONACO, P.E., P.C.
Consulting Engineers
13 Dove Court, Croton-on-Hudson, New York 10520
(914) 271-4762 (914) 271-2820 Fax

PRELIMINARY PLAT/
IMPROVEMENT PLAN/
GRADING/UTILITIES
PROPOSED SUBDIVISION
PREPARED FOR
KRISTINE HANSMANN
TOWN OF YORKTOWN
WESTCHESTER CO., NY
FEBRUARY 18 2021
SHEET 1 OF 5 SHEETS



LOCATION MAP
N.T.S.

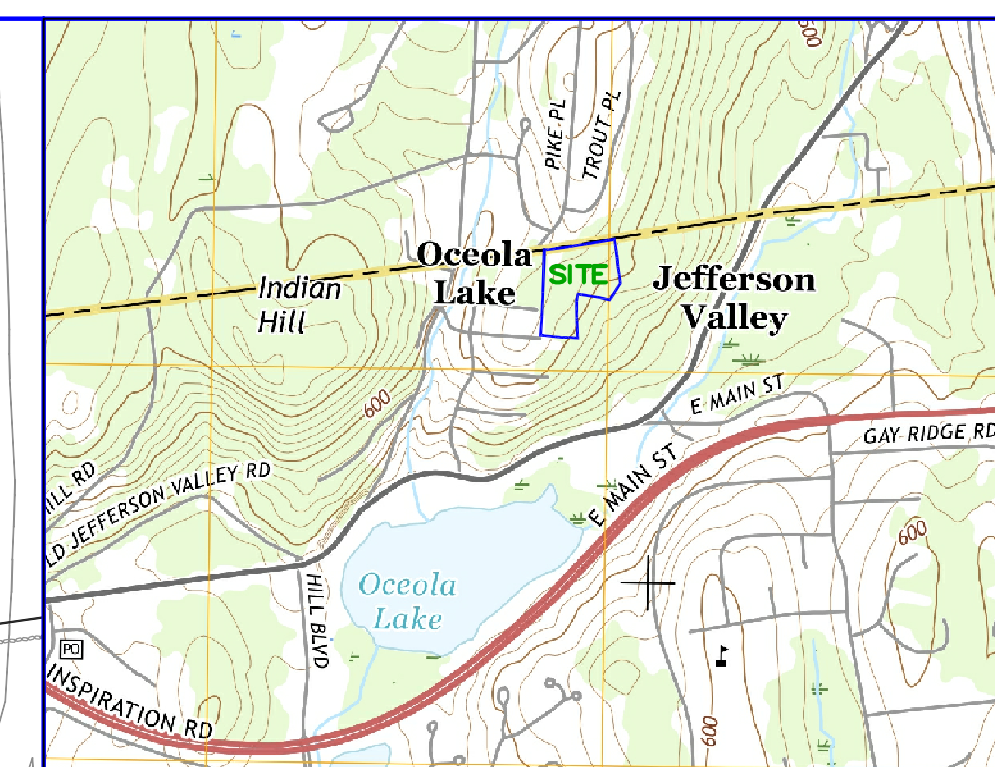
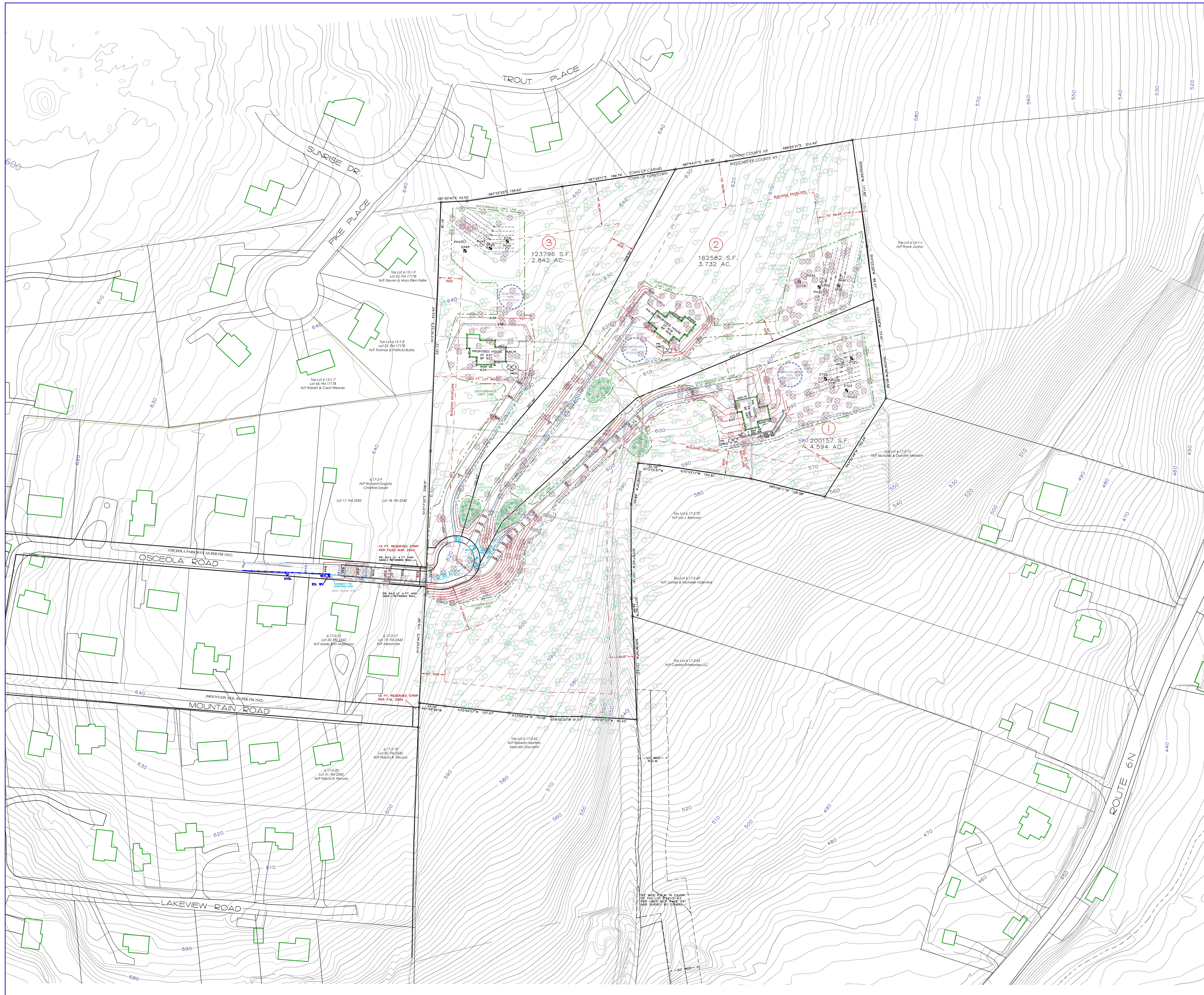


LEGEND

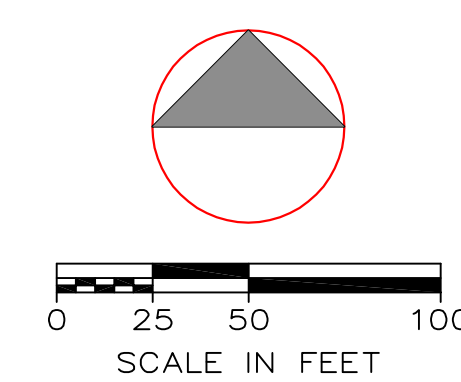
EXISTING	PROPOSED	DESCRIPTION
		CATCH BASIN
		DRAIN MANHOLE
		HYDRANT
		DRAIN INLET
		WATER VALVE
		MONUMENT
		O.W.T.A.
		CONTOUR LINE
		SPOT ELEVATION
		TREE/TAG NUMBER

RALPH G. MASTROMONACO, P.E., P.C.
Consulting Engineers
13 Dove Court, Croton-on-Hudson, New York 10520
(914) 271-4762 (914) 271-2820 Fax

EXISTING CONDITIONS MAP
PROPOSED SUBDIVISION
PREPARED FOR
KRISTINE HANSMANN
TOWN OF YORKTOWN
WESTCHESTER CO., NY
FEBRUARY 18, 2021
SHEET 2 OF 5 SHEETS



LOCATION MAP
N.T.S.



LEGEND

EXISTING	PROPOSED	DESCRIPTION
		CATCH BASIN
		DRAIN MANHOLE
		HYDRANT
		DRAIN INLET
		WATER VALVE
		MONUMENT
		O.W.T.A.
		CONTOUR LINE
		SPOT ELEVATION
		DEEP TEST PIT
		PERCOLATION HOLE
		TREE/TAG NUMBER
		TREE TO BE REMOVED
		DISTURBANCE LIMIT LINE (WOODLAND DISTURBANCE) TOTAL DISTURBANCE = 3.55 AC.

TREE REMOVAL SCHEDULE

OFFSITE ROAD	7
ONSITE CUL-DE-SAC	55
LOT 1	106
LOT 2	115
LOT 3	65
TOTAL	348

RALPH G. MASTROMONACO, P.E., P.C.
Consulting Engineers
13 Dove Court, Croton-on-Hudson, New York 10520
(914) 271-4762 (914) 271-2820 Fax

PRELIMINARY PLAT/
TREE PLAN
PREPARED FOR
KRISTINE HANSMANN
TOWN OF YORKTOWN
WESTCHESTER CO., NY
FEBRUARY 18, 2021
SHEET 3 OF 5 SHEETS

Nantucket Sound

Site Design Consultants

Civil Engineers • Land Planners

February 22, 2021

Robyn A. Steinberg, AICP, CPESC
Town of Yorktown Planning Department
1974 Commerce Street
Yorktown Heights, NY 10598

RECEIVED
PLANNING DEPARTMENT

FEB 24 2021

Re: Nantucket Sound Sons, LLC
385 Kear Street

TOWN OF YORKTOWN

Dear Robyn:

As required by the Town of Yorktown, we have sent copies of the attached "Notice to Interested Parties" as provided by your Office, to the adjoining property owners for the above referenced project.

These Notices are regarding the Planning Board Public Hearing scheduled for the March 8, 2021 Planning Board Meeting and have been sent in accordance with the Town of Yorktown Code.

Enclosed please find the following items regarding this submission:

- Sample of the "Notice to Interested Parties" which reflect the project's information as detailed in the Town of Yorktown's Public Notice;
- List of adjoining property owners;
- Copy of the Yorktown map indicating the adjoiners;
- USPS "Confirmation of Mailing" indicating confirmation of the mailing and date;
- 3 photos of "Notice" signs; and
- Sign Notification Certification.

Please review our submission and contact us as soon as possible if you have any concerns. Thank you.

Yours Truly,


Joseph C. Reina, P.E.

/cm /Enc./ sdc 19-10

251-F Underhill Avenue • Yorktown Heights, New York 10598

60 Walnut Grove Road • Ridgefield, Connecticut 06877

(914) 962-4488

(203) 431-9504

Fax (914) 962-7386



NOTICE TO INTERESTED PARTIES

TO: _____

PLEASE TAKE NOTICE that a **Public Hearing** will be held by the Planning Board of the Town of Yorktown in Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on **Monday, March 8, 2021 at 7:00 pm** or as soon thereafter as possible on the following matter:

Application of Nantucket Sound Sons, LLC for approval of a site plan, stormwater pollution prevention plan, and tree permit with submitted plans titled, "Nantucket Sound Sons, LLC," prepared by Site Design Consultants, and last revised August 25, 2020.

The applicant has proposed to construct a three-story 8,169 sf building with 2,567 sf retail space on the first floor facing Kear Street and 3 apartments on each of the upper two floors. The site is located at the address 385 Kear Street, Yorktown Heights, NY 10598, also known as Section 37.12, Block 2, Lot 86 on the Town of Yorktown Tax Map. The parcel consists of 0.36 acres in the C-2R zoning district.

Due to public health and safety concerns related to COVID-19, the Town of Yorktown Planning Board will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the March 8, 2021 Planning Board meeting will be held via video conferencing. The public will have an opportunity to see and hear the meeting live and provide comments. The meeting will also be available to view on the Town's YouTube channel.

If any interested members of the public would like to provide comments on this application, written comments can be provided to the Board by mail sent to the Planning Department at 1974 Commerce Street, Yorktown Heights, NY 10598 or by email before the meeting to Robyn Steinberg at rsteinberg@yorktownny.org. Please check the meeting agenda posted on the town's website www.yorktownny.org for information regarding joining the video conference and any additional updated information regarding this meeting.

The above listed site plan may be reviewed on the Town's website at:
<http://www.yorktownny.org/planning/public-hearings>.

This notice is being sent to you by regular first class mail pursuant to Section '195-39B of the Yorktown Town Code requiring the undersigned to notify all interested parties as defined thereunder.

Nantucket Sound Sons, LLC
Name of Applicant

Joseph C. Riina, P.E., Project Engineer, Site Design Consultants
By (Name and Title)

February 19, 2021
Date

Nantucket Sound Sons, LLC

Nantucket Sound Sons, Inc.
c/o Terrence Murphy
1010 East Main Street
Shrub Oak, NY 10588

Crompond Realty Corp.
c/o Monique Dana
7 West 75th Street
New York, NY 10023
37.18-1-49

Crompond Realty Corp.
c/o Monique Dana
7 West 75th Street
New York, New York 10023
37.18-2-48

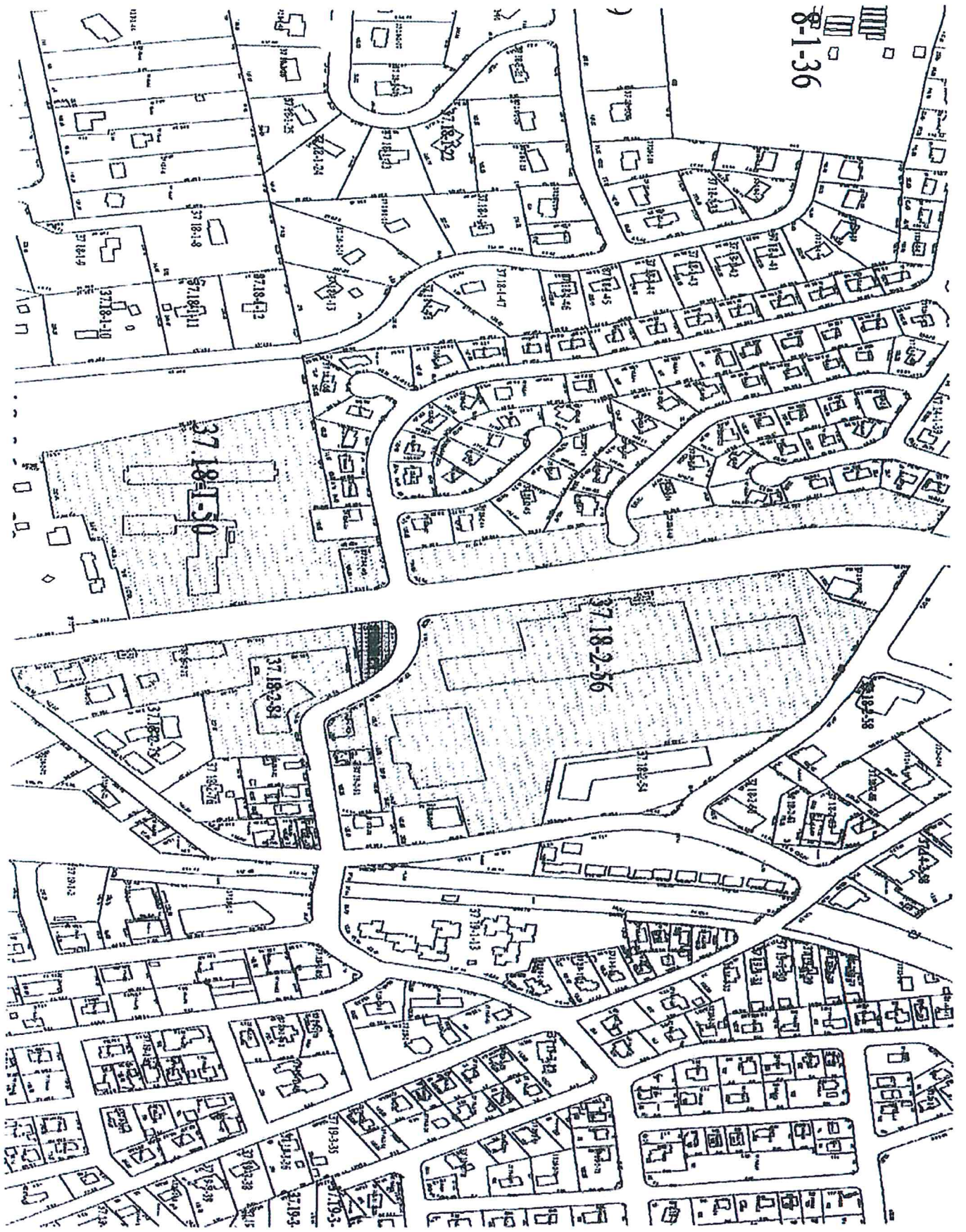
Oster Yorktown Properties LLC
429 Sylvan Avenue
P.O.Box 1708
Englewood Cliffs, NJ 07632
37.18-2-56

Beaveridge Housing Co.
c/o Midland Loan Services
Tax Department
P.O. Box 25965
Shawnee Mission, KS 66225-5
37.18-1-50

West First Management Corp.
358 Saw Mill River Road
Millwood, NY 10546
37.18-2-49

Kear Underhill Assoc. LLC
19 Julia Lane, Ste. 101
Cold Spring, NY 10515
37.18-2-73

8-1-36



Name and Address of Sender

Site Design Consultants
251-F Underhill Avenue
Yorktown Heights, New York 10598

Check type of mail or service

- Adult Signature Required
- Signature Restricted Delivery
- Certified Mail
- Registered Mail
- Return Receipt for Merchandise
- Signature Confirmation Restricted Delivery
- Collect on Delivery (COD)
- Insured Mail
- Priority Mail
- Priority Mail Express
- Registered Mail

Affix Stamp Here
 (for additional copies
 Postmark with Date)

U.S. POSTAGE PAID
 YORKTOWN HEIGHTS, NY
 10598
 FEB 23, 21
 AMOUNT
\$2.64
 R2305H130634-19



0000

USPS Tracking/Article Number

1.	2.	3.	4.	5.	6.	7.	8.	Postage	(Extra Service) Fee	Handling Charge	Actual Value If Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
Addressee (Name, Street, City, State, & ZIP Code™) Nantucket Sound Sons, Inc. c/o Terrence Murphy 1010 East Main Street Shrub Oak, NY 10588																				
Crompond Realty Corp. c/o Monique Dana 7 West 75 th Street New York, NY 10023																				
Oster Yorktown Properties LLC 429 Sylvan Avenue P.O.Box 1708 Englewood Cliffs, NJ 07632 Beaveridge Housing Co. c/o Midland Loan Services Tax Department P.O. Box 25965 Shawnee Mission, KS 66225-5																				
West First Management Corp. 358 Saw Mill River Road Millwood, NY 10546																				
Kear Underhill Assoc. LLC 19 Julia Lane, Ste. 101 Cold Spring, NY 10515																				
Total Number of Pieces Listed by Sender																				
Total Number of Pieces Received at Post Office																				
Postmaster, Per (Name of receiving employee)																				

Complete in Ink







Sign Notification Certification

Per Section §205-7 of the Town of Yorktown Town Code, every applicant that submits an application to an approval authority empowered to approve or deny said application must post one or more notification signs on the property which is the subject of said application.

Section 37.12 Parcel 2 Lot 86

Project Name: Nantucket Sound Sons, LLC

Address: 385 Kear Street, Yorktown Heights

Applicant's Name: Nantucket Sound Sons, LLC - Patrick Murphy

Address: 10 Julian Lane, Cold Spring

Phone: 845-809-5969

No. Signs Posted: 3

Sign #1 Location: Saw Mill River Road (2)

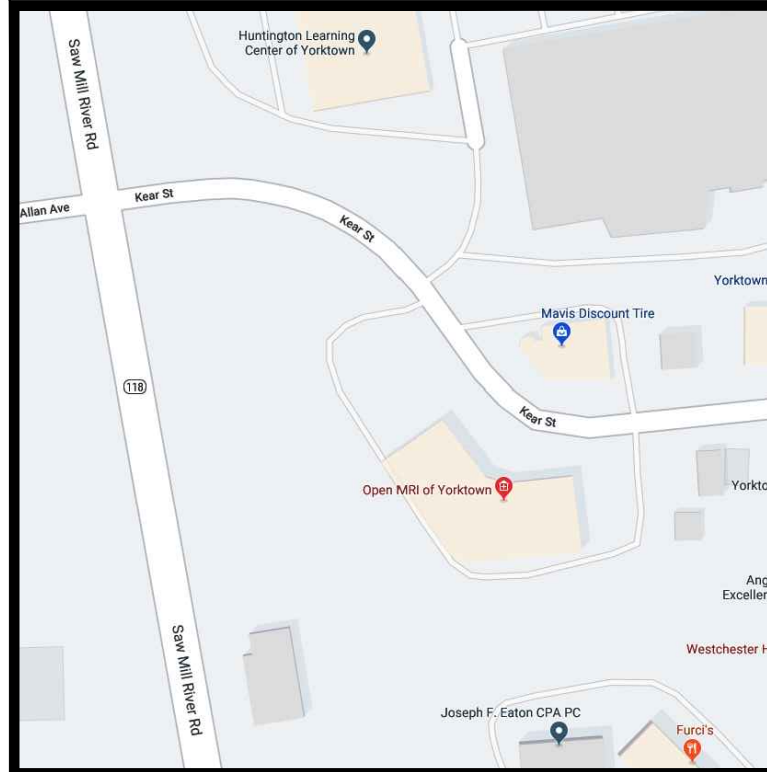
Sign #2 Location: Kear Street

Sign #3 Location: _____

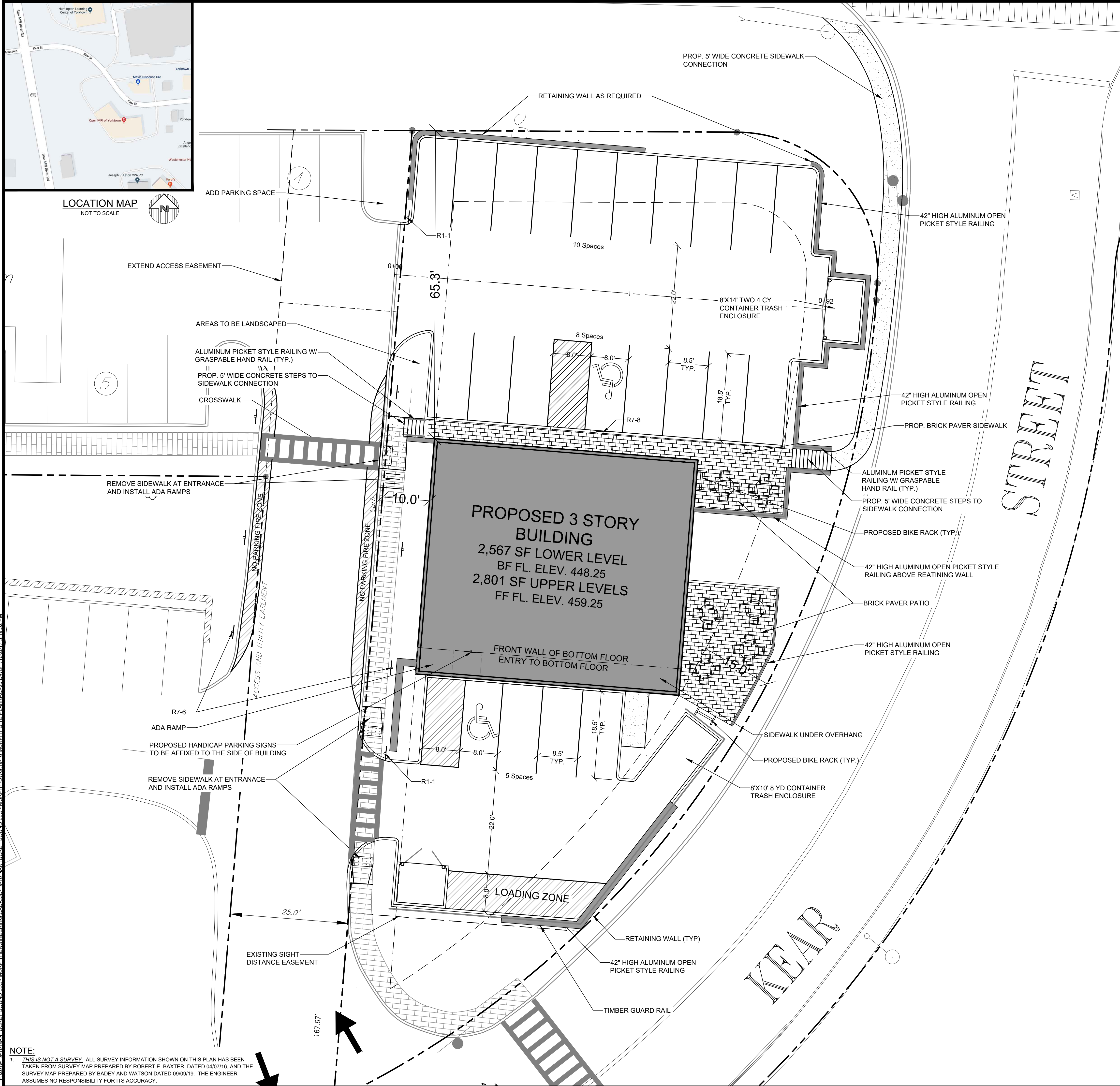
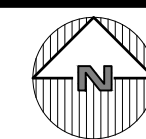
- Please Attach and Label Photos on Additional Sheets -

Applicant's Signature: _____

Land Owner's Signature: _____



LOCATION MAP
NOT TO SCALE



SITE DATA:

OWNER / DEVELOPER: NANTUCKET SOUND SONS, LLC.
1672 MORNINGVIEW DRIVE
YORKTOWN, NY, 10598

PROJECT LOCATION: KEAR STREET
TOWN OF YORKTOWN

EXISTING TOWN ZONING: C2-R
PROPOSED USE: C2-R

TOWN TAX MAP DATA: SECTION 37.12, BLOCK 2, LOT 86

SITE AREA: 0.36 ACRES (15,807 SF)

SEWAGE FACILITIES: PUBLIC SEWERS

WATER FACILITIES: PUBLIC WATER FACILITIES

ZONING SCHEDULE:

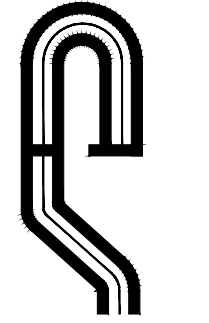
ZONING DISTRICT: C-2R, COMMERCIAL HAMLET CENTER DISTRICT			
DIMENSIONAL REGULATIONS:	REQUIRED	PROVIDED	VARIANCE REQUIRED
MINIMUM SIZE OF LOT:			
MINIMUM LOT AREA:	NONE	15,807 S.F.	NONE
MINIMUM LOT WIDTH:	NONE	60 FT.	NONE
MINIMUM YARD DIMENSIONS:			
PRINCIPAL BUILDING:			
FRONT YARD SETBACK:	*15 FT.	15 FT.	NONE
REAR YARD SETBACK:	30 FT.	N/A	NONE
ONE SIDE YARD SETBACK:	**0 FT.	10 FT.	NONE
COMBINED SIDE YARD SETBACK:	NONE	N/A	NONE
ACCESSORY BUILDINGS:			
FRONT YARD SETBACK:	50 FT.	NONE	NONE
REAR YARD SETBACK:	30 FT.	NONE	NONE
ONE SIDE YARD SETBACK:	NONE	NONE	NONE
COMBINED SIDE YARD SETBACK:	NONE	NONE	NONE
MAXIMUM % OF LOT TO BE OCCUPIED:			
PRINCIPAL BUILDING COVERAGE:	30% OF LOT AREA	17.72 % OF LOT AREA	NONE
ACCESSORY BUILDING COVERAGE:	30% OF LOT AREA	N/A	NONE
MAXIMUM HEIGHT:			
PRINCIPAL BUILDING - FEET:	35 FEET	34 FT.	NONE
ACCESSORY BUILDING - FEET:	20 FEET	NONE	NONE
ACCESSORY BUILDING - STORIES:	2 1/2	NONE	NONE

NOTE:

1. PARKING PLAN APPROVAL REQUIRED IN ACCORDANCE WITH §§ 300-179 THROUGH 300-182 AND 300-183 THROUGH 300-186. SEPARATE STRUCTURES LESS THAN 500 SQUARE FEET SHALL NOT BE PERMITTED. *FRONT YARD SETBACK IS 75 FEET WITH PARKING. **NONE, BUT IF PROVIDED SHALL BE 10 FEET; IF USED AS ONE-WAY VEHICULAR ACCESS, SHALL BE 17 FEET; TWO-WAY VEHICULAR ACCESS, 25 FEET; IF ADJOINS AN R DISTRICT, SHALL BE 50 FEET.


PARKING SCHEDULE

REQUIRED PARKING BUSINESS:	4 SPACES PER 1000 SF OF BUILDING
RESIDENTIAL:	2.2 SPACES PER RESIDENTIAL UNIT
BUSINESS BUILDING:	2,567 S.F. @ 4 SPACES/1000 S.F. = 10 SPACES
RESIDENTIAL BUILDING:	6 UNITS @ 2.2 SPACES/1 UNIT = 13 SPACES
TOTAL REQUIRED:	23 SPACES
PROVIDED PARKING:	21 STANDARD 2 HANDICAP
TOTAL PROVIDED PARKING:	23 SPACES
PARKING VARIANCE REQUIRED:	NONE



PROJECT # 19-10

Site Design Consultants
Civil Engineers • Land Planners
251-F Underhill Avenue, Yorktown Heights, NY 10598
(914) 962-4488 - Fax: (914) 962-7386
www.sitedesignconsultants.com



Engineer:
Joseph F. Egan, No. 64431
NYS Lic. No. 64431

Revisions:	No.	Date	Comments
	1	6/17/20	Plan Revisions
	2	8/25/20	Town Comments

SCALE: 1" = 10'

DRAWN BY: TK

DATE: 3/14/20

SITE PLAN

SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, LLC.
KEAR STREET
Town of Yorktown
Westchester County, NY

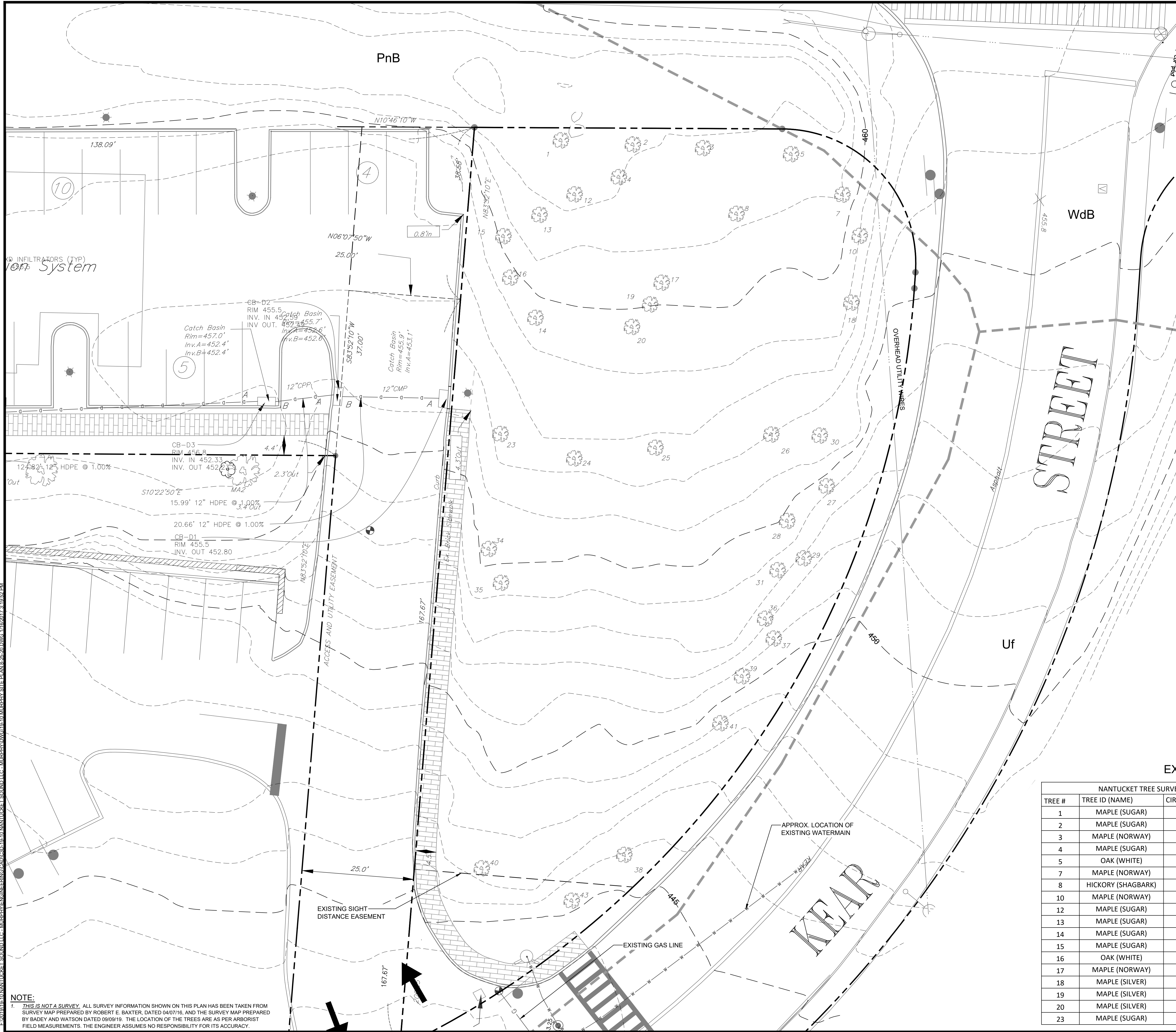
Sheet 1 of 12

SAFE DIG
Before You Dig, Drill or Blast!
Call 811
Call 811 to locate underground utilities before you dig, drill or blast. It's the safe way to dig. Call 811 at least 3 business days before you dig, drill or blast. For more information, visit www.call811.com

NOTE:
1. THIS IS NOT A SURVEY. ALL SURVEY INFORMATION SHOWN ON THIS PLAN HAS BEEN TAKEN FROM SURVEY MAP PREPARED BY ROBERT E. BAXTER, DATED 04/07/16, AND THE SURVEY MAP PREPARED BY BADEY AND WATSON DATED 09/09/19. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

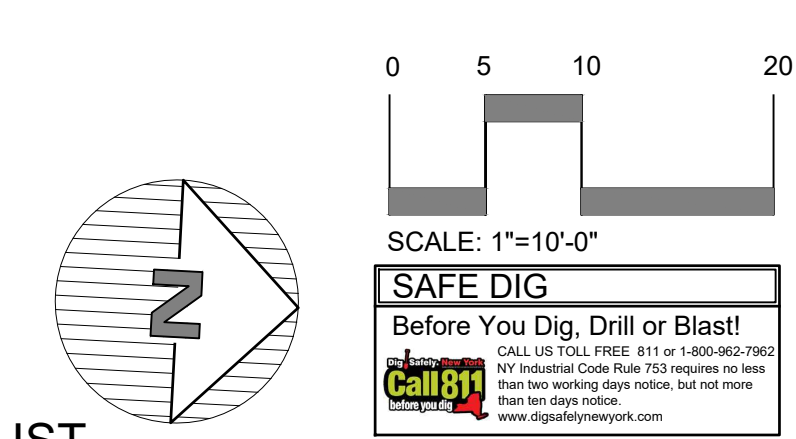
NOTE: UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

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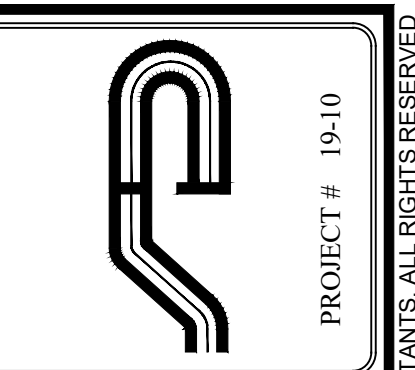
NOTE:
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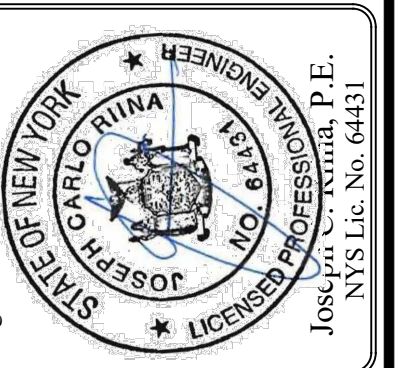


EXISTING TREE LIST

NANTUCKET TREE SURVEY				NANTUCKET TREE SURVEY			
TREE #	TREE ID (NAME)	CIR. (")	DIA. (")	TREE #	TREE ID (NAME)	CIR. (")	DIA. (")
1	MAPLE (SUGAR)	44	14.01	24	MAPLE (SILVER)	51	16.24
2	MAPLE (SUGAR)	38	12.1	25	MAPLE (SUGAR)	42	13.38
3	MAPLE (NORWAY)	36	11.46	26	MAPLE (SUGAR)	60	19.11
4	MAPLE (SUGAR)	28	8.92	27	MAPLE (SILVER)	30	9.55
5	OAK (WHITE)	118	37.58	28	BLACK BIRCH	39	12.42
7	MAPLE (NORWAY)	66	21.02	29	CHERRY (BIRCH)	27	8.6
8	HICKORY (SHAGBARK)	30	9.55	30	LOCUST (BLACK)	61	19.43
10	MAPLE (NORWAY)	27	8.6	31	MAPLE (SUGAR)	44	14.01
12	MAPLE (SUGAR)	28	8.92	34	LOCUST (BLACK)	63	20.06
13	MAPLE (SUGAR)	27	8.6	35	MAPLE (SUGAR)	67	21.34
14	MAPLE (SUGAR)	32	10.19	36	MAPLE (SUGAR)	69	21.97
15	MAPLE (SUGAR)	44	14.01	37	MAPLE (SILVER)	32	10.19
16	OAK (WHITE)	46	14.65	38	MAPLE (SUGAR)	60	19.11
17	MAPLE (NORWAY)	26	8.28	39	MAPLE (SUGAR)	34	10.83
18	MAPLE (SILVER)	79	25.16	40	BEECH (AMERICAN)	52	16.56
19	MAPLE (SILVER)	31	9.87	41	MAPLE (SUGAR)	59	18.79
20	MAPLE (SILVER)	33	10.51	43	OAK (WHITE)	58	18.47
23	MAPLE (SUGAR)	36	11.46				



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 251-F Underhill Avenue, Yorktown Heights, NY 10598
 (914) 962-4488 - Fax: (914) 962-7386
 www.sitedesignconsultants.com

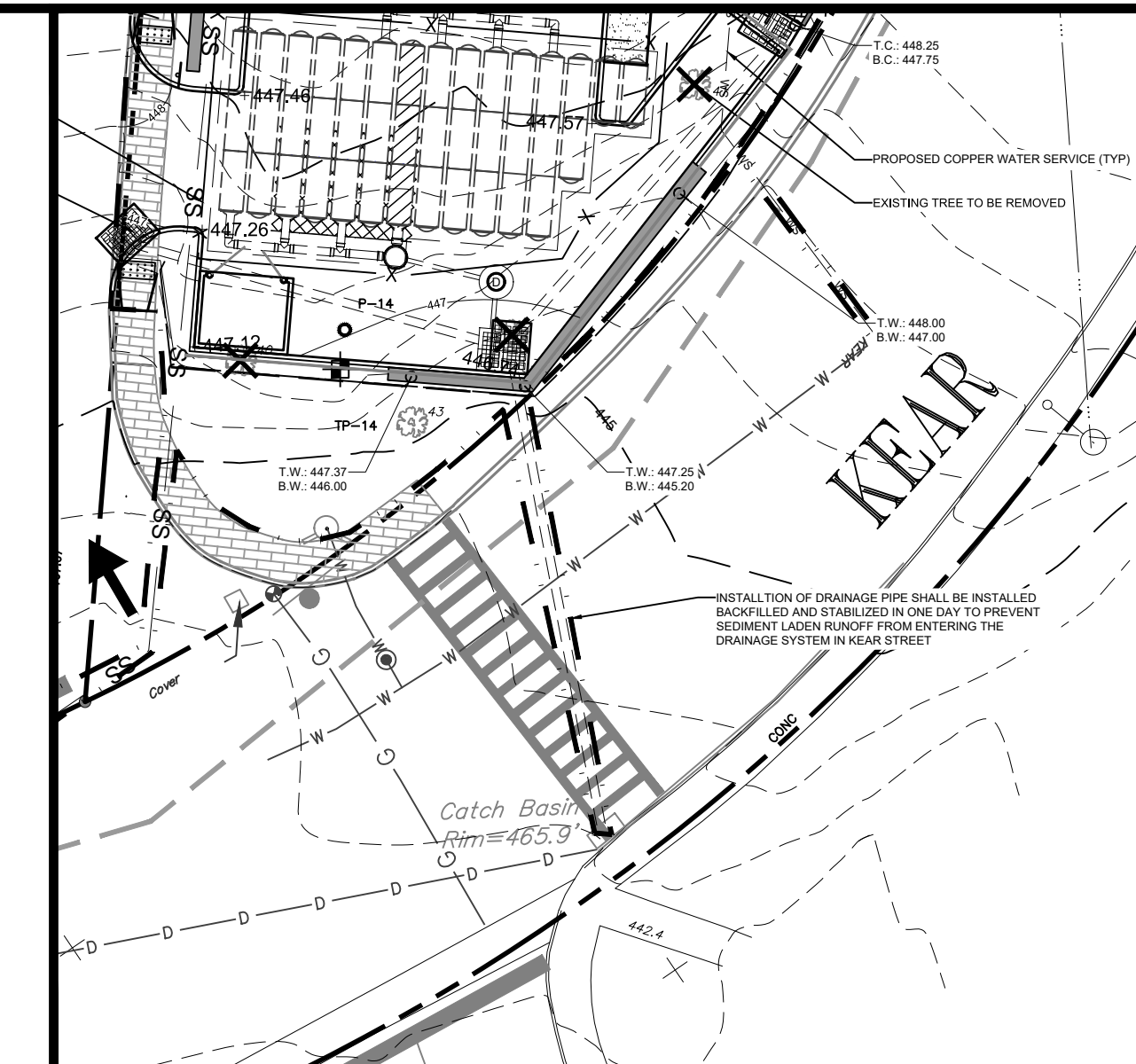
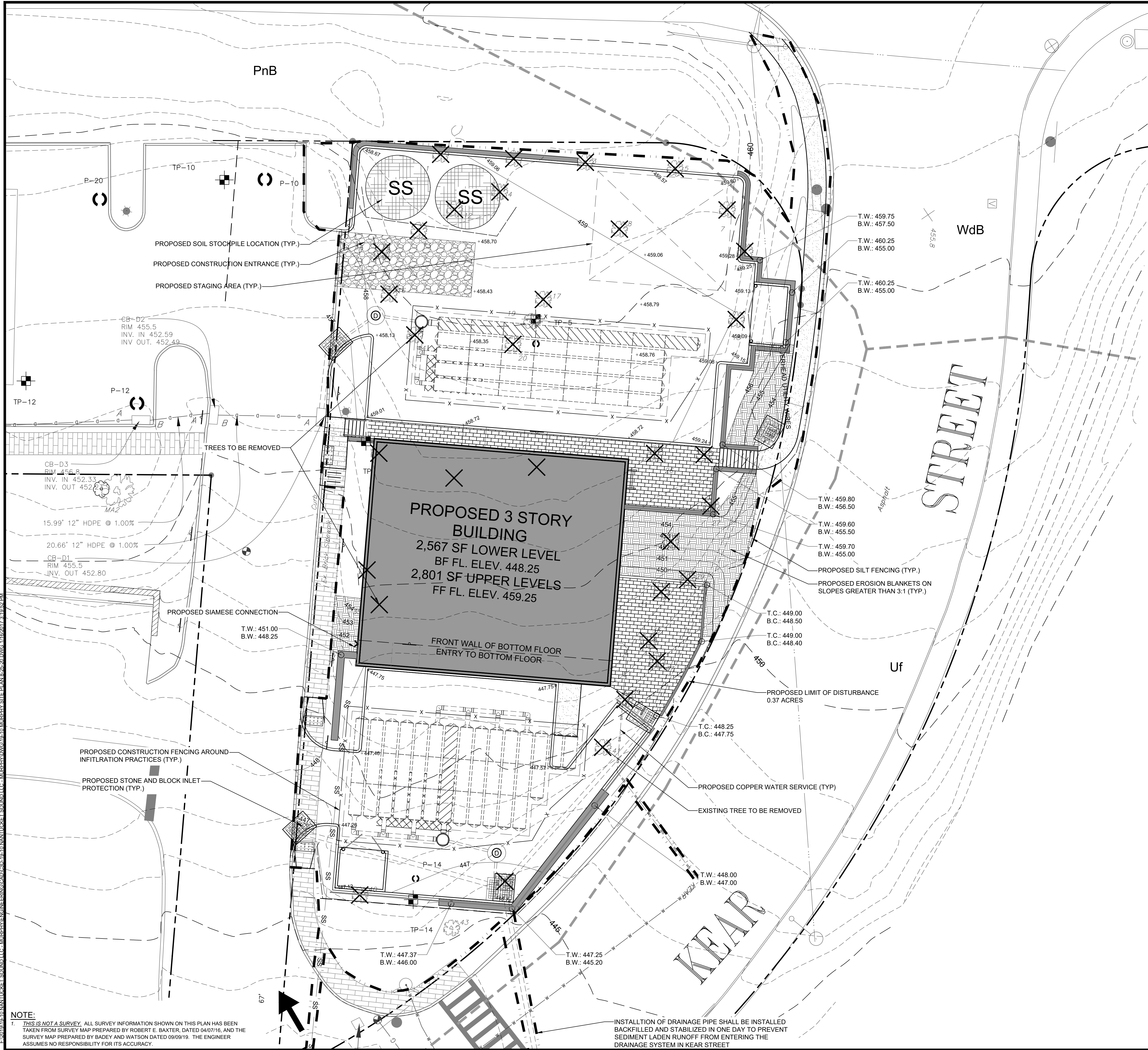


Revisions:	No.	Date	Comments
	1	6/17/20	Plan Revisions
	2	8/25/20	Final Comments

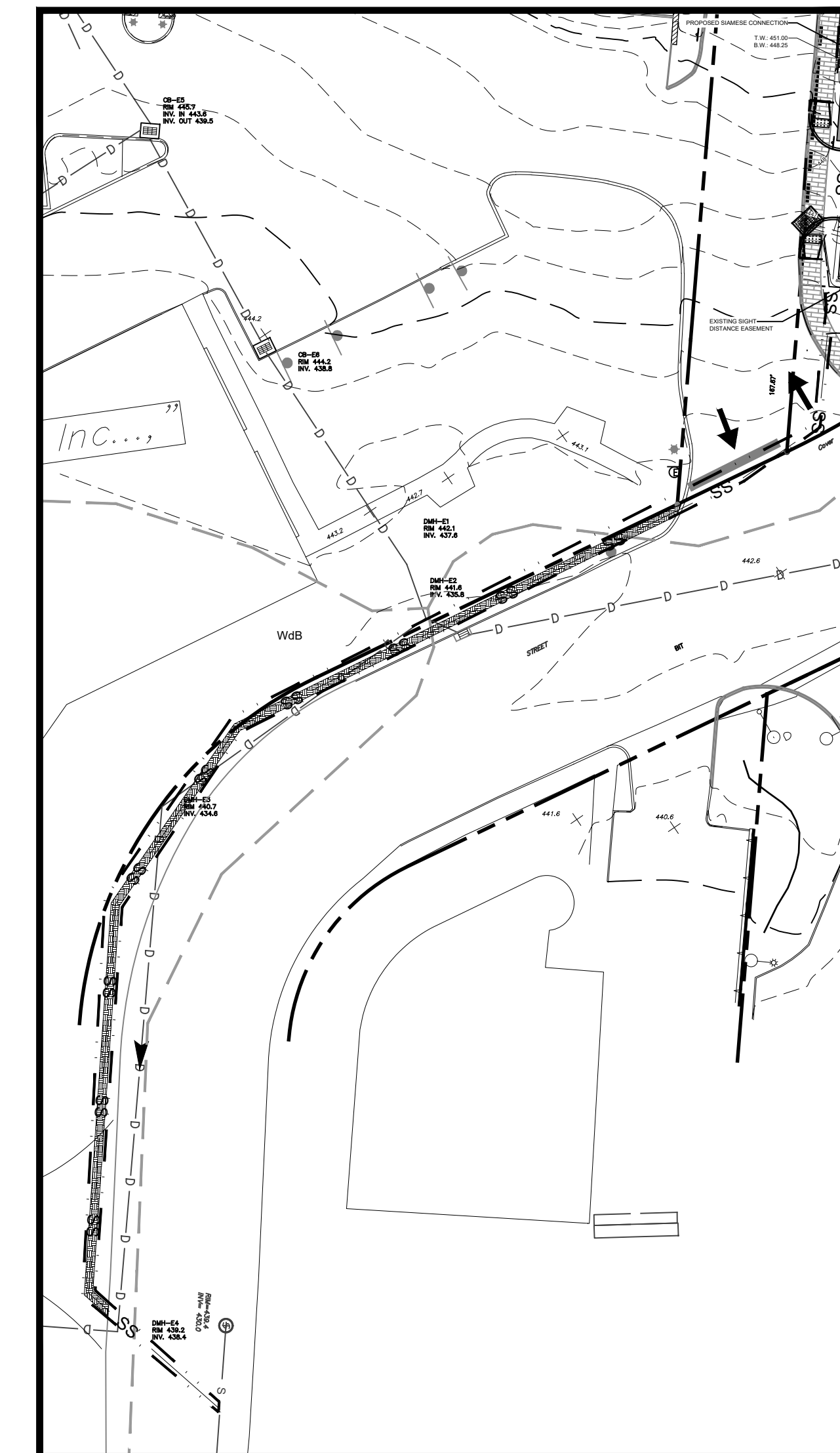
SCALE: 1" = 10'
 DRAWN BY: TK
 DATE: 3/14/20

EXISTING CONDITIONS

SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, LLC.
 KEAR STREET
 Town of Yorktown
 Westchester County, NY



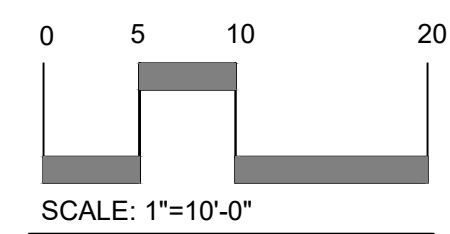
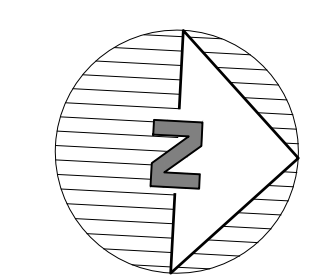
INSET 1
SCALE 1" = 10'



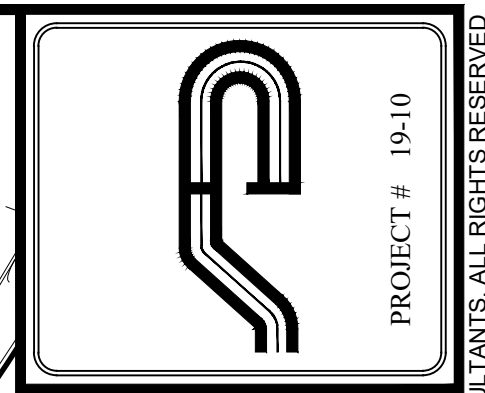
INSET 2
SCALE 1" = 30'

NOTE:
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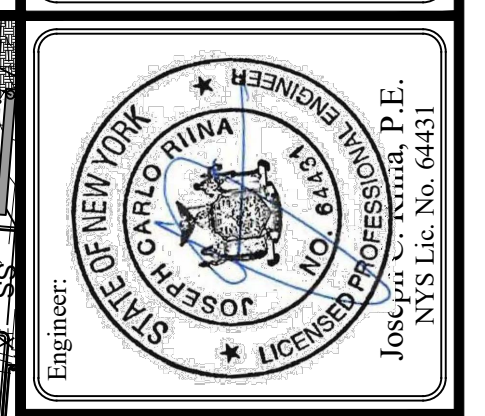
INSTALLATION OF DRAINAGE PIPE SHALL BE INSTALLED BACKFILLED AND STABILIZED IN ONE DAY TO PREVENT SEDIMENT LADEN RUNOFF FROM ENTERING THE DRAINAGE SYSTEM IN KEAR STREET



SAFE DIG
Before You Dig, Drill or Blast!
Call 811
Call 811 TO FIND OUT IF ANY UTILITIES ARE LOCATED AT YOUR SITE. IT'S FREE AND IT'S FAST!
NY Industrial Code Rule 233 requires no more than ten days notice.
www.call811.org



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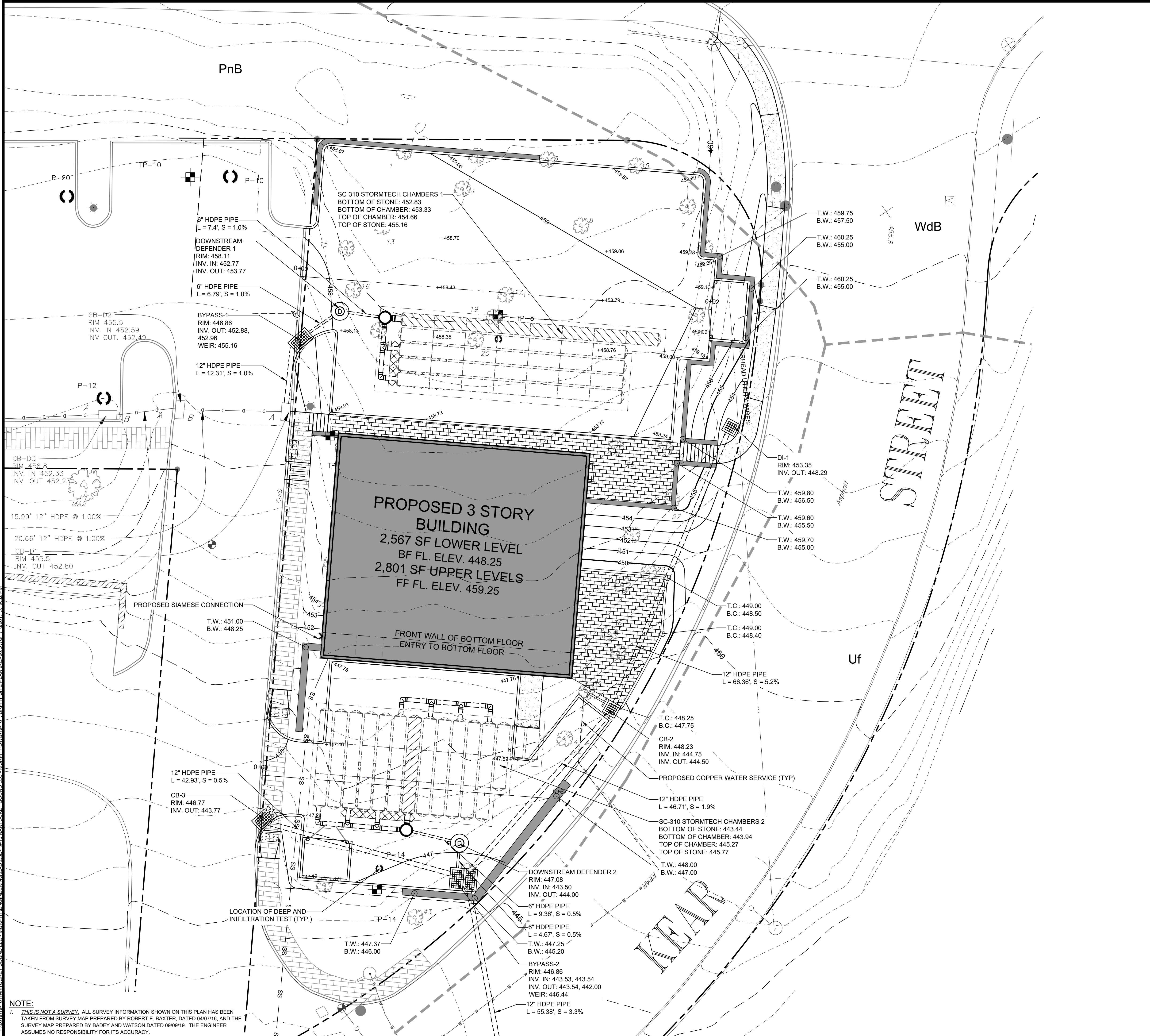
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SCALE: 1" = 10'
DRAWN BY: TK
DATE: 3/14/20

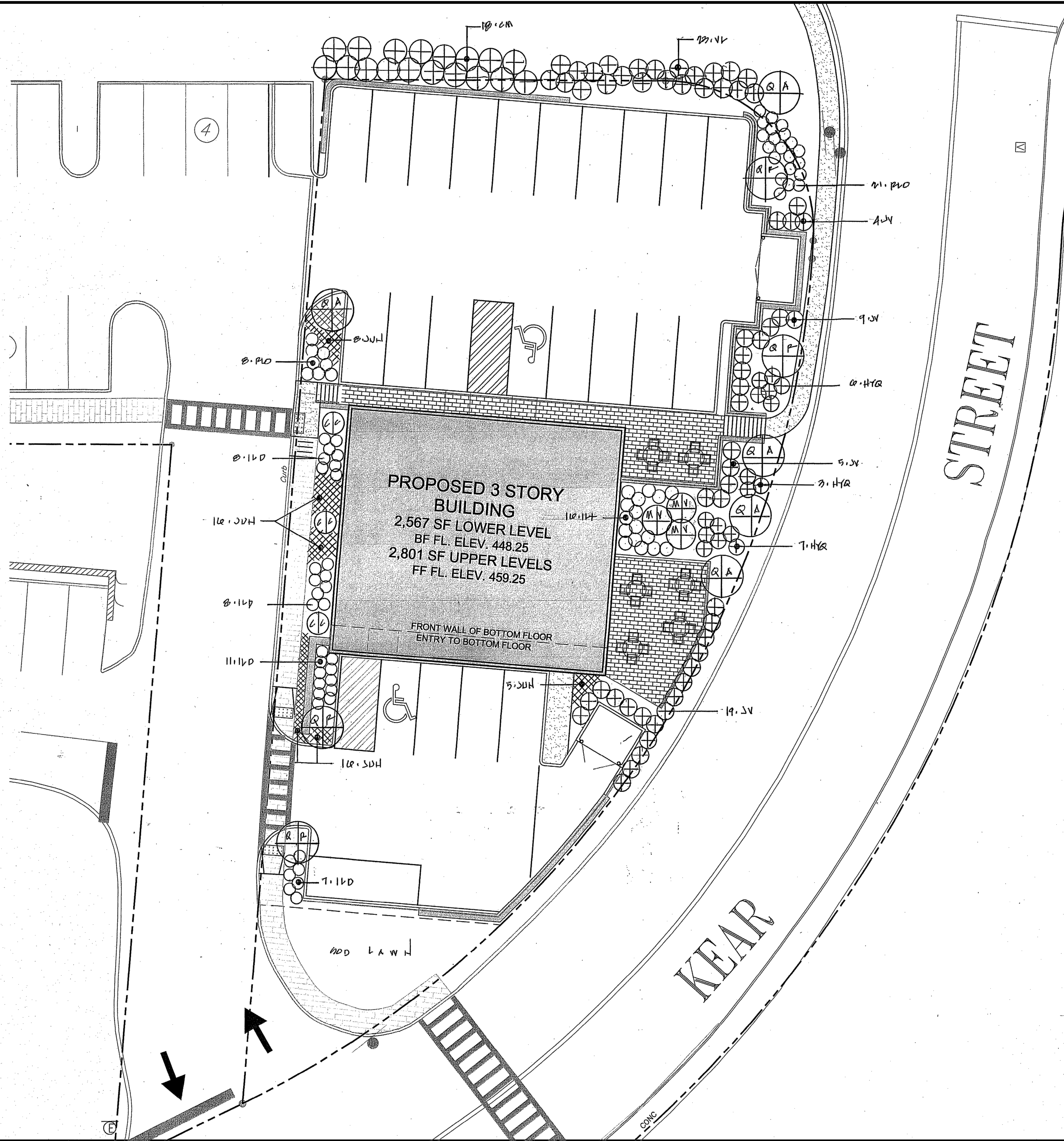
E&S PLAN

SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, LLC.
KEAR STREET
Town of Yorktown
Westchester County, NY

Sheet 3 of 12



E:\2018\10 NANTUCKET SOUND, LLC - MIREBEK ENGINEERING\CAD\CAD-19-10 NANTUCKET SOUND, LLC - MIREBEK SITE PLAN 8-25-20.DWG: 11/6/2017 2:18:52 PM



PROPOSED 3 STORY BUILDING
 2,567 SF LOWER LEVEL
 BF FL. ELEV. 448.25
 2,801 SF UPPER LEVELS
 FF FL. ELEV. 459.25

FRONT WALL OF BOTTOM FLOOR
 ENTRY TO BOTTOM FLOOR

PLANT SCHEDULE

KEY	QUAN.	BOTANICAL / COMMON NAME	SIZE
TREES			
CC	3	Carpinus caroliniana "Fire Spire" Native Hornbeam	25 Gal.
CM	18	Cornus mas - Cornelian Cherry (Multi-stem)	15 Gal.
MV	3	Magnolia virginiana - Sweetbay Magnolia	25 Gal.
QA	5	Quercus alba - White Oak	3 1/2"-4" Cal.
QR	4	Quercus rubra - Red Oak	3 1/2"-4" Cal.
JV	37	Juniperus virginiana "Taylor" - Taylor Red Cedar	5'-6" HT.
VL	23	Viburnum lentago - Nannyberry	15 Gal.
SHRUBS AND GROUNDCOVERS:			
HYQ	16	Hydrangea "Quick Fire" - Quick Fire Hydrangea	5 Gal.
ILD	34	Ilex glabra "Densa" - Densa Inkberry	5 Gal.
ILX	16	Ilex glabra "Shamrock" - Shamrock Inkberry	5 Gal.
JUN	45	Juniperus "Parsonii" - Parson's Juniper	3 Gal.
RLO	29	Rhus a. "Gro-Low" - Gro-Low Native Sumac	5 Gal.
VIB	15	Viburnum dentatum "Chicago Lustre" - Arrowwood	5 Gal.

PLANTING SPECIFICATIONS:

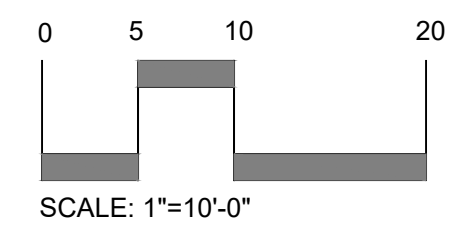
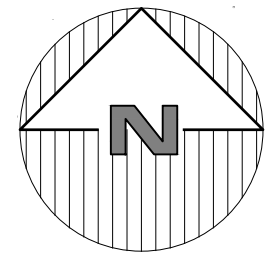
GENERAL: All plants, shrubs and vines, shall meet the specifications for "plant material" as per the American Horticultural Society. The landscape architect reserves the right to inspect all plants prior to shipping. All plants shall be guaranteed for one full year from the time the landscaping is formally accepted by the owner and the Town of Yorktown, 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 so the root flare is exposed. Backfill for all planting pits shall be as follows: Two parts native soil, one - part screened topsoil and one - part humus. "Roots Plus" shall be added to all backfill, as per label directions.

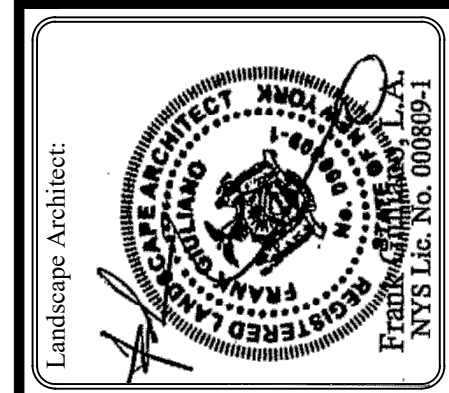
WATERING: Landscape contractor shall keep all plantings well-watered until final approval by the owner. Thereafter, the owner shall install a drip irrigation system, or hand water all plantings until all plantings are established (approx. two years).

MULCHING: All planting beds shall be mulched with three (3) inches of shredded Cedar bark. All trees shall be mulched with three (3) inches of shredded bark in a four (4) foot diameter circle around each existing tree. No colored wood chip mulch. Mulch should not come in direct contact with the trunk of trees or basal stems of shrubs.

LAWN AREAS: All disturbed areas shall be sodded. All sodded shall have a minimum of four (4) inches of topsoil as a base. Sod bed shall be fine graded, with all stones and debris over 1" in diameter removed. Sod shall be firm grown and meet the specifications of the American Sod Growers Association.



FRANK GIULIANO - LANDSCAPE ARCHITECT
 8 PINETREE DRIVE KATONAH, NY 10536
 914-962-3690
 FG1ARCH@AOL.COM



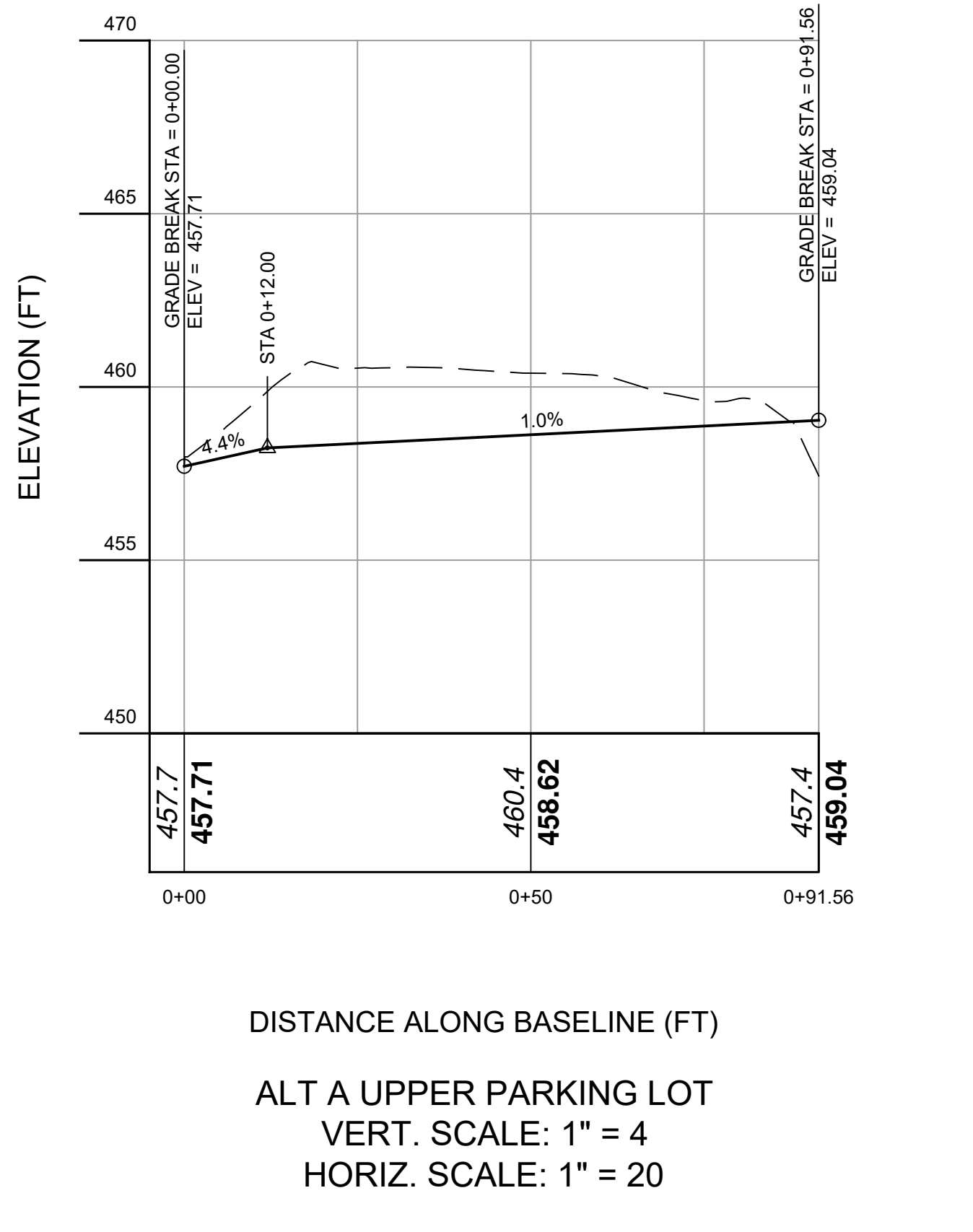
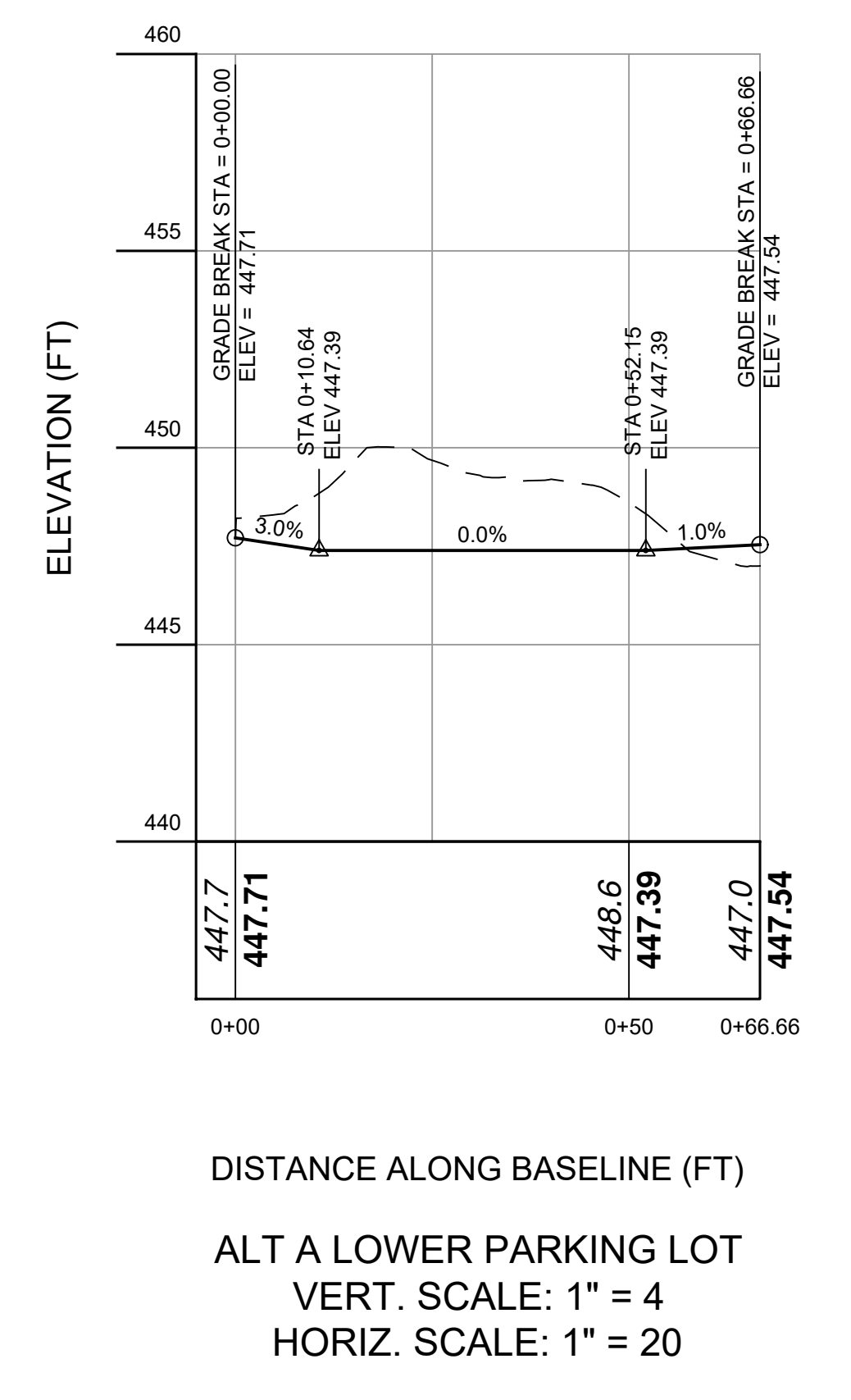
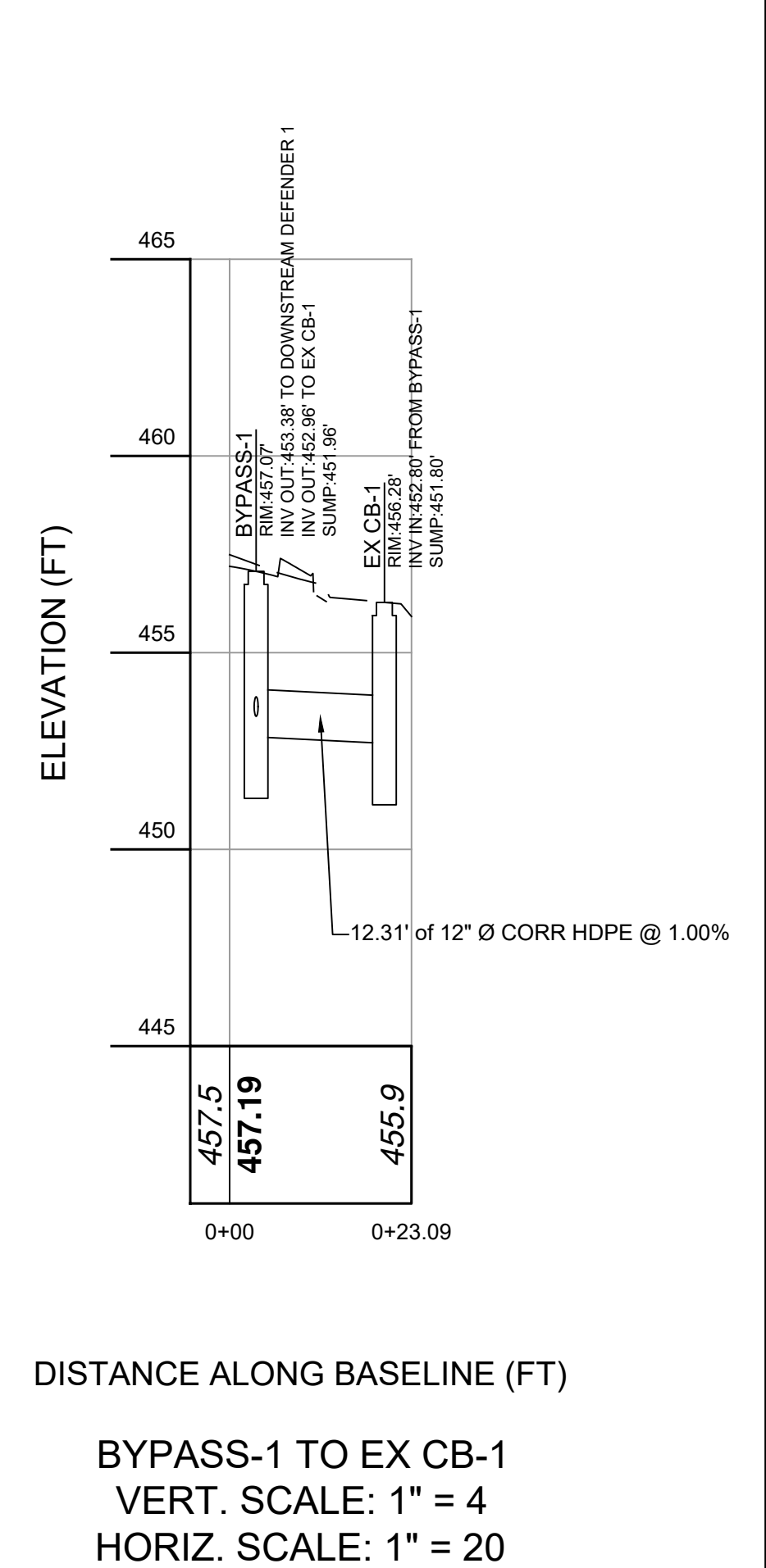
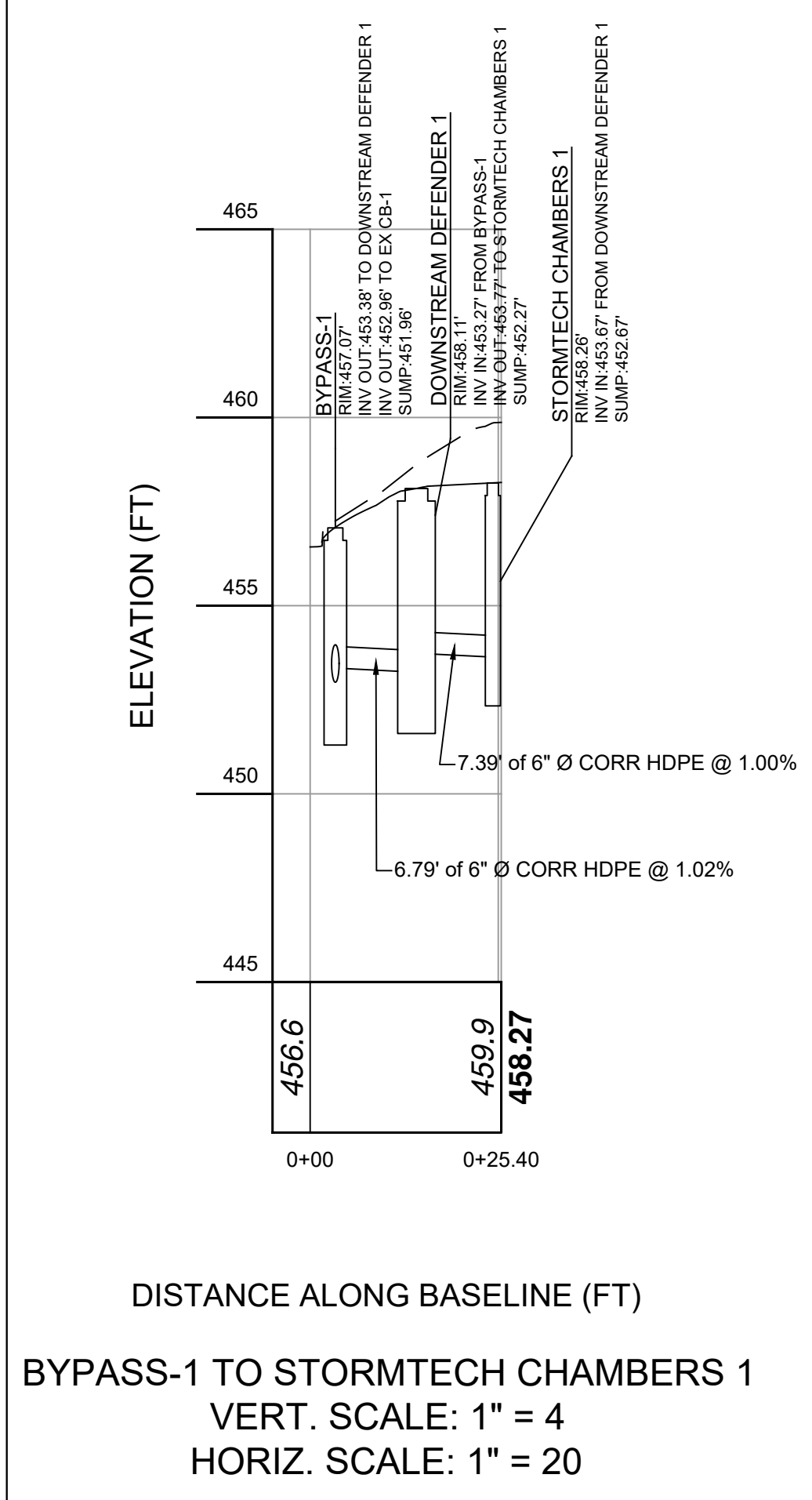
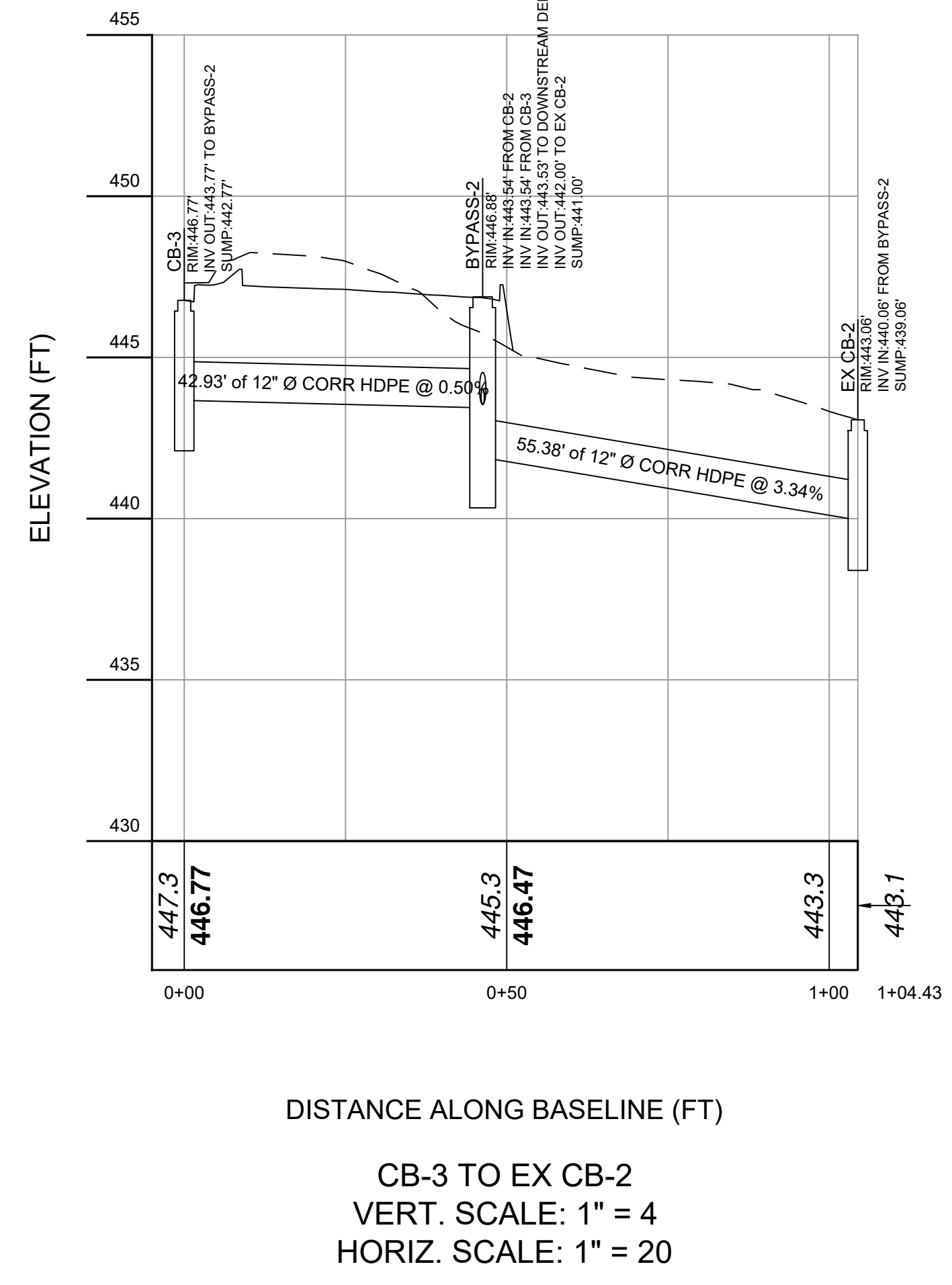
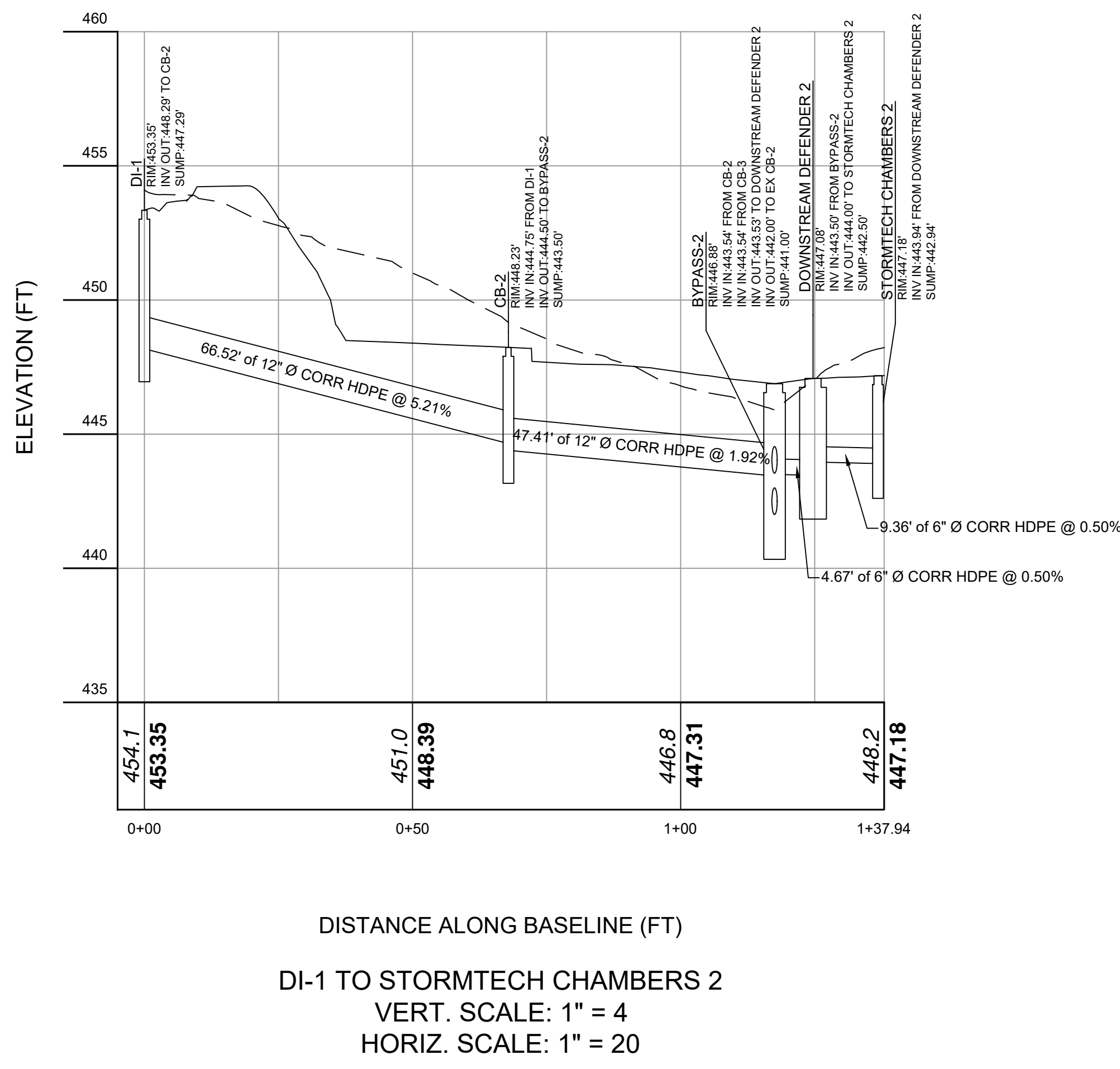
Revisions:	No.	Date	Comments
	1	6/7/20	Plan Revisions
	2	8/25/20	Town Comments

SCALE: 1" = 10'
 DRAWN BY: FG
 DATE: 2-20-20

LANDSCAPE PLAN

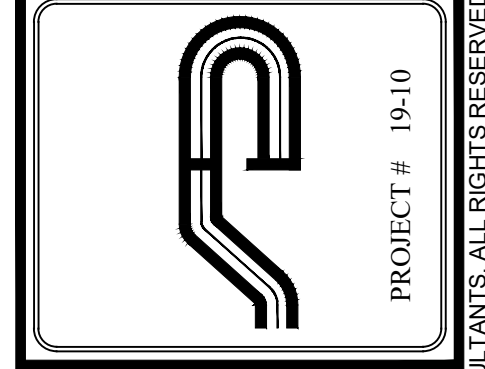
SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, LLC.
 KEAR STREET
 Town of Yorktown
 Westchester County, NY

EX-2018-10, NANTUCKET SOUND, L.L.C., MIREBHY ENGINEERING, CAD/CDD-19, NANTUCKET SOUND, L.L.C., MIREBHY SITE PLAN 18-25-20 DWG. 11/16/2017 3:15:52 PM

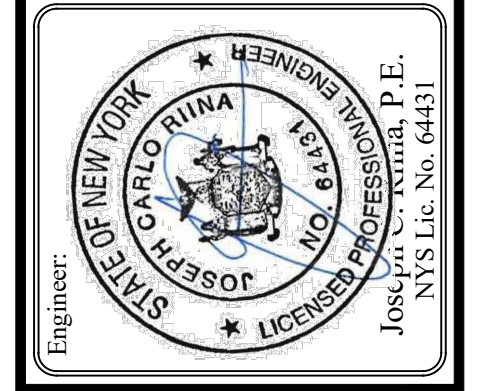


NOTE:
 1. THIS IS NOT A SURVEY. ALL SURVEY INFORMATION SHOWN ON THIS PLAN HAS BEEN TAKEN FROM SURVEY MAP PREPARED BY ROBERT E. BAXTER, DATED 04/07/16, AND THE SURVEY MAP PREPARED BY BADEY AND WATSON DATED 09/09/19. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

NOTE: UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.



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 Civil Engineers • Land Planners
 251-F Underhill Avenue, Yorktown Heights, NY 10598
 (914) 962-4488 - Fax: (914) 962-7386
 www.sitedesignconsultants.com



Revisions:	No.	Date	Comments
	1	6/17/20	Plan Revisions
	2	8/25/20	Toward Comments

SCALE: 1" = 10'
 DRAWN BY: TK
 DATE: 3/14/20

PROFILES

SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, L.L.C.
 KEAR STREET
 Town of Yorktown Westchester County, NY

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GENERAL EROSION CONTROL NOTES:

- Contractor shall be responsible for compliance with all sediment and erosion control practices. The sediment and erosion control practices are to be installed prior to any major soil disturbances, and maintained until permanent protection is established. Road surface flows from the site should be dissipated with tracking pad or appropriate measures during adjacent road shoulder grading. Contractor is responsible for the installation and maintenance of all soil erosion and sedimentation control devices throughout the course of construction.
- Catch basin inlet protection must be installed and operating at all times until tributary areas have been stabilized. When possible flows should be stabilized before reaching inlet protection structure. Timely maintenance 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 sediment removed promptly when maximum levels are reached or as ordered by the engineer. All sediment control structures shall be inspected on a regular basis, and after each heavy rain to insure proper operation as designed. An inspection schedule shall be set forth prior to the start of construction.
- The locations and the installation times of the sediment capturing standards shall be as specified in these plans, as ordered by the Engineer, and in accordance with the latest edition of the "New York Standards and Specifications for Erosion and Sediment Control" (NYSSESC).
- All topsoil shall be placed in a stabilized stockpile for reuse on the site. All stockpile material required for final grading and stored on site shall be temporarily seeded and mulched within 7 days. Refer to soil stockpile details.
- Any disturbed areas that will be left exposed more than 7 days and not subject to construction traffic, shall immediately receive temporary seeding. Mulch shall be used if the season prevents the establishment of a temporary cover. Disturbed areas shall not be limed and subjected to temporary seeding.
- All disturbed areas within 500 feet of an inhabited dwelling shall be wetted as necessary to provide dust control.
- Contractor shall keep the roadways within the project clear of soil and debris and is responsible for any street cleaning necessary during the course of the project.
- Sediment and erosion control structures shall be removed and the area stabilized when the drainage area has been properly stabilized by permanent measures.
- All sediment and erosion control measures shall be installed in accordance with current edition of NYSSESC.
- All regraded areas must be stabilized appropriately prior to any rock blasting, cutting, and/or filling of soils. Special care should be taken during construction to insure stability during maintenance and integrity of control structures.
- Any slopes graded at 3:1 or greater shall be stabilized with erosion blankets to be staked into place in accordance with the manufacturers requirements. Erosion blankets may also be required at the discretion of Town officials or Project Engineer. When stabilized blanket is utilized for channel stabilization, place all of the volume of seed mix prior to laying net, or as recommended by the manufacturer.
- To prevent heavy construction equipment and trucks from tracking soil off-site, construct a pervious crushed stone pad. Locate and construct pads as detailed in these plans.
- Contractor is responsible for controlling dust by sprinkling exposed soil areas periodically with water as required. Contractor to supply all equipment and water.
- Contractor shall be responsible for construction inspections as per NYSDEC GP-0-15-002 and Town of Yorktown Code.

MAINTENANCE OF TEMPORARY EROSION AND SEDIMENT CONTROL STRUCTURES:

N.Y.S.D.E.C. GP-0-15-002 EXPOSURE RESTRICTIONS - States that any exposed earthwork shall be stabilized in accordance with the guidelines of this plan.

- Trees and vegetation shall be protected at all times as shown on the detail drawing and as directed by the Engineer.
- Care should be taken so as not to channel concentrated runoff through the areas of construction activity on the site.
- Fill and site disturbances should not be created which causes water to pond off site or on adjacent properties.
- Runoff from land disturbances shall not be discharged or have the potential to discharge off site without first being intercepted by a control structure, such as a sediment trap or silt fence. Sediment shall be removed before exceeding 50% of the retention structure's capacity.
- For finished grading, adequate grade shall be provided so that water will not pond on lawns for more than 24 hours after rainfall, except in swale flow areas which may drain for as long as 48 hours after rainfall.
- All swales and other areas of concentrated flow shall be properly stabilized with temporary control measures to prevent erosion and sediment travel. Surface flows over cut and fill areas shall be stabilized at all times.
- All sites shall be stabilized with erosion control materials within 7 days of final grading.
- Temporary sediment trapping devices shall be removed from the site within 30 days of final stabilization.

MAINTENANCE SCHEDULE:

	DAILY	WEEKLY	MONTHLY	AFTER RAINFALL	NECESSARY TO MAINTAIN FUNCTION	AFTER APPROVAL OF INSPECTOR
SILT FENCE	---	INSP.	INSP.	INSP.	CLEAN/REPLACE	REMOVE
WHEEL CLEANER	CLEAN	---	---	---	REPLACE	REMOVE
INLET PROTECTION	---	INSP.	INSP.	CLEAN	REPLACE	REMOVE

MAINTENANCE OF PERMANENT CONTROL STRUCTURES DURING CONSTRUCTION:

The stormwater management system and outlet structure shall be inspected on a regular basis and after every rainfall event. Sediment build up shall be removed from the inlet protection regularly to insure detention capacity and proper drainage. Outlet structure shall be free of obstructions. All piping and drain inlets shall be free of obstruction. Any sediment build up shall be removed.

MAINTENANCE OF CONTROLS AFTER CONSTRUCTION:

Controls (including respective outlet structures) should be inspected periodically for the first few months after construction and on an annual basis thereafter. They should also be inspected after major storm events.

DEBRIS AND LITTER REMOVAL:

Twice a year, inspect outlet structure and drain inlets for accumulated debris. Also, remove any accumulations during each mowing operation.

STRUCTURAL REPAIR/REPLACEMENT:

Outlet structure must be inspected twice a year for evidence of structural damage and repaired immediately.

EROSION CONTROL:

Unstable areas tributary to the basin shall immediately be stabilized with vegetation or other appropriate erosion control measures.

SEDIMENT REMOVAL:

Sediment should be removed after it has reached a maximum depth of five inches above the stormwater management system floor.

TOPSOIL:

Existing topsoil will be removed and stored in piles sufficiently as to avoid mixing with other excavation. Stockpiles shall be surrounded by erosion control as outlined on these plans. The furnishing of new topsoil shall be of a better or equal to the following criteria (SS713.01 NYSDOT):

- The pH of the material shall be 5.5 to 7.6.
- The organic content shall not be less than 2% or more than 70%.
- Gradation:

SIZE	% PASSING BY WGT.
2 INCH	100
1 INCH	85 TO 100
1/4 INCH	65 TO 100
NO. 200 MESH	20 TO 80

PERMANENT VEGETATIVE COVER:

- Site preparation:
 - Install erosion control measures.
 - Scarify compacted soil areas.
 - Lime as required to pH 6.5.
 - Fertilize with 10-6-4 4 lbs/1,000 S.F.
 - Incorporate amendments into soil with disc harrow.
- Seed mixtures for use on swales and cut and fill areas.

MIXTURE	LBS./ACRE
ALT. A	
KENTUCKY BLUE GRASS	20
CREeping RED FESCUE	28
RYE GRASS OR REDTOP	5
ALT. B	
CREeping RED FESCUE	20
REDTOP	2
TALL FESCUE/SMOOTH BLOOMGRASS	20
- SEEDING
 - Prepare seed bed by raking to remove stones, twigs, roots and other foreign material.
 - Apply soil amendments and integrate into soil.
 - Apply seed uniformly by cyclone seeder/cult-packer or hydro-seeder at rate indicated.
 - Stabilize seeded areas in drainage swales.
 - Irrigate to fully saturate soil layer, but not to dislodge planting soil.
 - Seed between April 1st and May 15th or August 15th and October 15th.
 - Seeding may occur May 15th and August 15th if adequate irrigation is provided.

TEMPORARY VEGETATIVE COVER:

- SITE PREPARATION:**
- Install erosion control measures.
 - Scarify areas of compacted soil.
 - Fertilize with 10-10-10 at 400/lb/acre.
 - Lime as required to pH 6.5.
- SEED SPECIES:**
- | MIXTURE | LBS./ACRE |
|---|-----------|
| Rapidly germinating annual ryegrass (or approved equal) | 20 |
| Perennial ryegrass | 20 |
| Cereal oats | 36 |
- SEEDING:**
- Same as permanent vegetative cover

CONSTRUCTION SEQUENCE:

General sequence: the general sequence applies to the start of all phases of the project. The requirements in this shall be applied as appropriate in that phase and shall be assumed in place prior to the start of the work outlined in the sequence for each phase.

- Prior to the beginning of any site work the major features of the construction must be field staked by a licensed surveyor. These include the building, limits of disturbance, utility lines and stormwater practices.
- Prior to the start of the project, an on-site pre-construction meeting will be held. This will be attended by the project owner, the operator responsible for complying with the approved construction drawings including the erosion and sediment control (e&sc) plan and details, the design engineer, the engineer responsible for e&sc monitoring during construction, town representatives from the engineering department and code enforcement, and a representative from the NYC DEP. The DEP shall be notified 48 hrs prior to the start of the meeting.
- Cut and clear trees within the phase limits as necessary for the areas to be disturbed.
- Install all temporary erosion control measures as shown on the erosion and sediment control plan for the project's immediate disturbance areas. This shall include, but not limited to silt fence, stabilized construction entrances, construction fence, etc. This sequence must be followed to insure proper implementation of the erosion and sediment control plan (e&sc) and stormwater pollution prevention plan (swppp).
- Timbered trees and woodchips shall be temporarily stored in the stockpile and/or staging area if necessary before being removed off-site. Woodchips may be used for mulch to stabilize disturbed areas. Woodchip mulch shall be applied at a minimum rate of 500 lbs. Per 1000 sq ft (2" thick minimum).
- Remove existing vegetative cover, cut and clear trees, grub, remove stumps and other surface features in the limit of construction only. Any disturbance that results from tree clearing and grubbing shall be immediately stabilized with woodchips mulch, hydro-mulch, or straw and seed. Timbered trees, wood chips, and stumps shall be removed off-site unless otherwise directed. As staked woodchips may be stockpiled for use as stabilizing ground cover. These stockpiles shall be separate from soil stockpiles. Demolish and/or remove existing features, i.e. fence, concrete slab, asphalt, etc., and dispose of or stockpile as required by the owner. All construction debris shall be properly disposed of in accordance with all federal, state, and local requirements.

Standard sequence notes for building construction

- The surveyor shall stake-out the proposed driveway centerlines and the limits of cut and fill
- Implement the general sequence notes 1 through 6 where applicable prior to continuing.
- Once the tree removal operation is complete strip the topsoil within the work boundary and place excavated topsoil within the identified stockpile locations. Any soils so deemed by the design or monitoring engineer shall be stockpiled for future use as landscaped area topsoil. Contractor shall take every precaution feasible to reduce the amount of disturbed/exposed soils during construction.
- Any disturbed area that will not be further disturbed within seven (7) days shall be immediately stabilized with woodchips, hydro-mulch, or straw and seed.
- Prior to starting the work install all erosion and sediment controls including the installation of the stabilized construction entrance.
- Begin rough grading of driveways within work limits and adjacent areas. Slopes in excess of 3h:1v shall not be left exposed and must be stabilized.
- Stake-out the location of utilities and utility structures. Begin installation of subsurface infiltration chambers.
- Backfill as installation is complete and stabilize the area. If trenches are to be left open, place excavated material on the up-slope sides of the trench and protect and stabilize if it is to remain open for an extended period of seven (7) days or more.
- Upon completion of the subsurface chambers, Place construction fencing around the system to prevent compaction during the remainder of construction.
- Begin installation of proposed bypass and outlet structures. Install storm sewer piping, catch basins and manholes, working downstream to upstream. The upstream drainage structure shall be blocked so as to not allow sediment laden water from reaching the subsurface chambers. During the installation of catch basins, install inlet protection for each e&sc plan to assure that sediment laden water will not enter the storm system. Once the final grade above the system is achieved, put into place the final topsoil cover, seed mix, and erosion control blanket, or hydro-mulch. Refer to the landscape plan for the seed mix requirements.

Note: no stormwater is permitted to enter the infiltration system from the upstream conveyance system and shall be blocked until the completion and stabilization of all phases tributary to the basin. An area shall be considered to have achieved final stabilization when it has a minimum uniform 80% perennial vegetative cover or other permanent non-vegetative cover of sufficient density sufficient to resist accelerated surface erosion and subsurface characteristics sufficient to resist sliding and other movements.

- Begin excavation of the building foundation for the building and adjacent areas.
- Install or check condition of all temporary erosion control measures as shown on the erosion and sediment control plan.
- Begin construction of the foundation. Upon completion and after proper curing time is achieved, backfill the foundation and bring site to rough grade. Areas which are to remain undisturbed for more than seven (7) days shall be stabilized with temporary seeding or mulch.
- Proceed with the construction of the buildings. This includes the building structure itself, retaining walls, and rough grades. At any point during this begin installation of the utilities including the water and sewer connections, power utilities.
- Once the utilities have been brought up to the building foundation, grade and install the base course for the driveways and parking areas.
- Complete construction of the buildings and remaining retaining walls.
- Stake out and install curbing as per plan. Once curbing is completed around catch basins, re-install inlet protection within catch basins. As curbing is complete, backfill with topsoil. Areas that are filled with topsoil are to be raked, seeded, and hay mulched.
- Upon completion of the majority of the infrastructure, install pavement binder course to the thickness and elevation as per the construction plans.
- As work is at the completion stage install final asphalt surface in the locations shown.
- Install hardscape such as patios, walk steps etc. and final vegetation including sod and landscaping. Refer to landscape plans for location and identification of ground cover and plantings. Clear site of debris and all unwanted materials. Disposal shall be in accordance with all federal, state, and local requirements.
- During the final phase of building construction, finish grade, topsoil, rake, and seed all areas as required. Where required or recommended, hydro-mulch or install erosion control blankets.
- Upon completion of work, the contractor shall be required to stabilize disturbed soils in the event the disturbed area will remain not worked for greater than seven (7) days, at the direction of the engineer of record or permitting entity inspector and when significant precipitation is in the immediate forecast. All disturbed areas shall be temporarily stabilized with hydro-mulch or where appropriate woodchips. It is recommended that any grading that is at the finish stage will receive no further disturbance and that permanent stabilization such as topsoil, seed, mulching or blankets as per the plan be installed.

Final site stabilization and completion of new construction:

- Upon completion of all work, the site shall be inspected by the supervising engineer and town inspector to determine completion of all work and permanent stabilization of the site.
- Any areas deemed incomplete or not properly stabilized shall be done so to the satisfaction to the supervising engineer and town inspector.
- Once the site is deemed adequately stable the temporary erosion and sediment control measures can be removed. At that time if deemed appropriate drainage structures upstream from the subsurface stormwater management systems shall be cleaned of sediment and debris. They can then be unblocked to allow for flow of collected surface runoff.

Contact information during and after construction:

Terence Murphy
1672 Morningview Drive
Yorktown, NY 10598
914-224-8348

Winter Stabilization Notes:

If construction activities are expected to extend into or occur during the winter season the contractor shall anticipate proper stabilization and sequencing. Construction shall be sequenced such that wherever possible areas of disturbance that can be completed and permanently stabilized shall be done by applying and establishing permanent vegetative cover before the first frost. Areas subject to temporary disturbance that will not be worked for an extended period of time shall be treated with temporary seed, mulch, and/or erosion blankets.

OWNER / OPERATOR CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. Further, I hereby certify that the SWPPP meets all Federal, State, and local erosion and sediment control requirements. I am aware that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law."

Name (please print): _____

Title: _____

Date: _____

Address: _____

Phone: _____

E-mail: _____

Signature: _____

POST CONSTRUCTION MAINTENANCE SCHEDULE:

Control to be Inspected	Inspection Frequency	Maintenance Threshold Criteria	Maintenance Procedure
Drain Inlets	Quarterly	3" + Accumulated Sediment	Remove debris and sediment.
Infiltration Chambers	Bi-annually	3" + Accumulated Sediment	JetVac debris and sediment
Downstream Defender	Bi-annually	18" + Accumulated Sediment	Vacuum debris and sediment

CONTRACTOR CERTIFICATION STATEMENT

Certification Statement - All contractors and subcontractors as identified in a SWPPP, by the Owner or Operator, in accordance with Part III.A.5 of the SPDES General Permit for Stormwater Runoff from Construction Activity, GP-0-15-002, dated January 29, 2015, Page 10 of 40, shall sign a copy of the following Certification Statement before undertaking any construction activity at the Site identified in the SWPPP:

"I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the Qualified Inspector during a site inspection. I also understand that the Owner or Operator must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") General Permit for Stormwater Discharge from Construction Activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

Individual Contractor: _____

Name and Title (please print): _____

Signature of Contractor: _____

Company / Contracting Firm: _____

Name of Company: _____

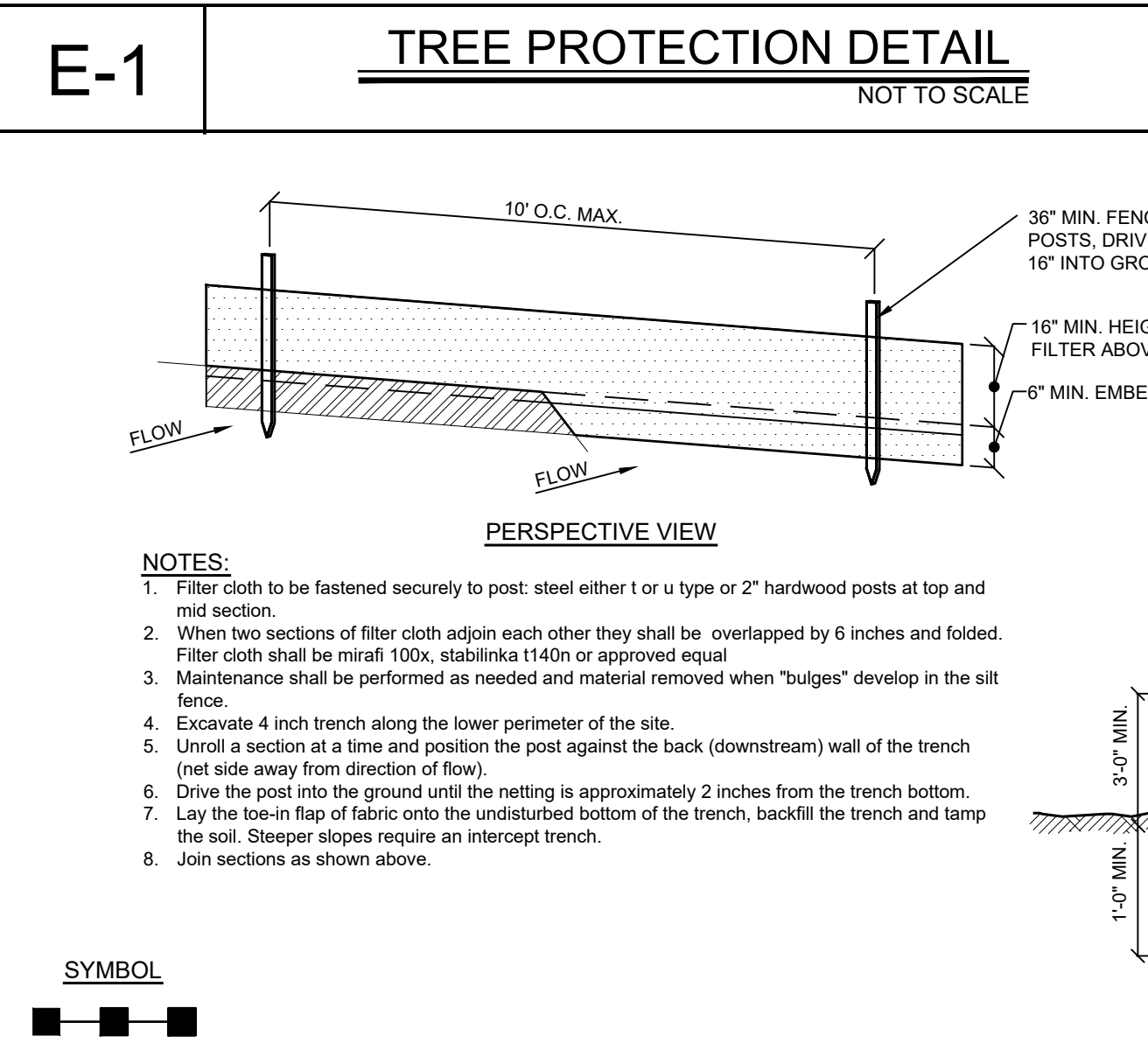
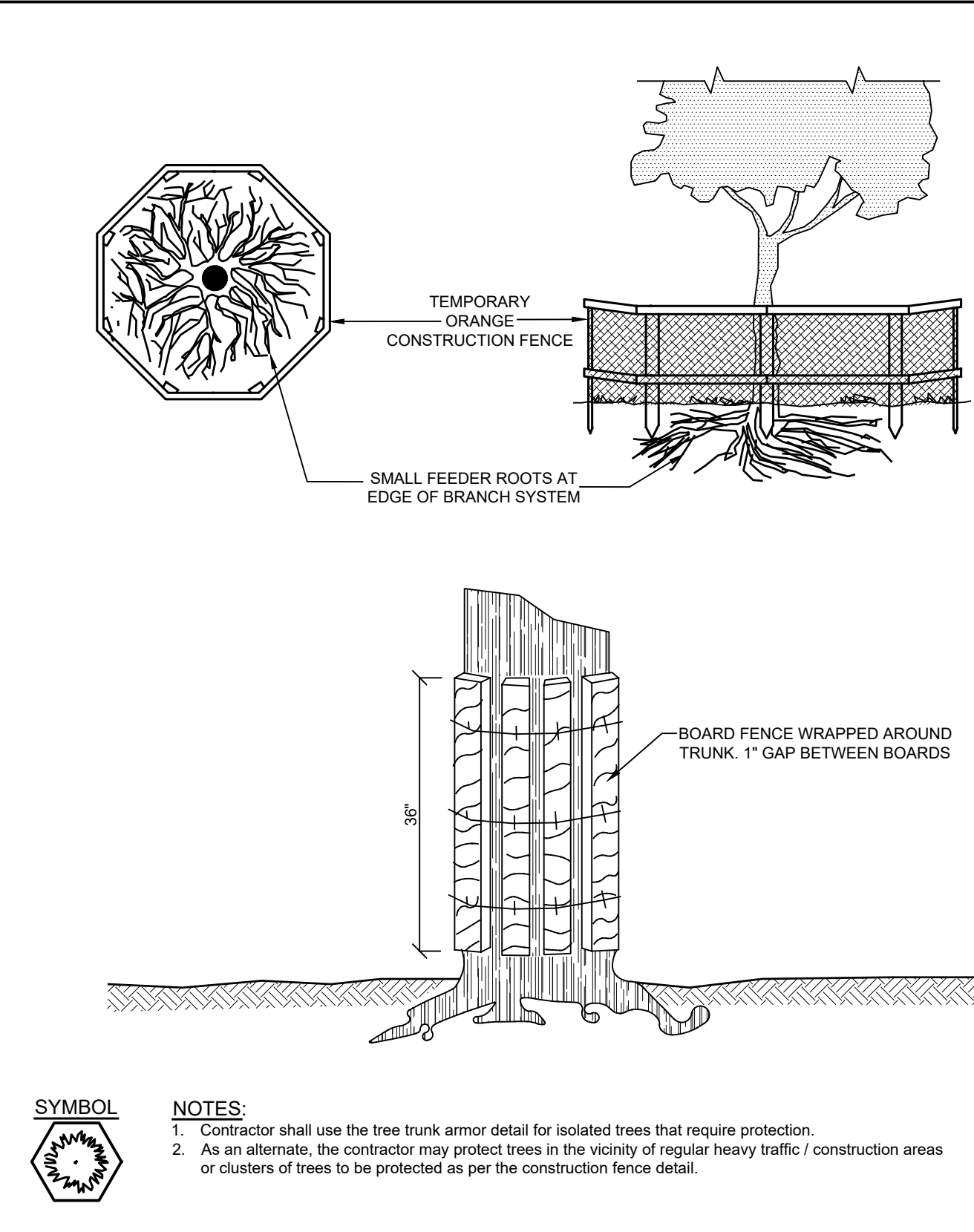
Address of Company: _____

Telephone Number / Cell Number: _____

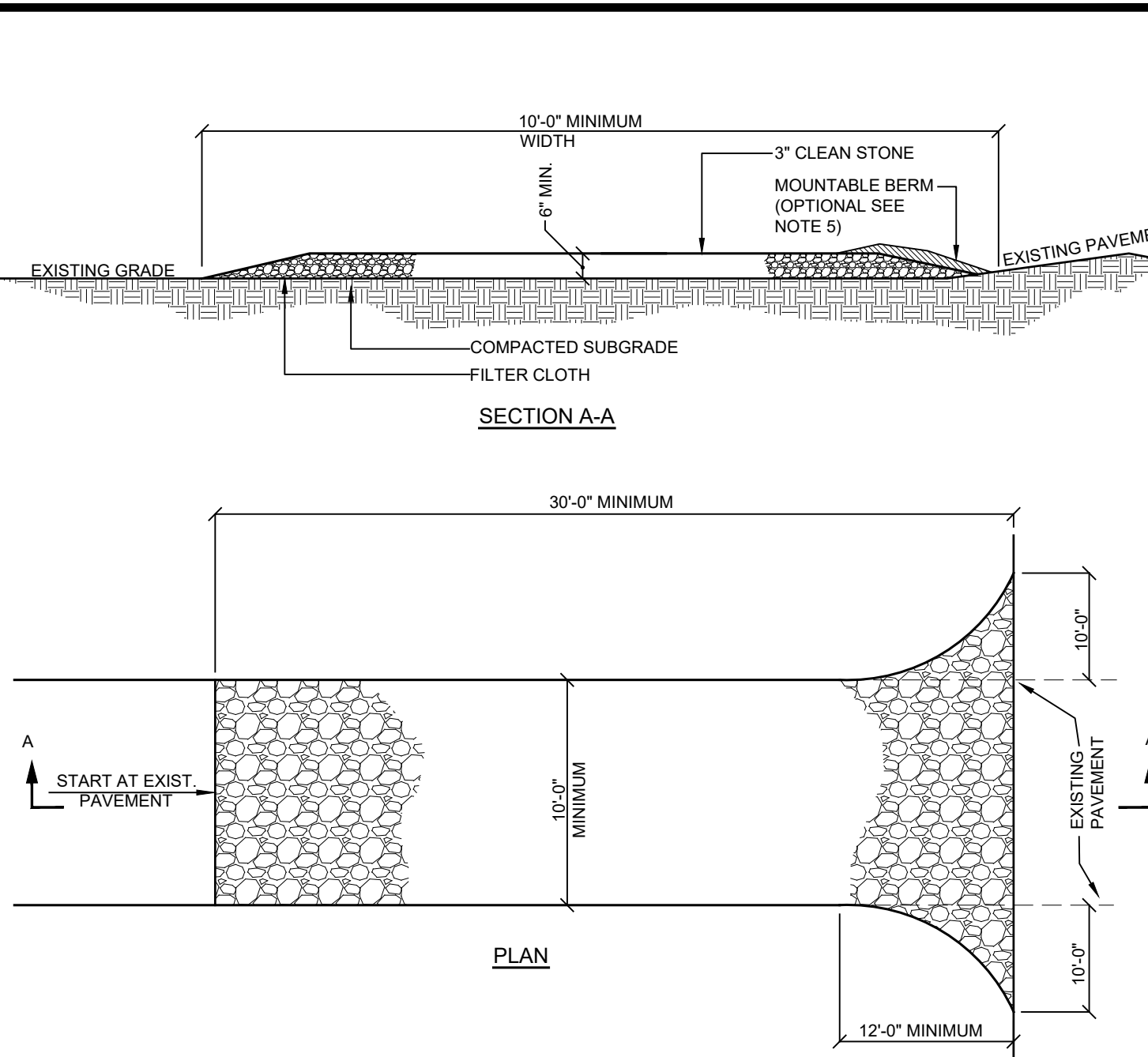
Site Information: _____

Address of Site: _____

Today's Date: _____



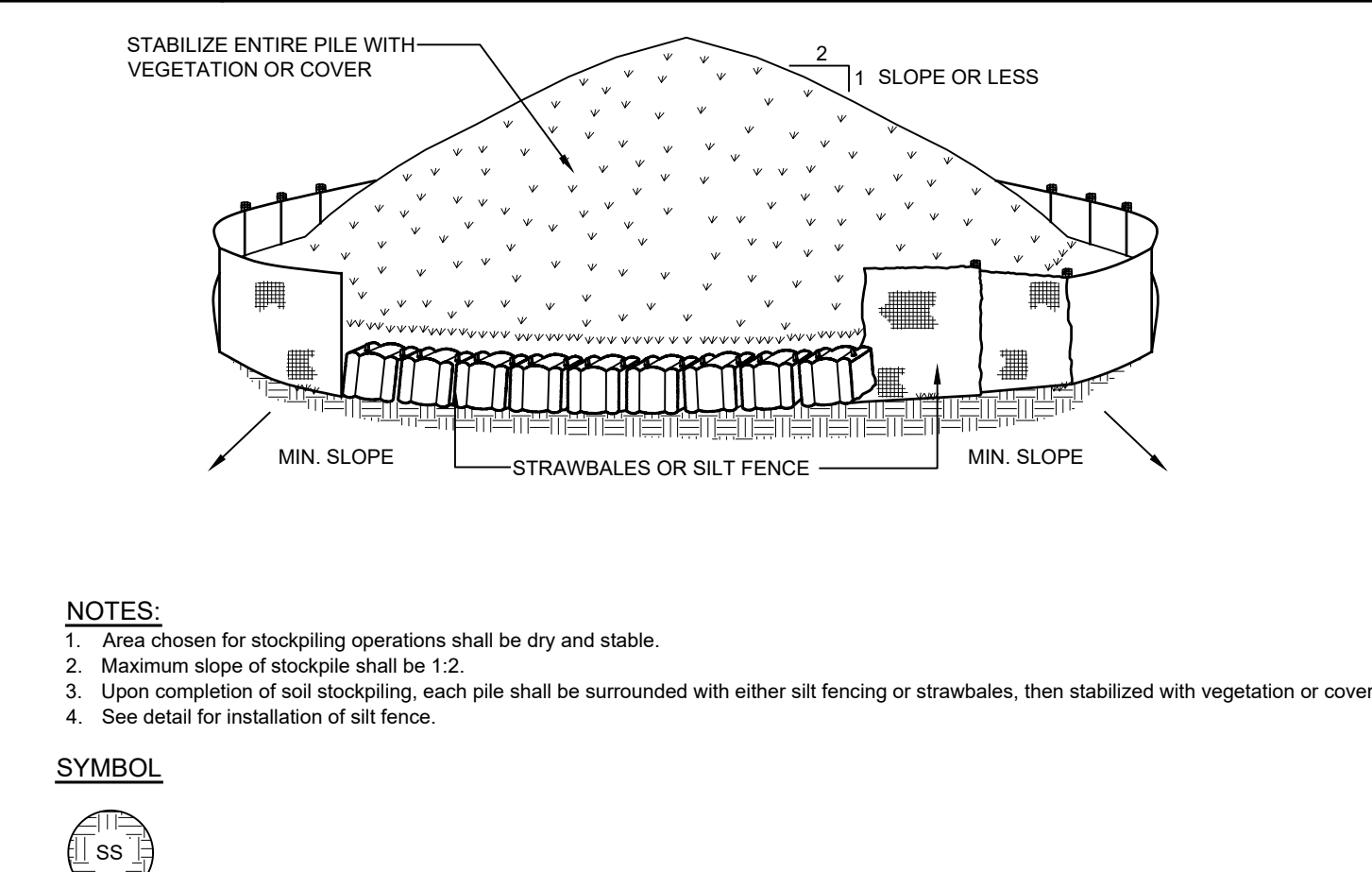
E-3 SILT FENCE DETAIL NOT TO SCALE



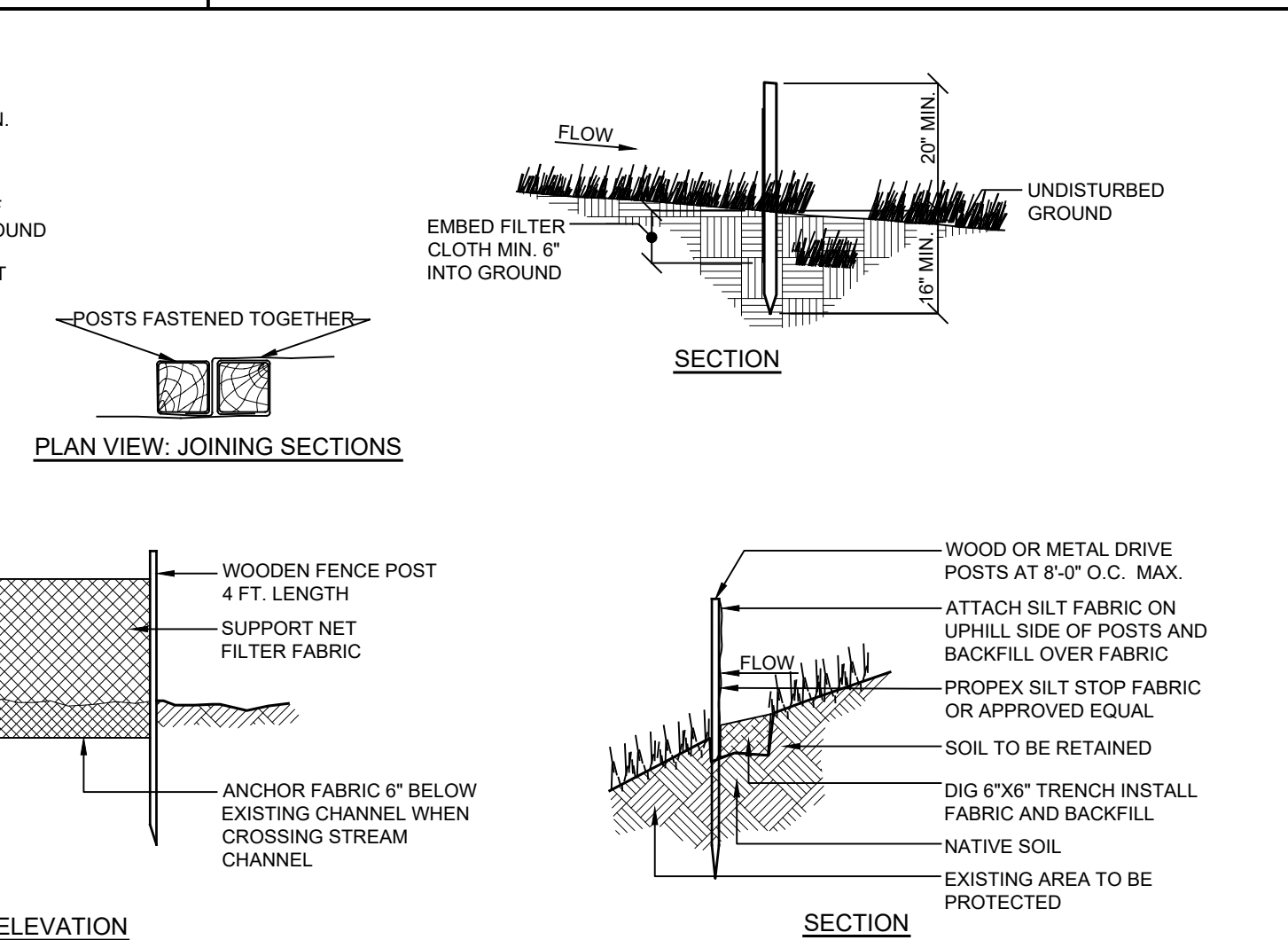
- INSTALLATION NOTES:**
- Stone size - use 3" min. Stone, or reclaimed or recycled concrete equivalent.
 - Length - as required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum length would apply).
 - Thickness - not less than six (6) inches.
 - Width - 10 foot minimum, but not less than the full width at points where ingress or egress occur. 24 ft if single entrance to site.
 - 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 right of way which may require periodic top dressing with additional stone as conditions demand and repair and/or cleanouts of any measures used to trap sediment. All sediment spilled, dropped, washed or tracked onto public right of way must be removed immediately.
 - Washing - wheels shall be cleaned to remove sediment prior to entrance onto public right of way. 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.



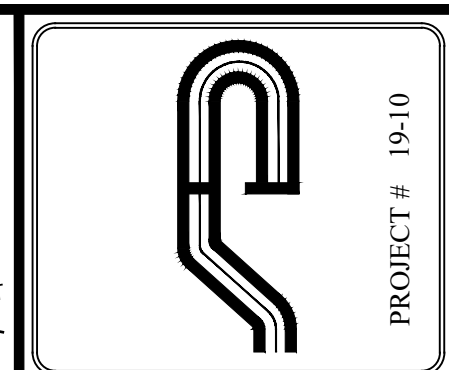
E-5 SOIL STOCKPILE DETAIL NOT TO SCALE



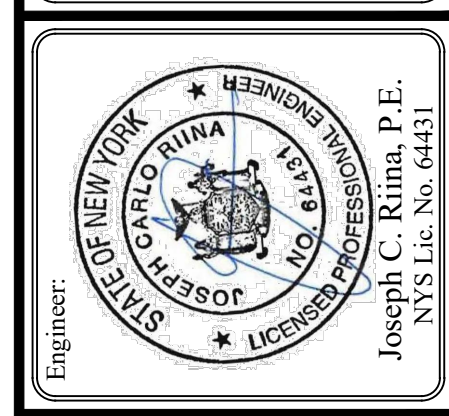
E-2 TREE PROTECTION DETAIL NOT TO SCALE



E-4 STABILIZED CONSTRUCTION ENTRANCE DETAIL NOT TO SCALE



Site Design Consultants
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www.sitedesignconsultants.com



Revisions:

No.	Date	Comments
1	6/17/20	Plan Revisions
2	8/25/20	Town Comments

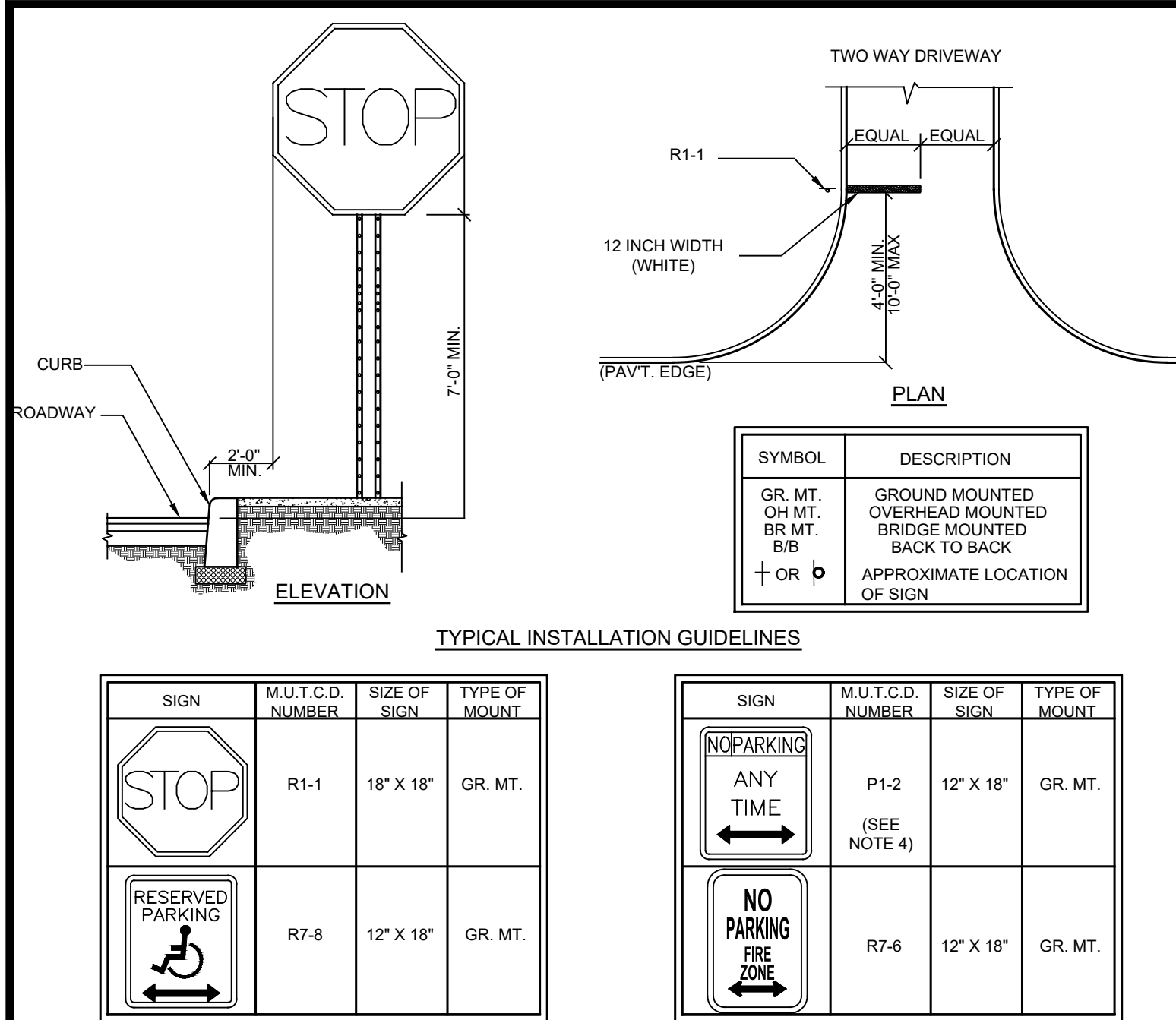
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DRAWN BY: TK
DATE: 3/14/20

E&SC NOTES & DETAILS

NANTUCKET SOUND SONS, LLC.
KEAR STREET
Westchester County, NY
Town of Yorktown

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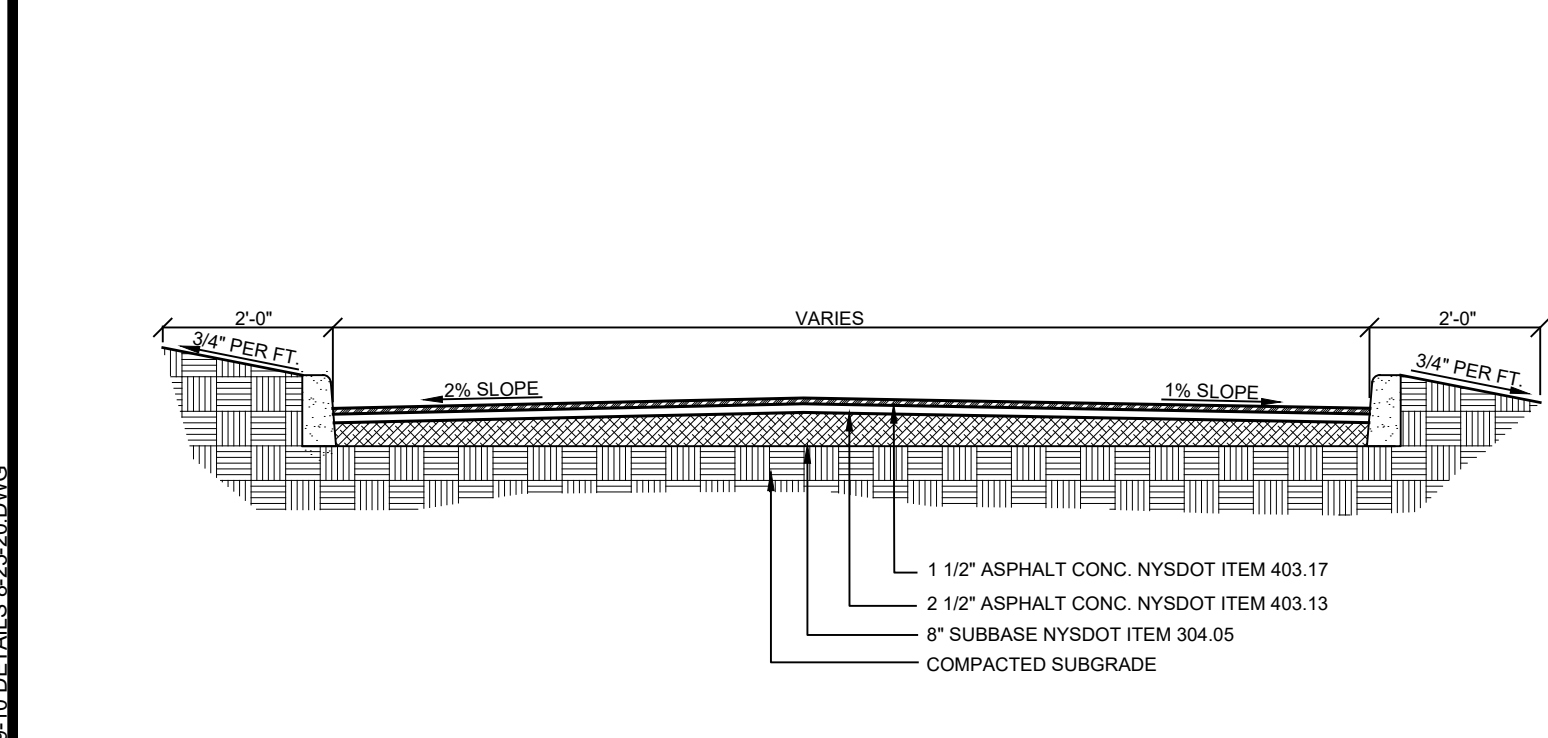
SIGN	M.U.T.C.D. NUMBER	SIZE OF SIGN	TYPE OF MOUNT
	R1-1	18" X 18"	GR. MT.
	R7-8	12" X 18"	GR. MT.

GENERAL NOTES:

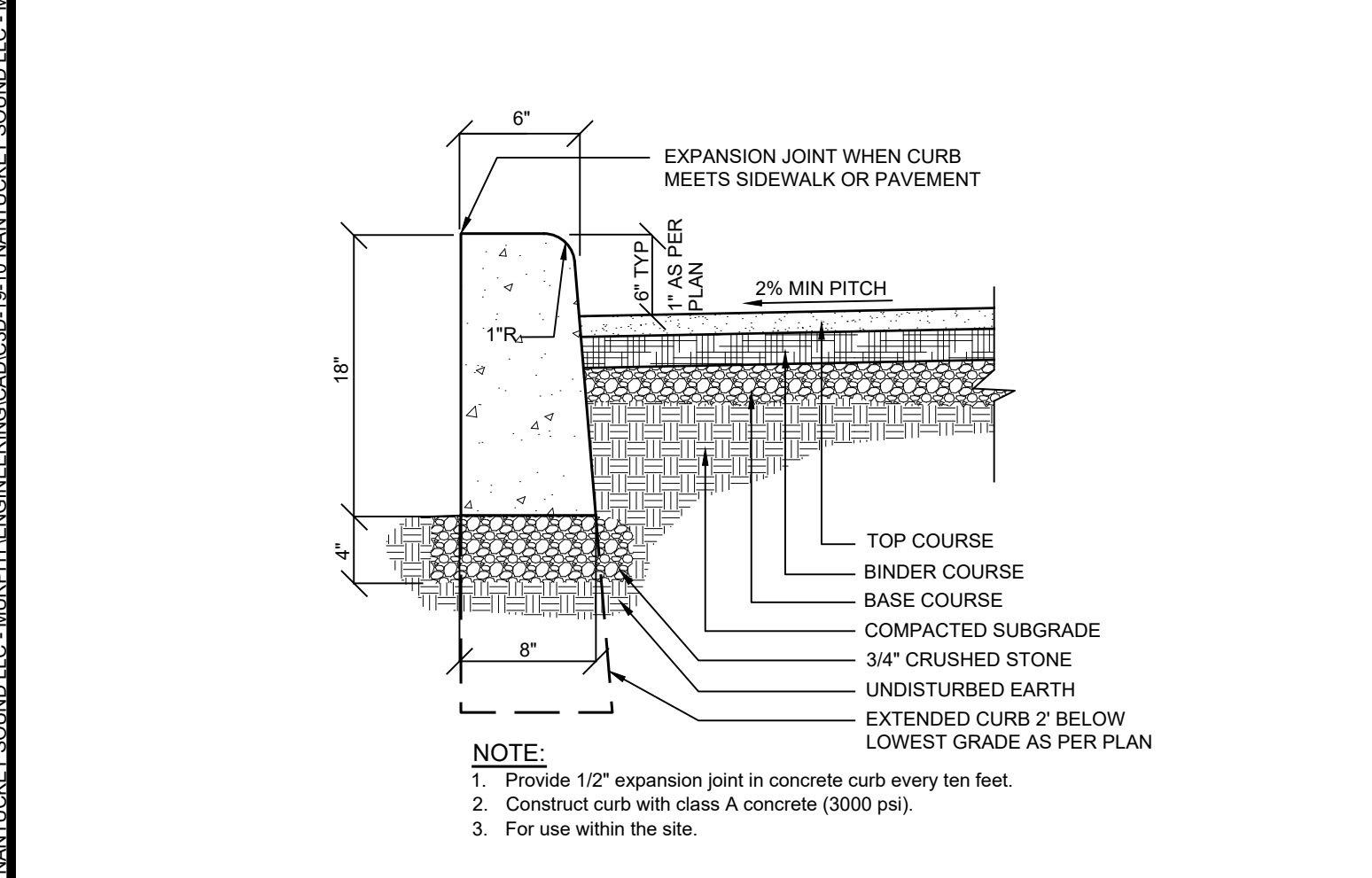
- All signage shall be in accordance with the latest edition of the national MUTCD and the N.Y.S Supplement (MUTCD), September 2007, including the following:
 - Letter size and series
 - Legend and background color
 - Reflectivity
 - Size of sign
- The type of characters as specified in the standard specifications shall be as follows:

MUTCD CODE LETTER	TYPE OF CHARACTER
R, P, W, M	TYPE IV
G, I	TYPE IV OR V
- Sign locations as shown on plans are approximate. The Contractor shall relocate existing signs and install new signs in accordance with the MUTCD, latest edition. The Contractor shall contact the Town Engineer to discuss/resolve problem areas.
- Except where otherwise specified, parking signs shall be placed facing approaching traffic at an angle of between 30 and 45 degrees with the line of traffic flow. Parking signs shall be placed at each end of a regulation (double-headed arrows), at intervals not to exceed 200 ft.
- Where new signs are installed the Contractor shall affix a label to the back of the sign panel. This label will show the date of installation and identification numbers.
- Placement of W3-17 sign is prescribed in the General Municipal Law.

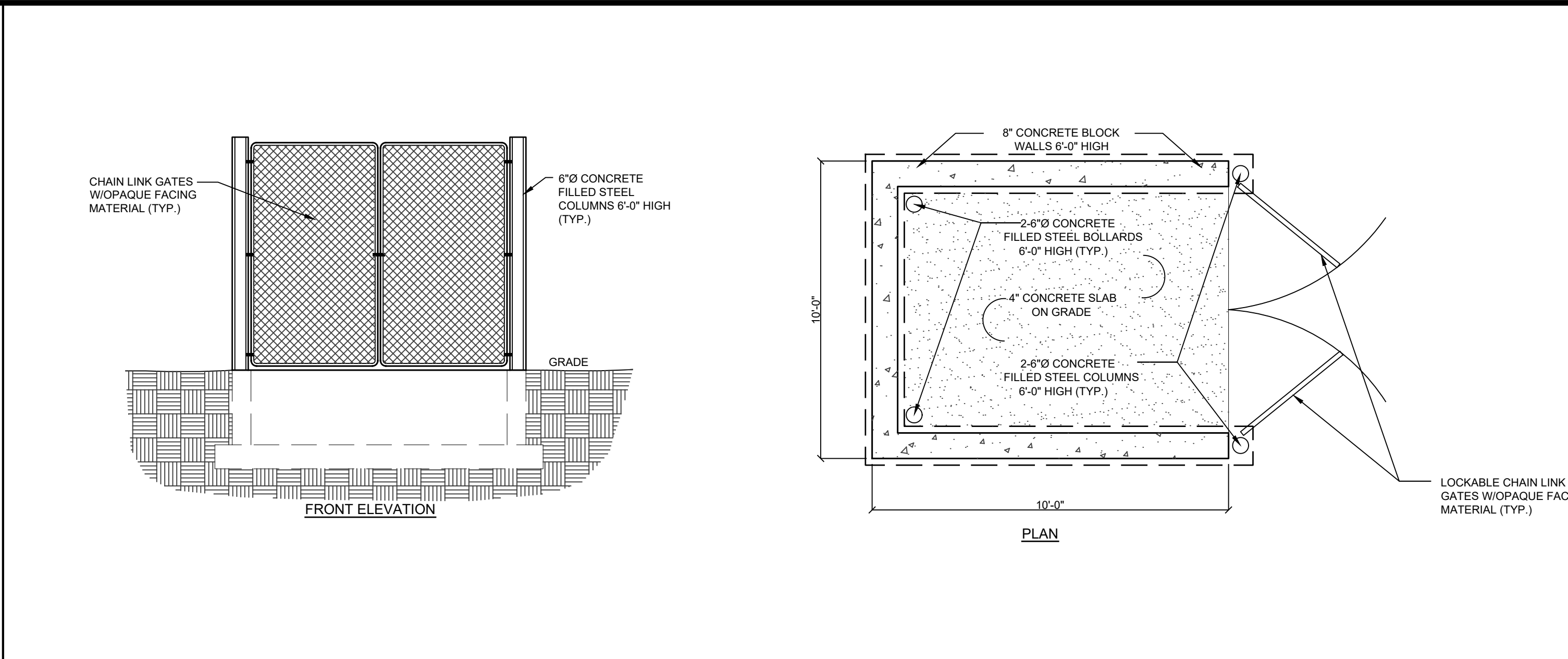
R-1 TRAFFIC SIGN DETAIL
NOT TO SCALE



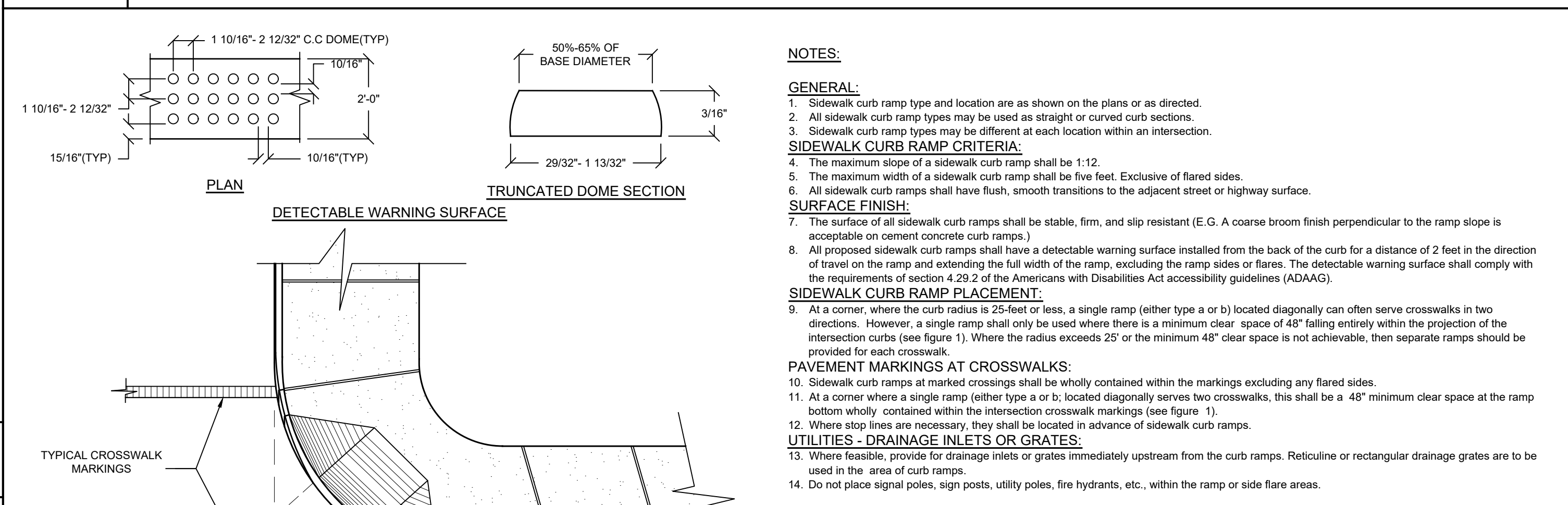
R-2 TYPICAL DRIVEWAY AND PARKING LOT SECTION
NOT TO SCALE



R-3 CONCRETE CURB DETAIL
NOT TO SCALE



F-1 TRASH ENCLOSURE
NOT TO SCALE



NOTES:

GENERAL:

- Sidewalk curb ramp type and location are as shown on the plans or as directed.
- All sidewalk curb ramp types may be used as straight or curved curb sections.
- Sidewalk curb ramp types may be different at each location within an intersection.

SIDEWALK CURB RAMP CRITERIA:

- The maximum slope of a sidewalk curb ramp shall be 1:12.
- The maximum width of a sidewalk curb ramp shall be five feet. Exclusive of flared sides.
- All sidewalk curb ramps shall have flush, smooth transitions to the adjacent street or highway surface.

SURFACE FINISH:

- The surface of all sidewalk curb ramps shall be stable, firm, and slip resistant (E.G. A coarse broom finish perpendicular to the ramp slope is acceptable on cement concrete curb ramps.)

SIDEWALK CURB RAMP PLACEMENT:

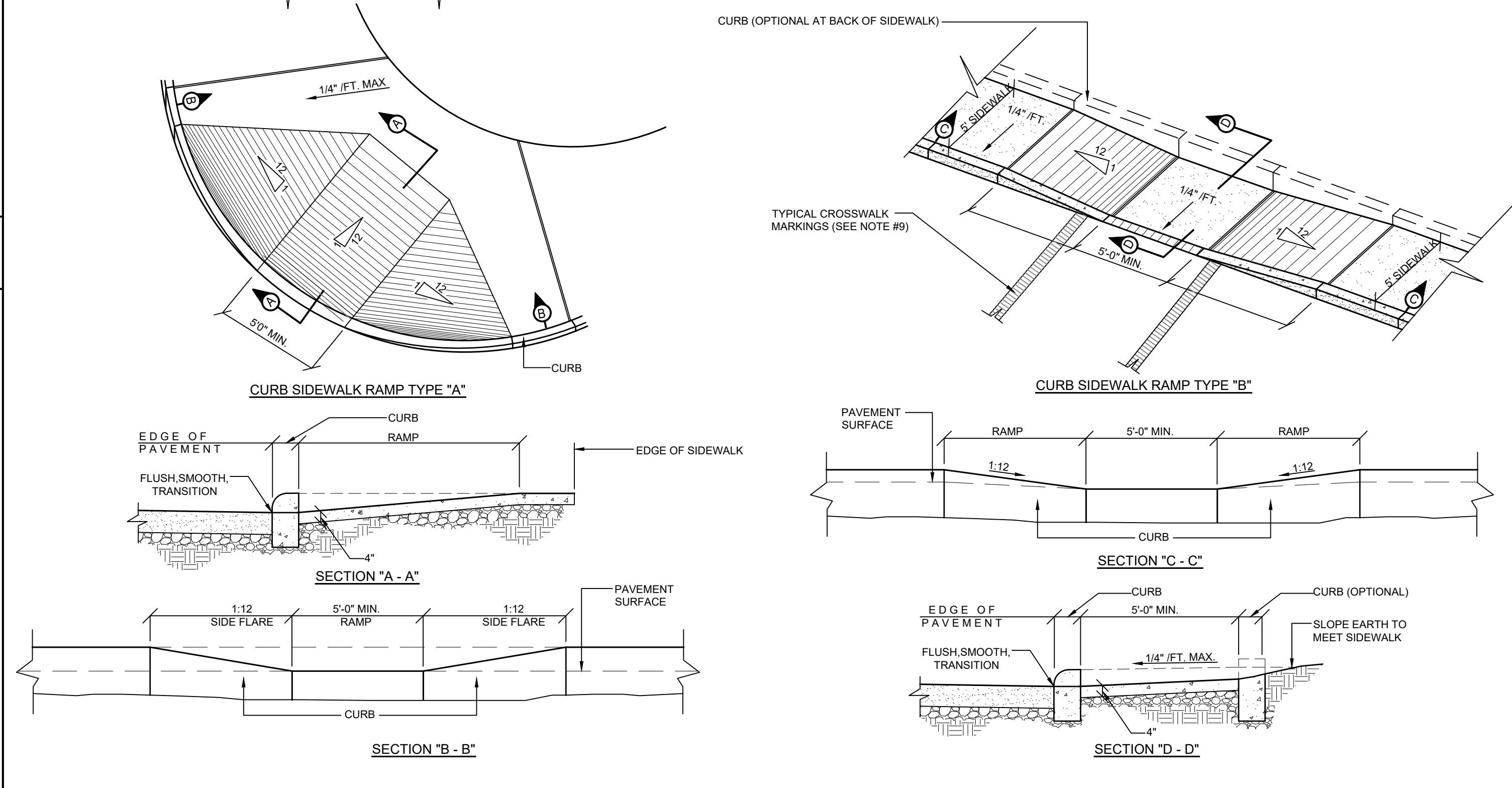
- At a corner, where the curb radius is 25-feet or less, a single ramp (either type a or b) located diagonally can often serve crosswalks in two directions. However, a single ramp shall only be used where there is a minimum clear space of 48" falling entirely within the projection of the intersection curbs (see figure 1). Where the radius exceeds 25' or the minimum 48" clear space is not achievable, then separate ramps should be provided for each crosswalk.

PAVEMENT MARKINGS AT CROSSWALKS:

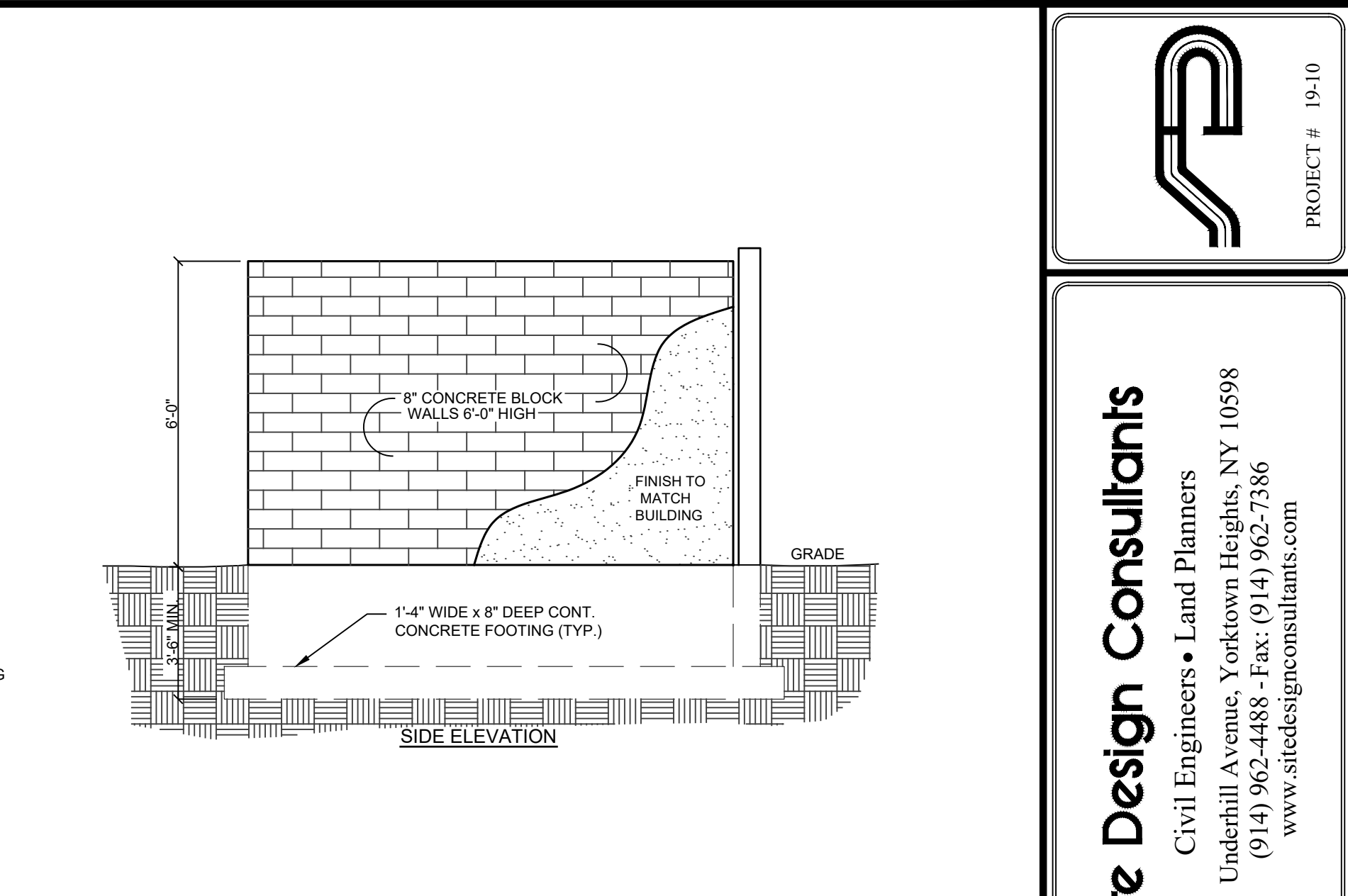
- Sidewalk curb ramps at marked crossings shall be wholly contained within the markings excluding any flared sides.
- At a corner where a single ramp (either type a or b, located diagonally serves two crosswalks, this shall be a 48" minimum clear space at the ramp bottom wholly contained within the intersection crosswalk markings (see figure 1).
- Where stop lines are necessary, they shall be located in advance of sidewalk curb ramps.

UTILITIES - DRAINAGE INLETS OR GRATES:

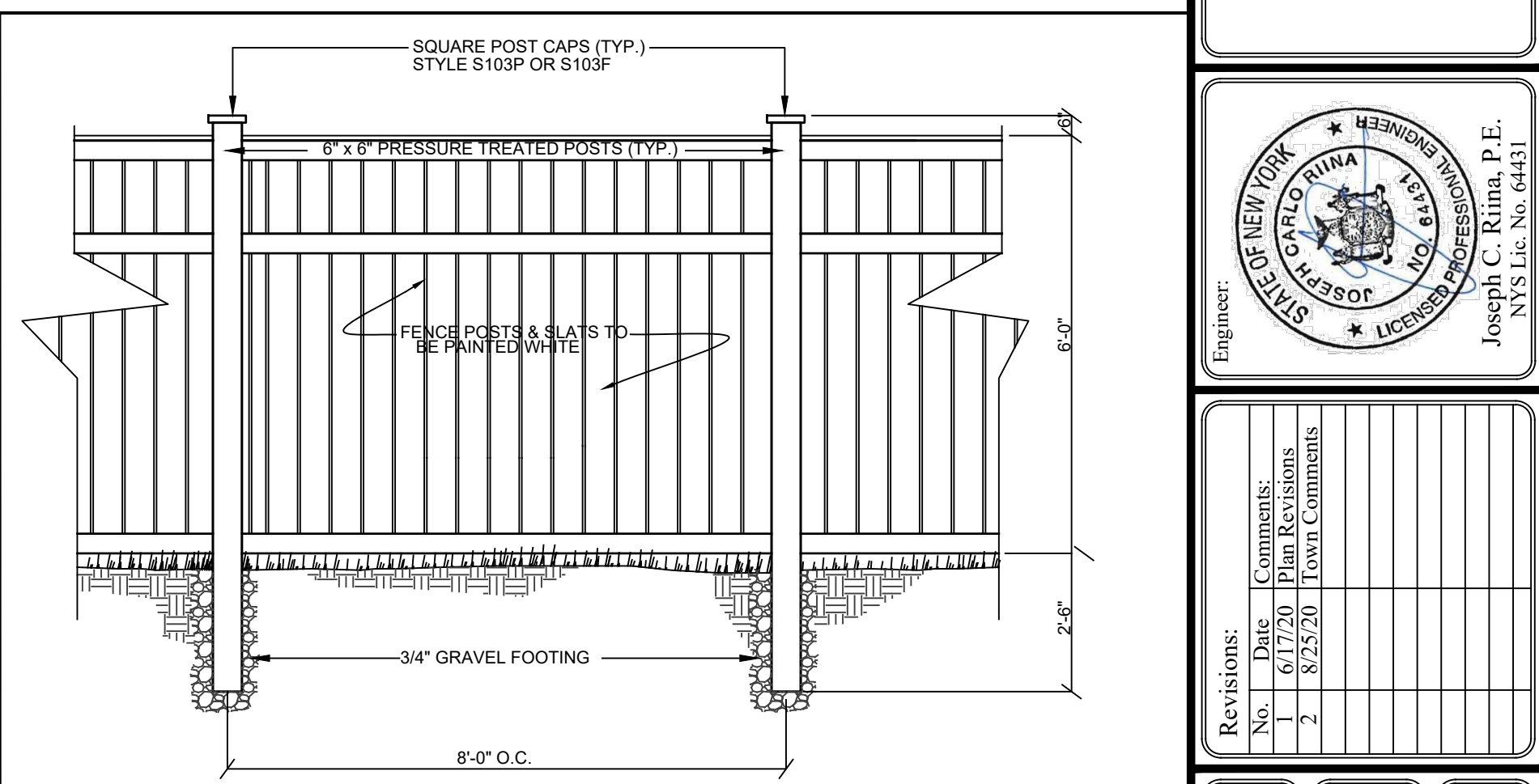
- Where feasible, provide for drainage inlets or grates immediately upstream from the curb ramps. Reticuline or rectangular drainage grates are to be used in the area of curb ramps.
- Do not place signal poles, sign posts, utility poles, fire hydrants, etc., within the ramp or side flare areas.



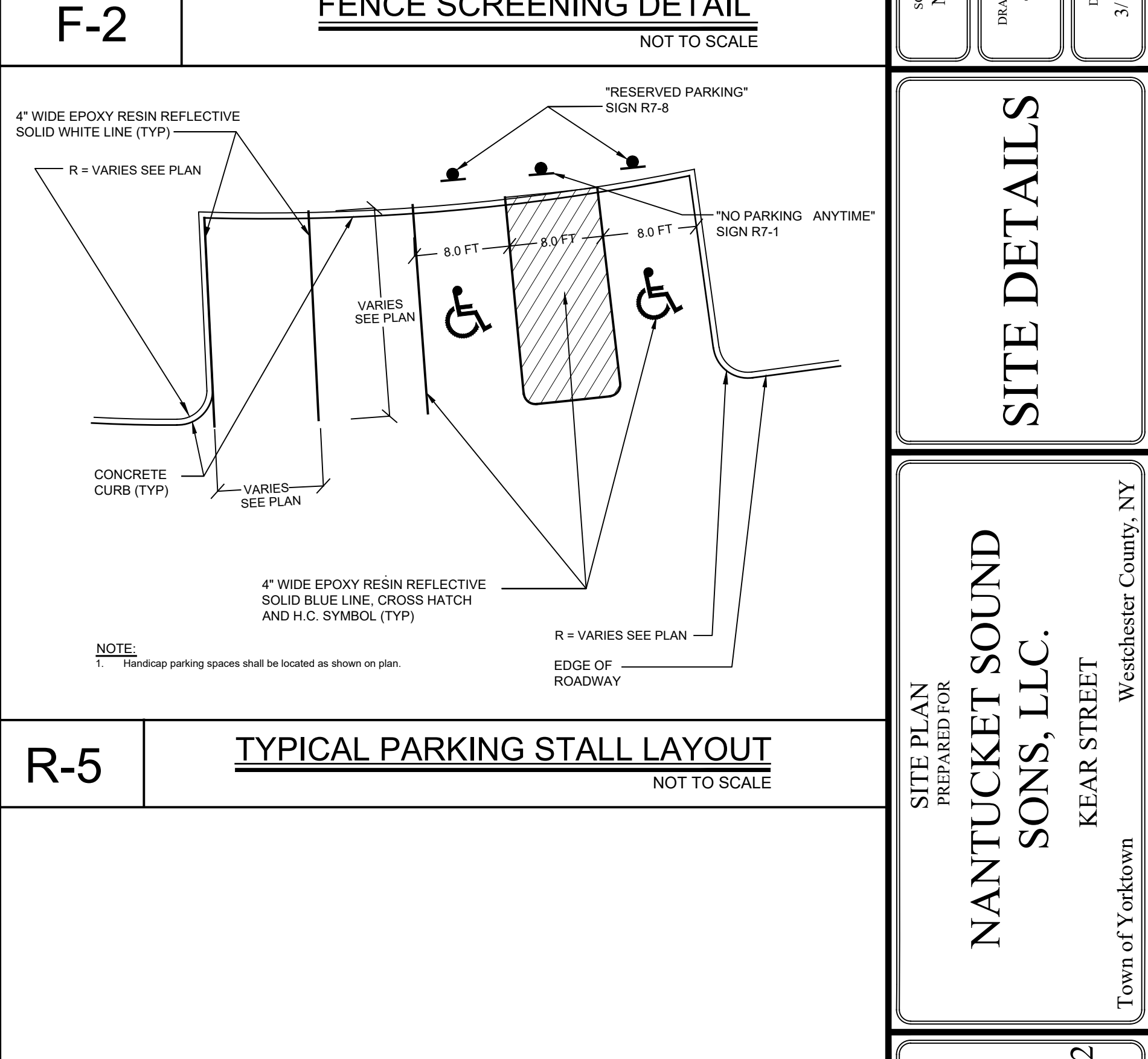
R-4 SIDEWALK CURB-RAMP DETAIL
NOT TO SCALE



F-2 FENCE SCREENING DETAIL
NOT TO SCALE



R-5 TYPICAL PARKING STALL LAYOUT
NOT TO SCALE



R-3 CONCRETE CURB DETAIL
NOT TO SCALE

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Project # 19-10

Engineer:

Revisions:	No.	Date	Comments
	1	6/17/20	Plan Revisions
	2	8/25/20	Town Comments

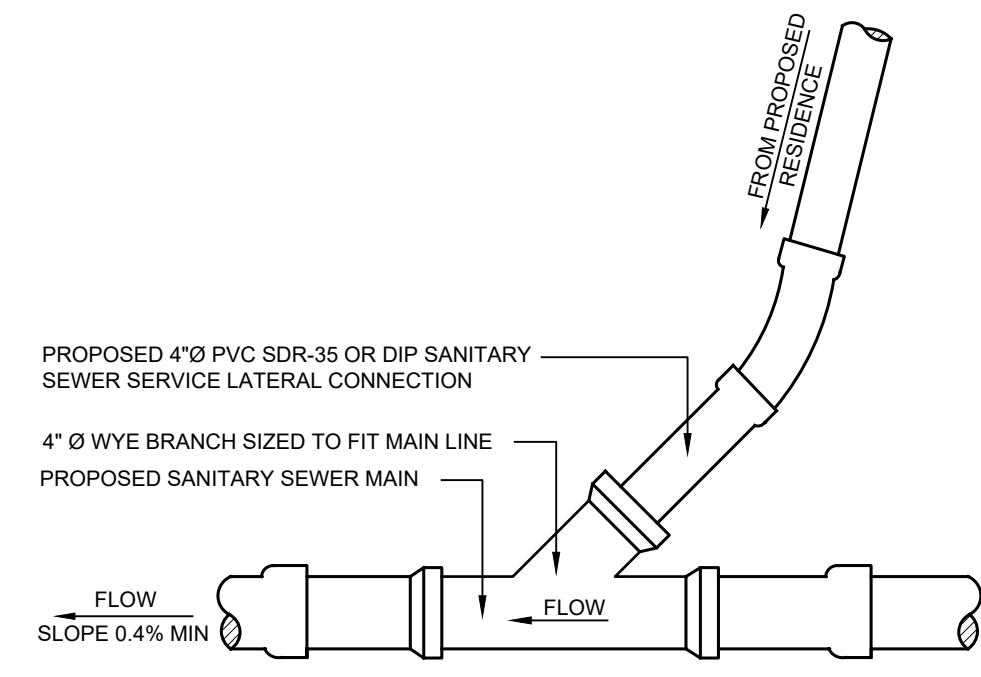
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DATE: 3/14/20

SITE DETAILS

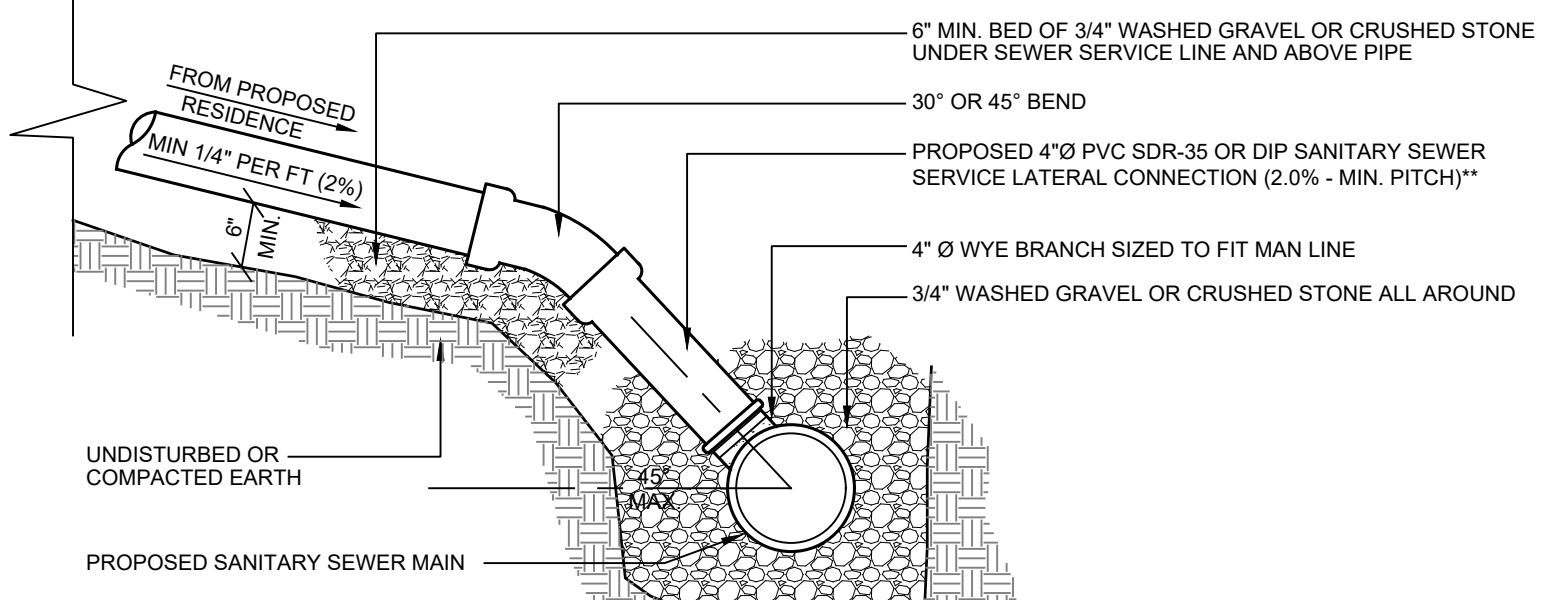
SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, LLC.
KEAR STREET
Town of Yorktown
Westchester County, NY

Sheet 9 of 12

E:\2019\19-10 NANTUCKET SOUND, LLC - MURPHY ENGINEERING\CAD\CAD-19-10 NANTUCKET SOUND, LLC - MURPHY ENGINEERING\19-10 DETAILS\8-25-20.DWG



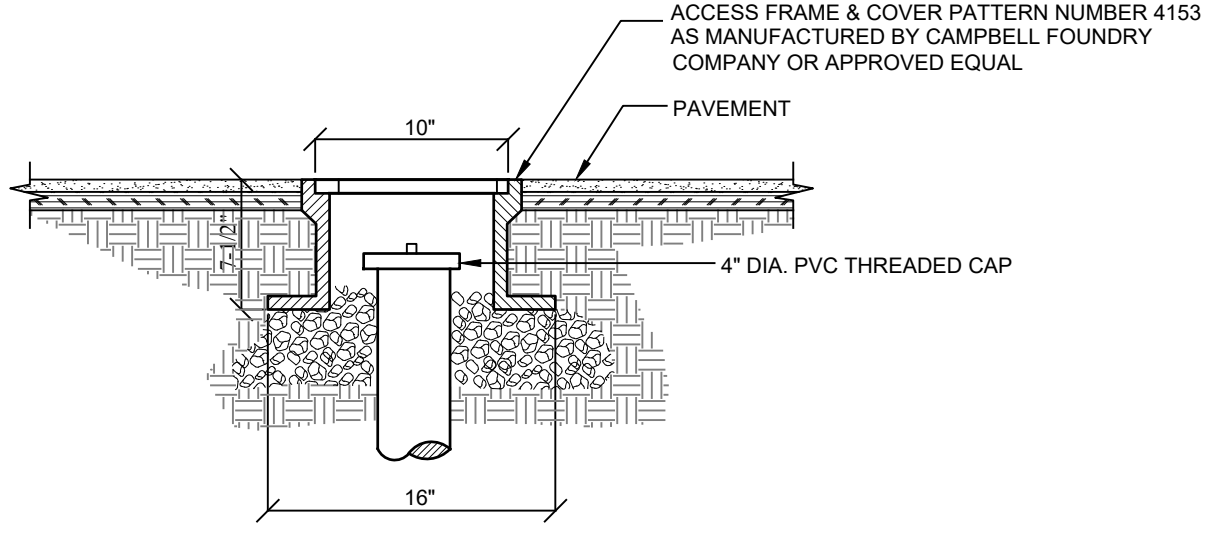
PLAN



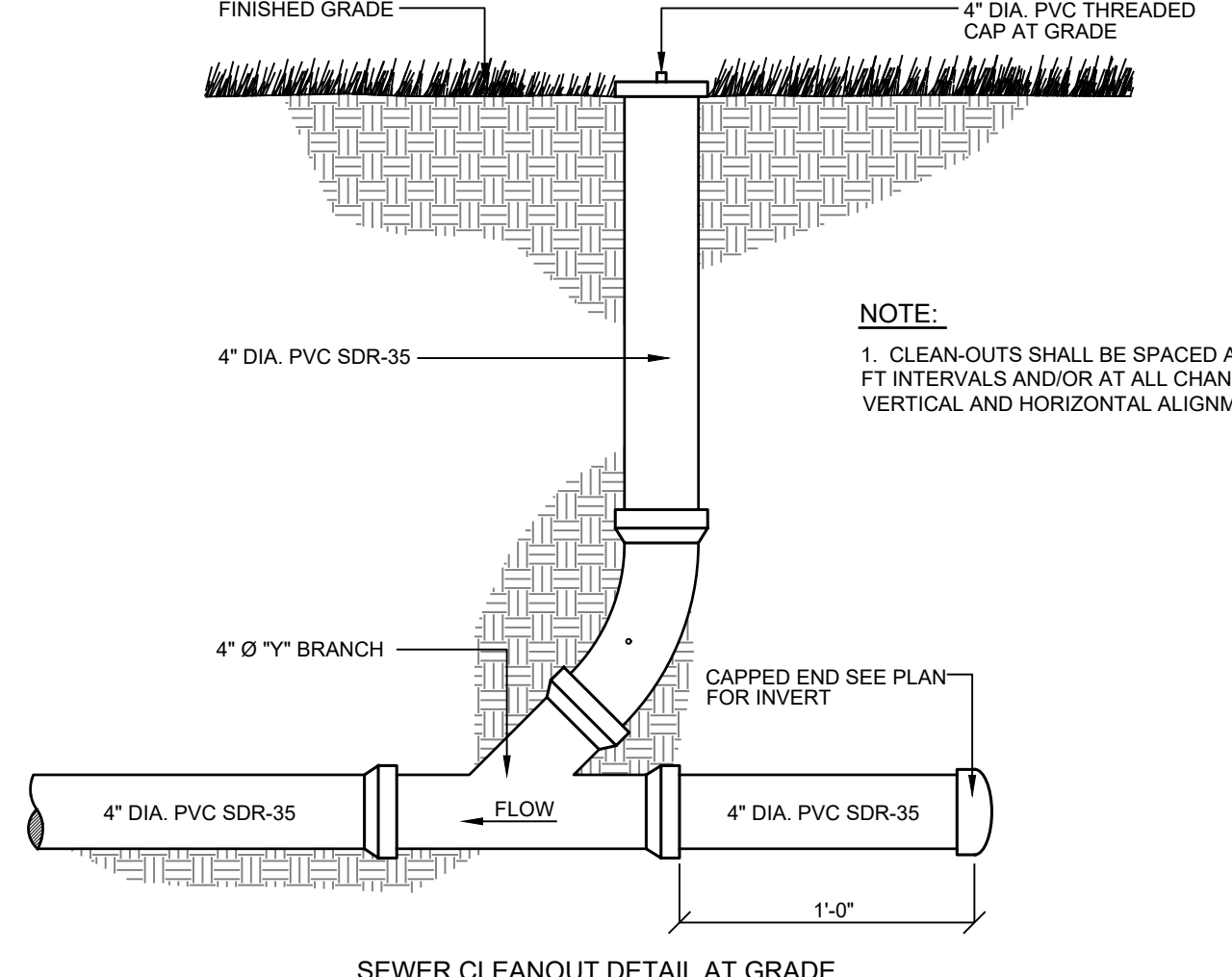
SECTION

- NOTES:**
1. PROVIDE CLEANOUT AS REQUIRED (SEE DETAIL).
 2. CONTRACTOR TO FOLLOW MANUFACTURER'S INSTALLATION GUIDE.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PERSONS DURING CONSTRUCTION FROM HARM IN ACCORDANCE WITH ALL APPLICABLE CODES, RULES & REGULATIONS, STANDARDS AND GOOD PRACTICES.
 4. CONTRACTOR TO NOTIFY TOWN OF CORTLANDT 48 HOURS IN ADVANCE FOR TRENCH INSPECTION.
 5. ALL FITTINGS TO BE WHITE H.D. AS MANUFACTURED BY GPK PRODUCTS INC. OR PROVED EQUAL.
 6. FOR BACKFILLING REQUIREMENTS OF SEWER SERVICE SEE "SEWER MAIN/SEWER SERVICE TRENCH DETAIL".
 7. **LOT 6-USE 6" PVC SDR 23 (1.0% MIN. PITCH)

S-1 SEWER CONNECTION TO PROPOSED MAIN-LINE DETAIL
NOT TO SCALE

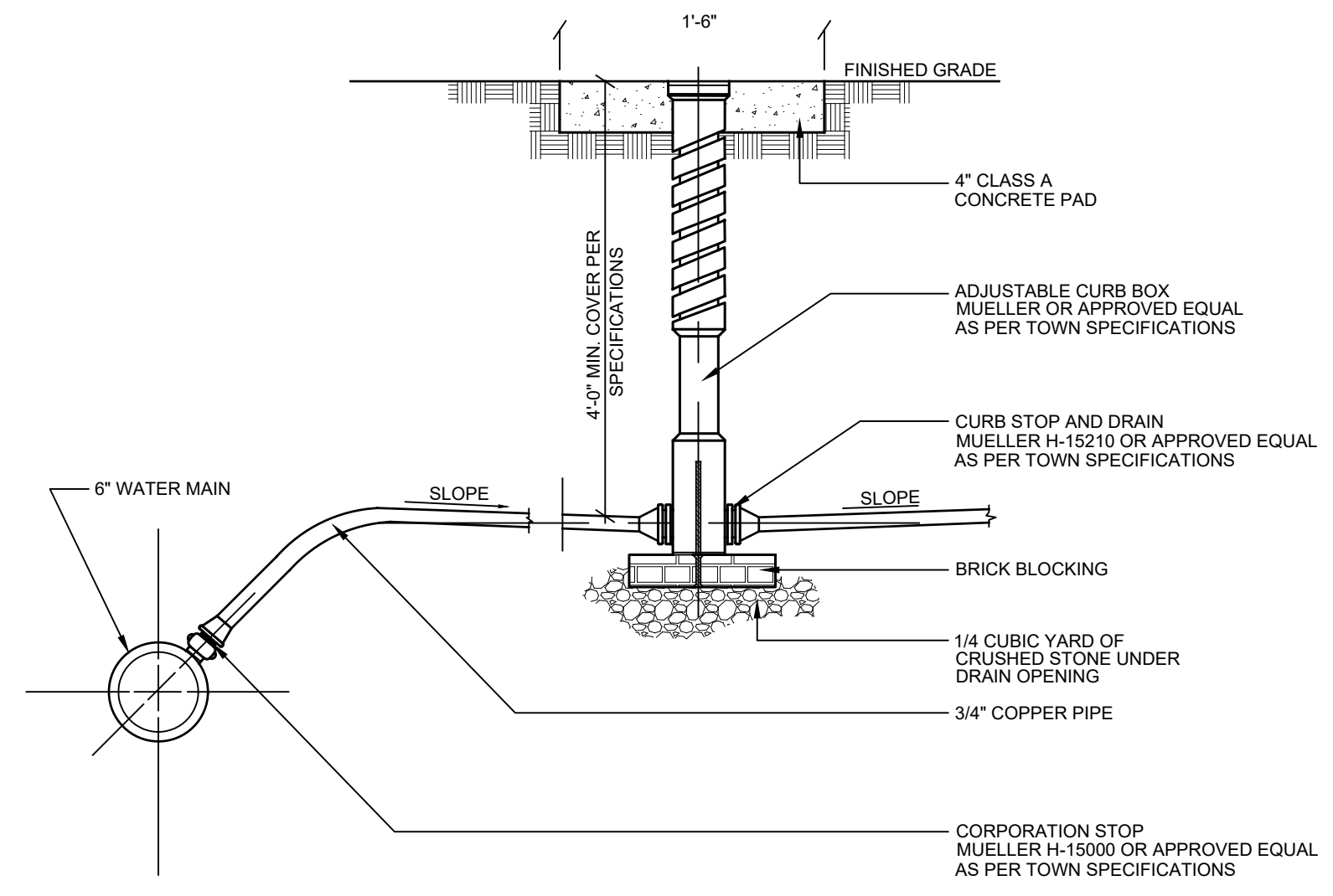


ACCESS FRAME & COVER DETAIL FOR CLEANOUT UNDER PAVEMENT

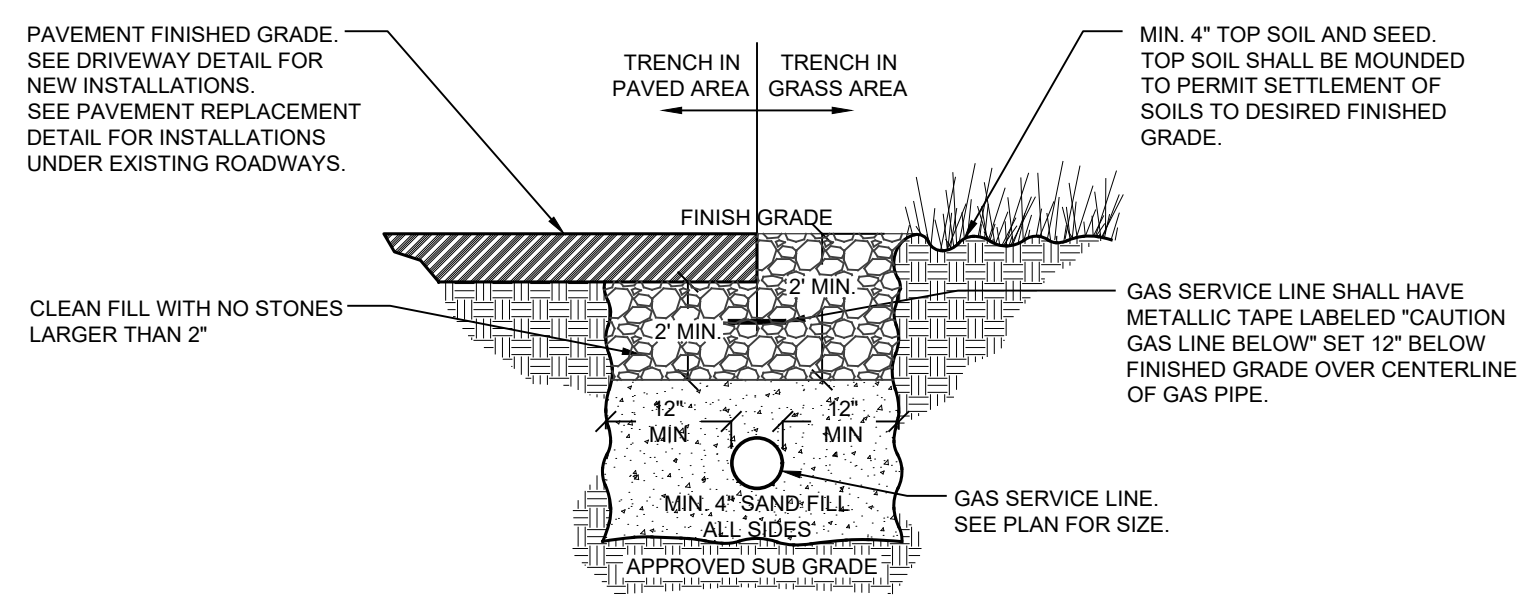


SEWER CLEANOUT DETAIL AT GRADE

S-2 GRAVITY SEWER CLEAN-OUT DETAIL
NOT TO SCALE

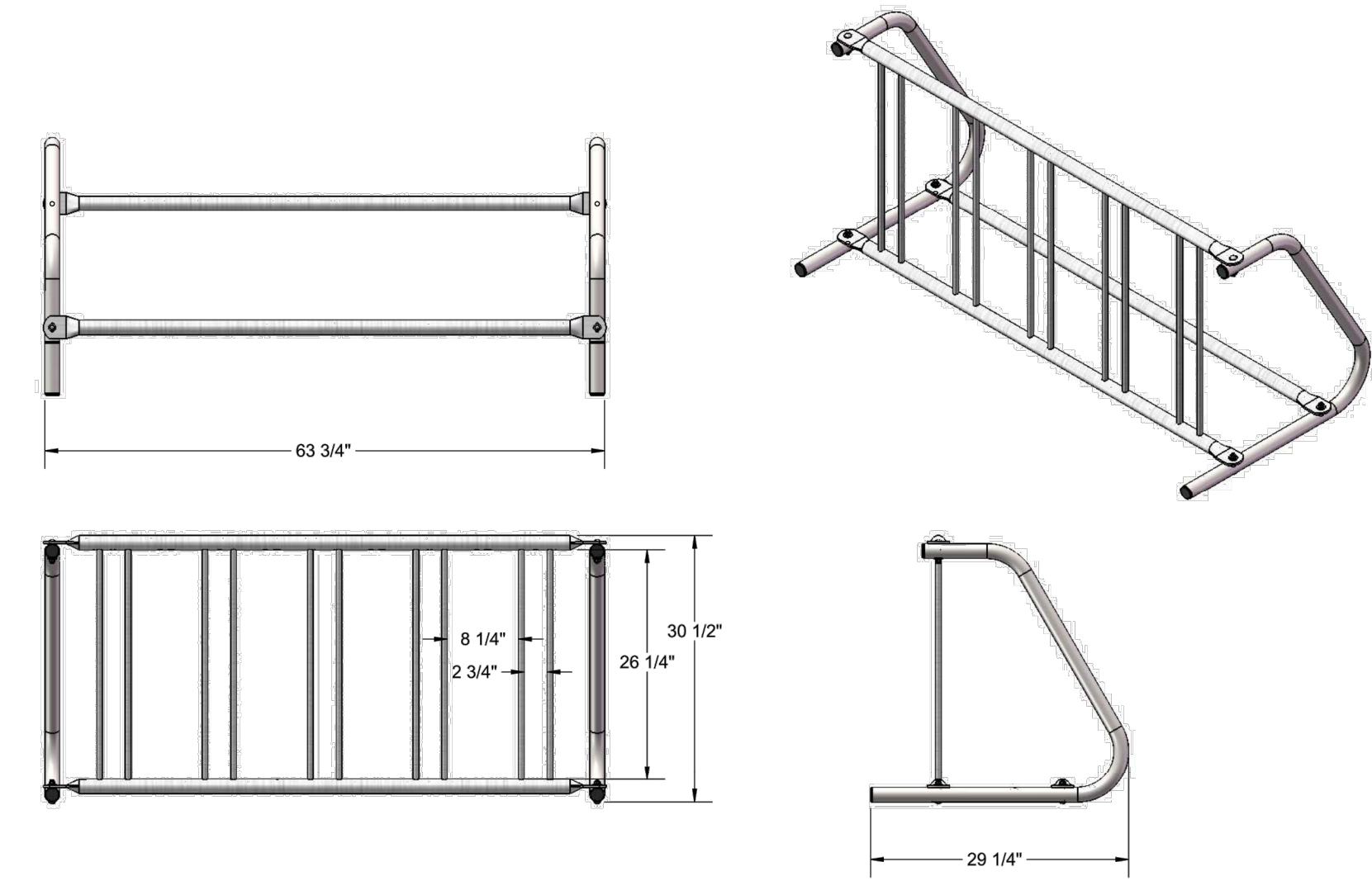


W-1 WATER SERVICE CONNECTION DETAIL
NOT TO SCALE

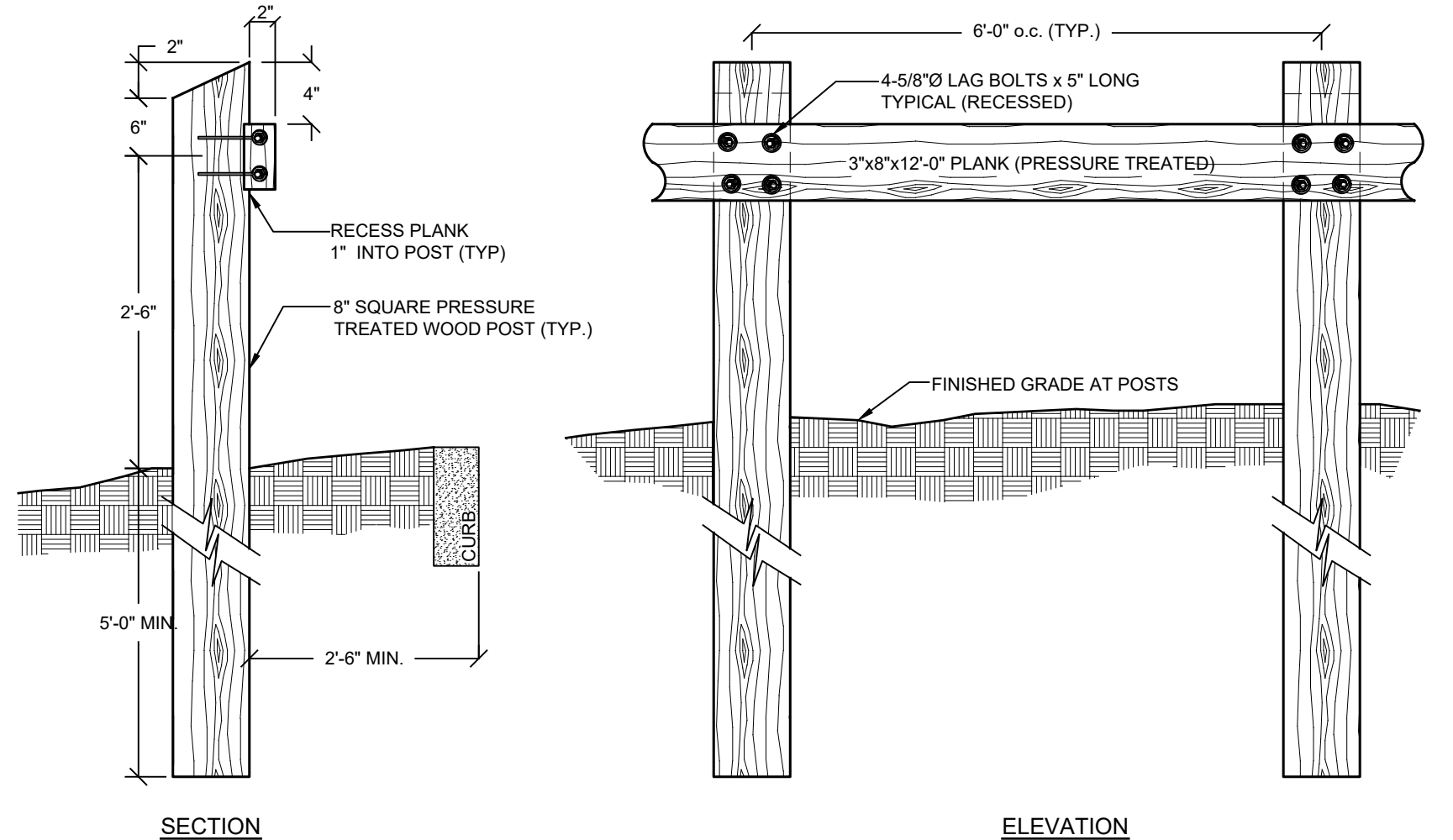


- NOTES:**
1. Contractor shall coordinate installation with utility owner. All materials and installation procedures shall meet or exceed minimal requirements of the utility owner.
 2. Pipe shall be laid and connected in the bedding which shall consist of:
 - A. Compacted existing subsoil when laid above ground water or;
 - B. 3/4" crushed stone when laid below ground water.
 3. If subsoil is determined to be unsuitable by the engineer, all unsuitable material shall be removed for at least 2'-6" below the pipe invert or twice the pipe diameter, whichever is greater, and replaced with compacted bedding material.

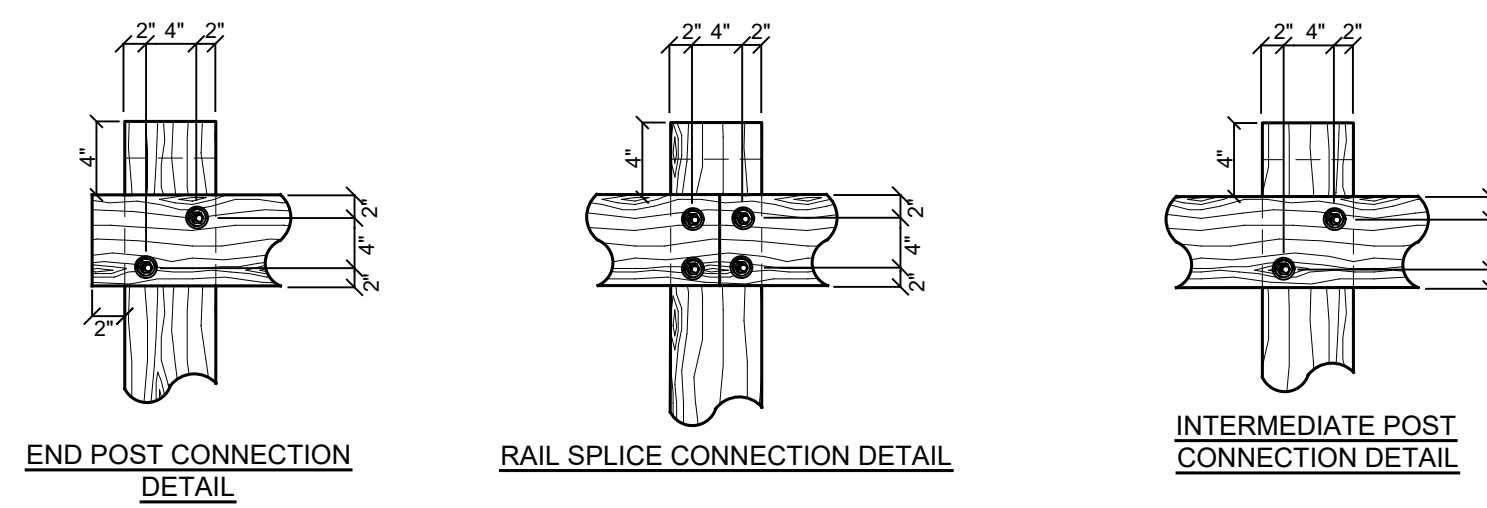
G-1 GAS SERVICE BEDDING DETAIL
NOT TO SCALE



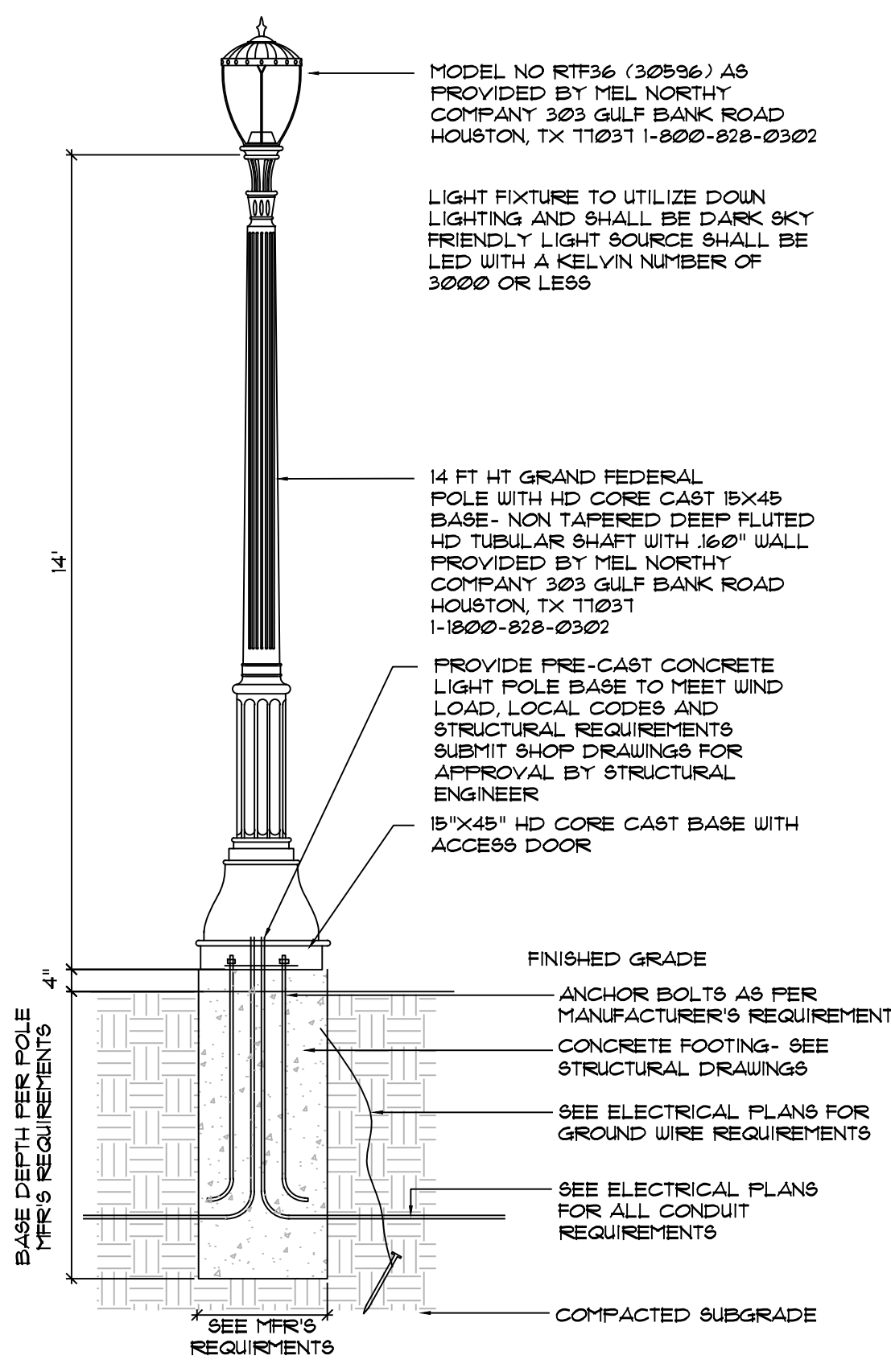
R-7 BIKE RACK DETAIL
NOT TO SCALE



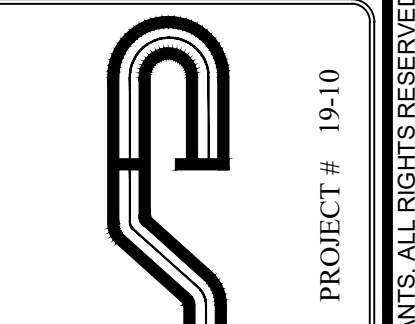
SECTION ELEVATION



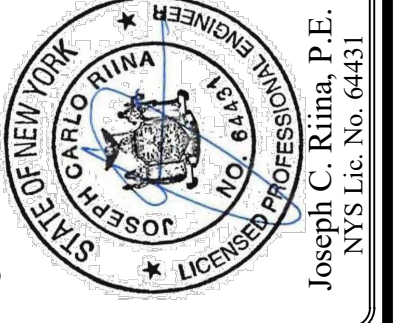
R-6 TIMBER GUARDRAIL DETAIL
NOT TO SCALE



L-1 LIGHT POLE DETAIL
NOT TO SCALE



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	2	8/25/20	Town Comments

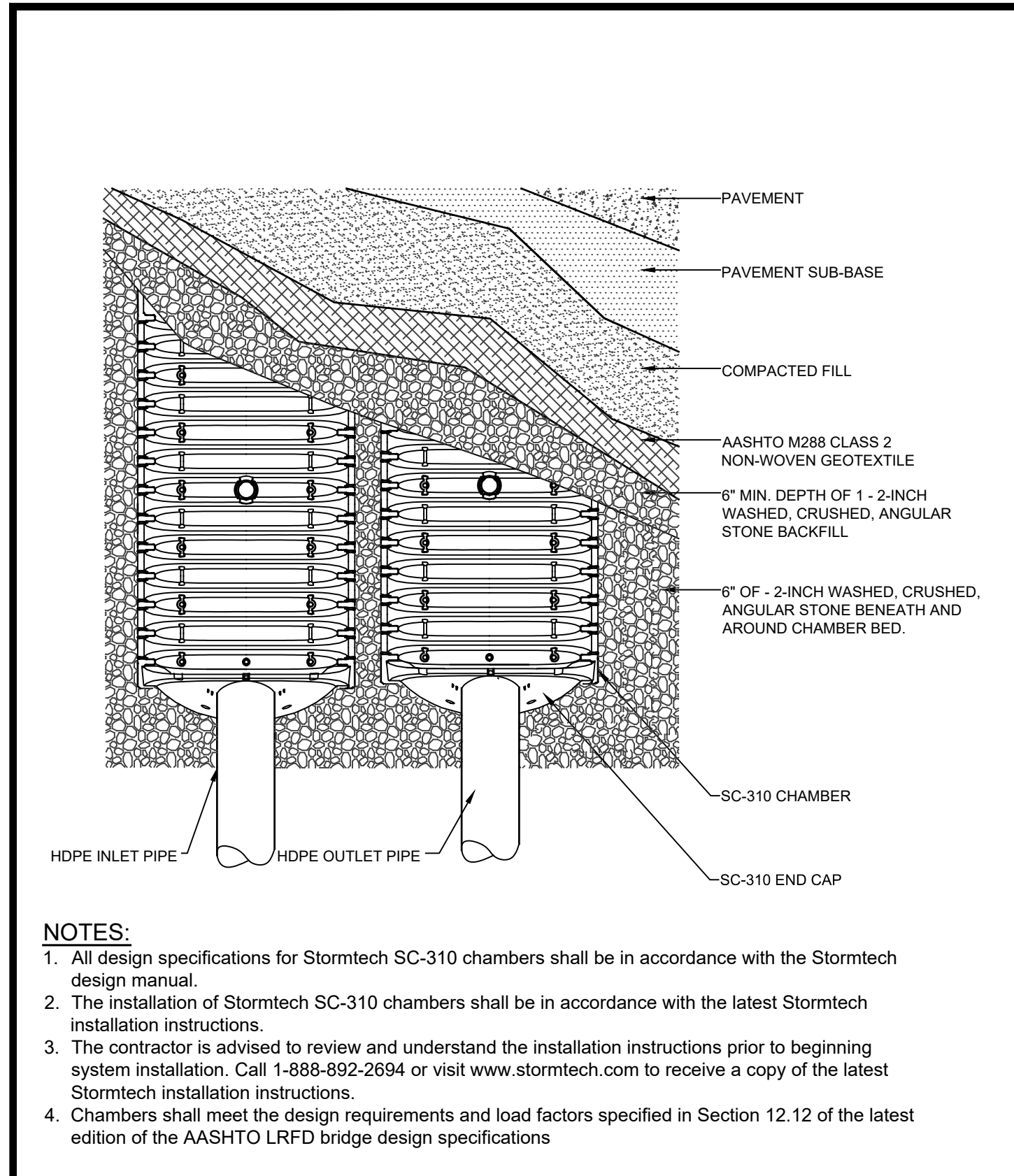
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DRAWN BY: TK
DATE: 3/14/20

SITE DETAILS 2

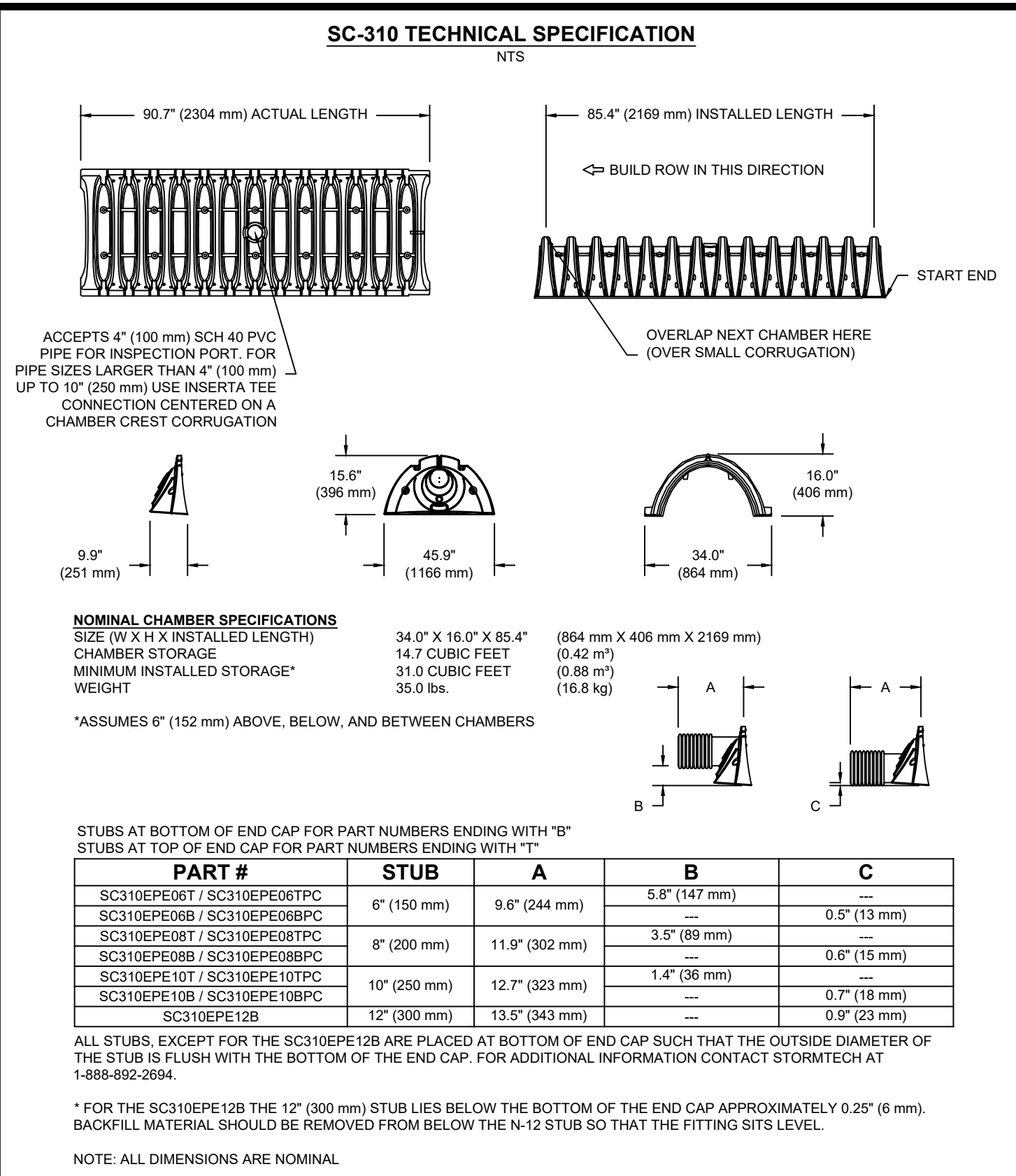
SITE PLAN PREPARED FOR
NANTUCKET SOUND SONS, LLC.
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Town of Yorktown
Westchester County, NY

E:\2020\15.10.NANTUCKET SOUND, LLC - MURPHY ENGINEERING\CAD\CAD-10.10.NANTUCKET SOUND, LLC - MURPHY ENGINEERING\DETAILS & 25.20.DWG

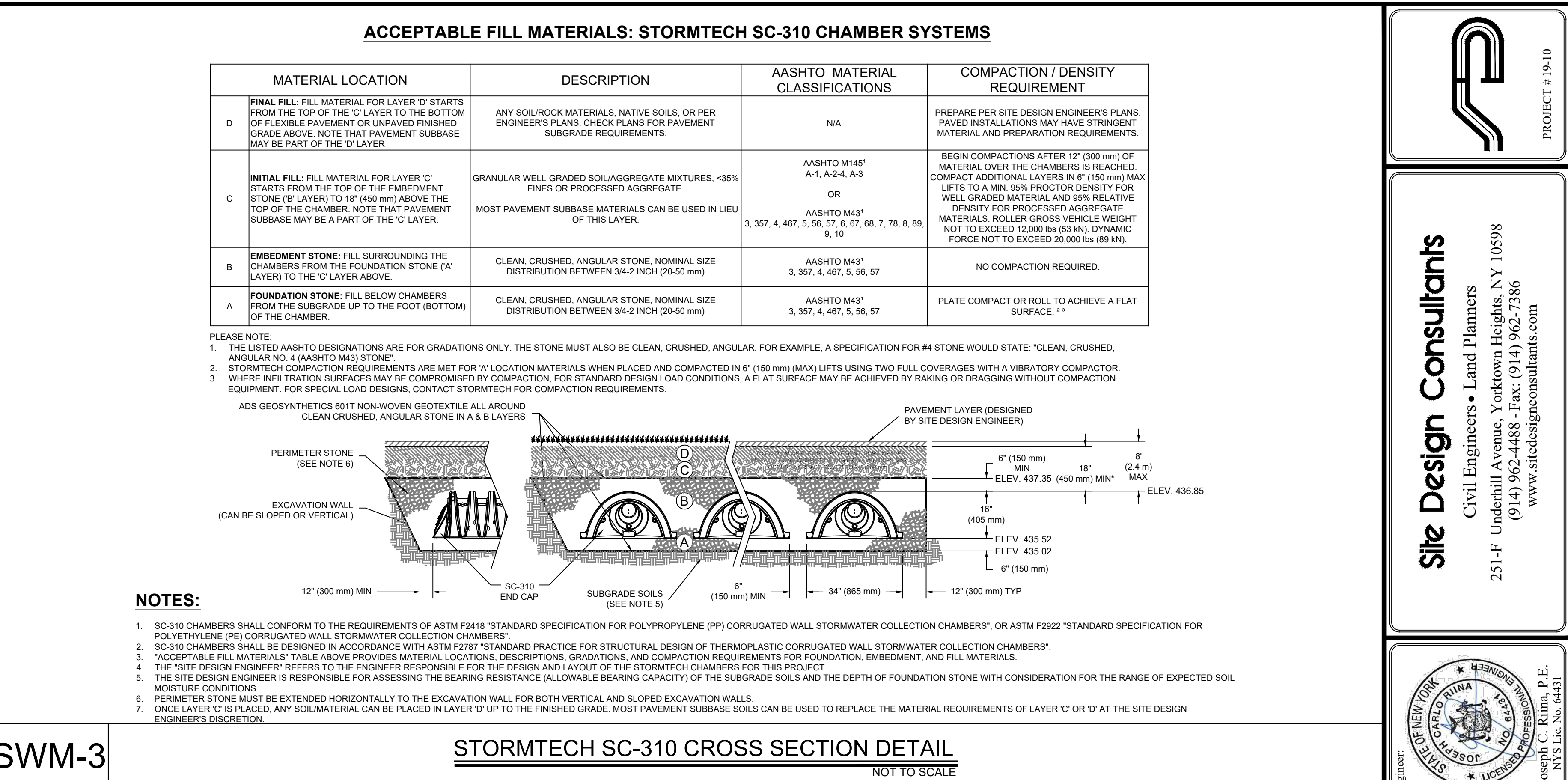
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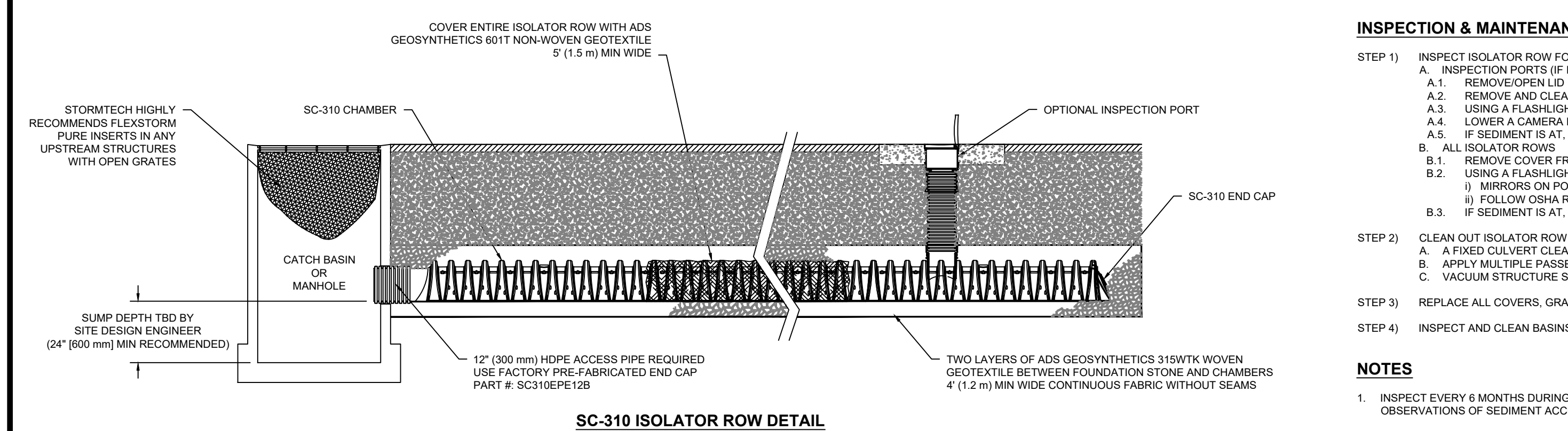
SWM-1 STORMTECH SC-310 CHAMBER SYSTEM PLAN VIEW DETAIL
NOT TO SCALE



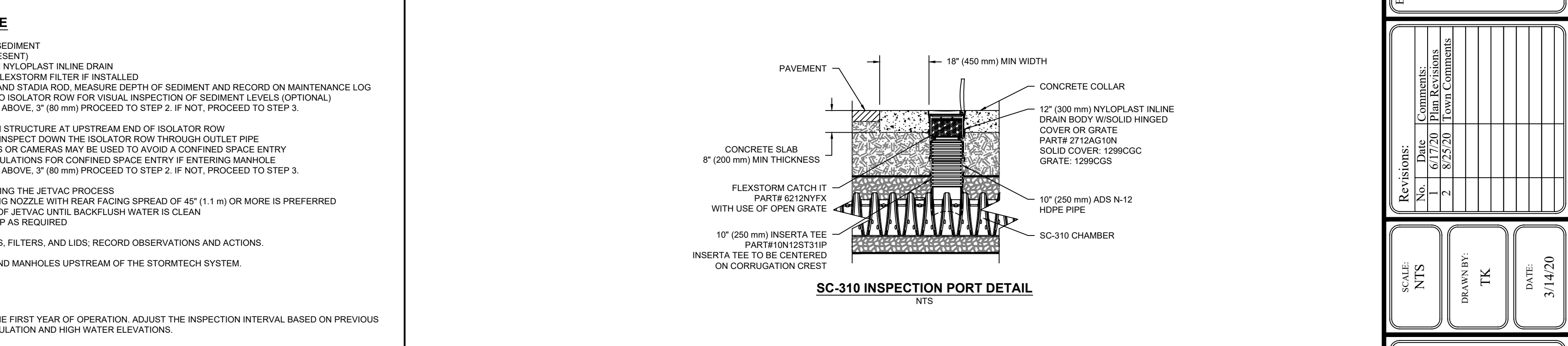
SWM-2 STORMTECH SC-310 CHAMBER DETAIL
NOT TO SCALE



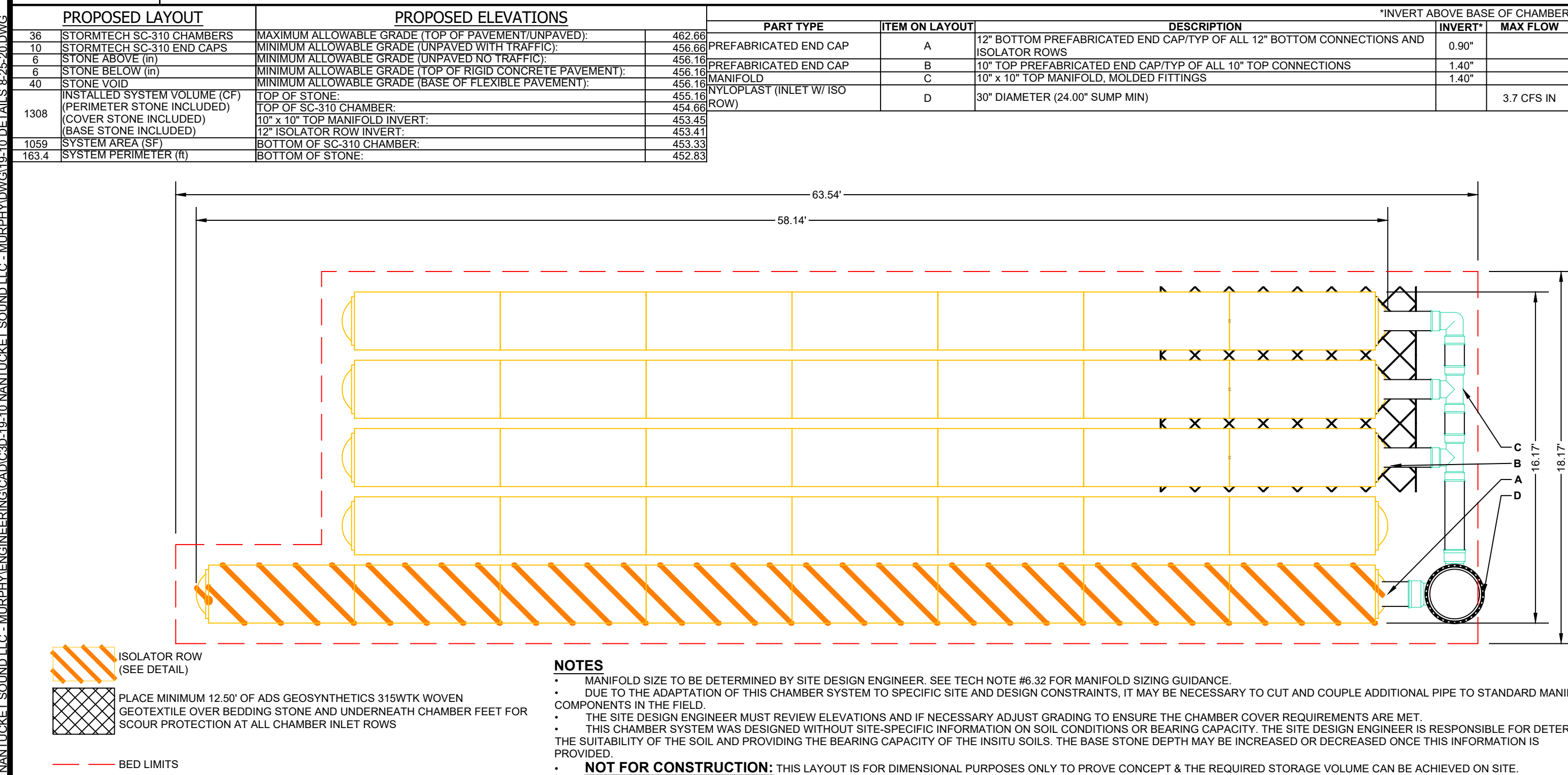
SWM-3 STORMTECH SC-310 CROSS SECTION DETAIL
NOT TO SCALE



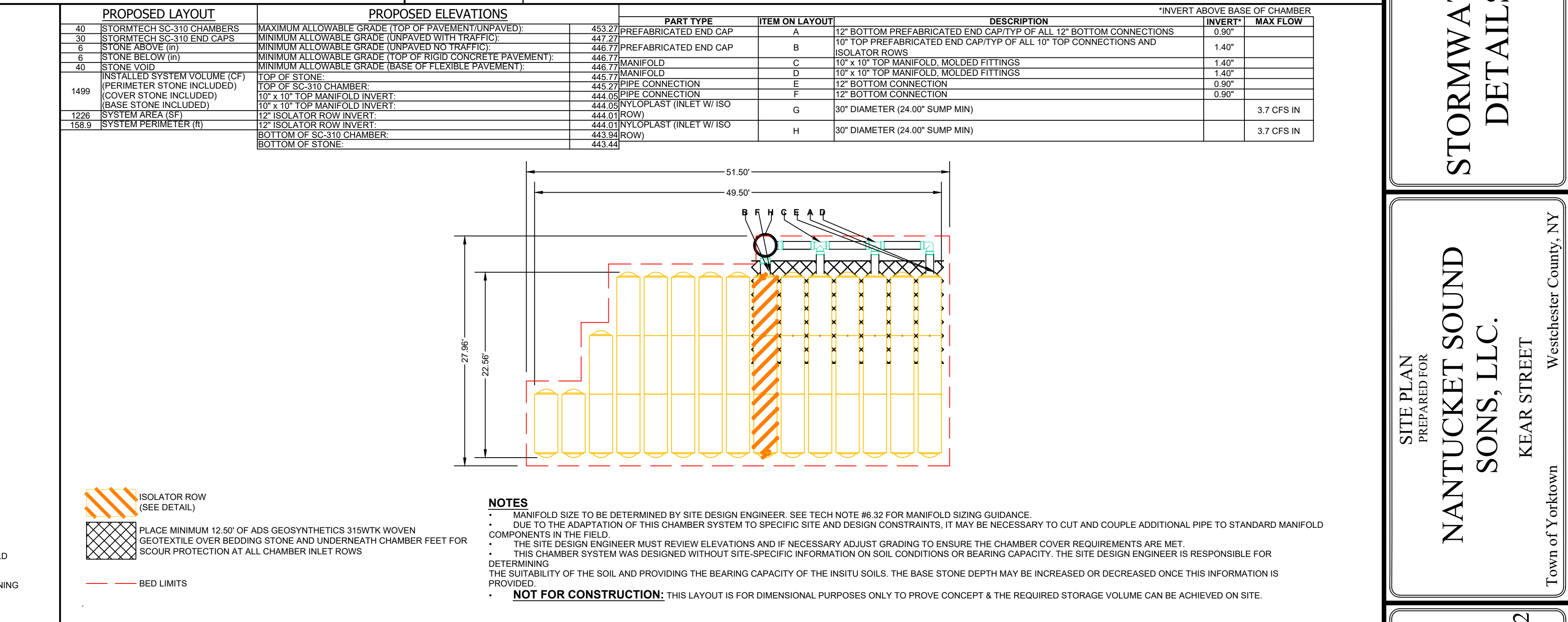
SWM-4 STORMTECH SC-310 CHAMBER DETENTION ISOLATOR ROW DETAIL
NOT TO SCALE



SWM-5 STORMTECH FLUSING/INSPECTION PORT DETAIL
NOT TO SCALE



SWM-4 STORMTECH SC-310 CHAMBER DETENTION ISOLATOR ROW DETAIL
NOT TO SCALE



SWM-4 STORMTECH SC-310 CHAMBER DETENTION ISOLATOR ROW DETAIL
NOT TO SCALE