

ZONING BOARD OF APPEALS

Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-8410 (ex. 4316)
Date: November 4, 2024

TO: OBAPAE

- | | |
|--|----------------------------------|
| ✓ NYS Dept of Environmental Conservation | ✓ Rockland County Drainage |
| ✓ New York State Dept. of Transportation | ✓ Rockland County Health |
| Palisades Interstate Park Commission | ✓ Rockland County Planning |
| NYS Thruway Authority | ✓ Rockland County Highway |
| ✓ ACOE | ✓ Rockland County Sewer Dstrt #1 |
| CSX | ✓ Orange and Rockland Utilities |
| | ✓ Veolia |

This matter is scheduled for: December 4, 2024

**Review of Plans: Bedrock Whittier LLC/25 Whittier Road Subdivision,
25 Whittier Road Subdivision, Blauvelt, NY**

Section: 65.18 Block: 1 Lot:13 LO & R-40 zone

Chapter 43, Section 3.12, R-40 & LO District, for a variance from New York State Law Section 280-a(Street Frontage), for (3) lot subdivision, at a single-family residential lot. The premises are located at 25 Whittier Road, Blauvelt, New York and identified on the Orangetown Tax Map as Section 65.18, Block 1, Lot 13 in the LO & R-40 zoning district.

Please review the information enclosed and provide comments. These comments may be mailed, or e-mailed to the Zoning Board Office.

If your Agency does not have any comments at this time, please respond to this office by sending back this sheet.

- US Postal: 26 Orangeburg Road, Orangeburg, NY 10962
- Email to Zoning Board: **KBettmann@orangetown.com**

Zoning Board Meeting Date: December 4, 2024

- () Comments attached
- () No Comments at this time. Please send future correspondence for review.
- () No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.
- () This project is out of the jurisdiction of this agency and has no further comments.

This project is before the Zoning Board on Wednesday, December 4, 2024. Kindly forward your completed review to this office *BEFORE*** December 4, 2024.**

Reviewing Agency_____

Name:_____Date:_____

Signature: _____

Thank you, **Katlyn Bettmann (EXT. 4316)**

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

Please check all that apply:

<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential
<input type="checkbox"/> Planning Board	<input type="checkbox"/> Historical Board
<input checked="" type="checkbox"/> Zoning Board of Appeals	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Consultation
<input type="checkbox"/> Number of Lots	<input type="checkbox"/> Pre-Preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Interpretation
<input checked="" type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: _____
 ASSIGNED _____
 INSPECTOR: _____

Referred from Planning Board: YES / NO
 If yes provide date of Planning Board meeting: _____

Bedrock Whittier LLC/

Project Name: 25 Whittier Road Subdivision

Street Address: 25 Whittier Road, Blauvelt NY, 10913

Tax Map Designation:

Section: 65.18 Block: 1 Lot(s): 13
 Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the West side of Whittier Road, approximately
0 feet North of the intersection of Bradley Hill Road, in the
 Town of ORANGETOWN in the hamlet/village of Blauvelt.

Acreage of Parcel <u>143,191 SF</u>	Zoning District <u>R-40 / LO</u>
School District <u>South Orangetown General School District I</u>	Postal District <u>Blauvelt</u>
Ambulance District <u>Blauvelt</u>	Fire District <u>Blauvelt</u>
Water District <u>Veolia NY</u>	Sewer District <u>Orangetown Sewer</u>

Project Description: *(If additional space required, please attach a narrative summary.)*

The applicant is proposing to subdivide Lot 13 into three separate lots for future single family residential use. The existing single-family dwelling is to remain. No site improvements are proposed at this time. See attached narrative summary.

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.

Date: 9/30/24 Applicant's Signature: _____



APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE.

(IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdivision:

- 1) Is any variance from the subdivision regulations required? Yes
- 2) Is any open space being offered? No If so, what amount? _____
- 3) Is this a standard or average density subdivision? N/A

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

If special permit, list special permit use and what the property will be used for.

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area No

Are there streams on the site? If yes, please provide the names. No

Are there wetlands on the site? If yes, please provide the names and type:

No

Project History:

Has this project ever been reviewed before? Yes

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

Planning Board granted Preliminary Approval on 9/25/24

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

None



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962**

**Jane Slavin, RA
Director**

(845) 359-8410

Fax: (845) 359-8526

Date: September 20, 2024

To: Planning Board

**From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.**

**Subject: 25 Whittier Road Subdivision Plan
Prepreliminary/ Preliminary/ Final Subdivision Plan
and SEQRA Review
25 Whittier Road, Blauvelt
65.18/1/13, R-40/LO zone district**

**RECEIVED
SEP 24 2024
TOWN OF ORANGETOWN
LAND USE BOARDS
PB #24-41**

Submission Reviewed:

Proposed subdivision plan as prepared by Colliers Engineering, dated 6/4/24.

- 1) Whittier Road is not a dedicated town road. A 280-A variance is required.**
- 2) Per Town Code Chapter 2, section 2-4, ACABOR review is required.**
- 3) The SEAF appears to be in order.**

300 Tice Boulevard
Suite 101
Woodcliff Lake, New Jersey 07677
Main: 877 627 3772



NARRATIVE SUMMARY
Proposed 3 Lot Subdivision
25 Whittier Road (65.18-1-13)
Town of Orangetown, Rockland County, NY
Colliers Engineering & Design Project No. 24001458A
October 1, 2024

The site consists of approximately ± 3.29 acres split between the R-40 and LO Zoning Districts. It is located along Whittier Road, but also has frontages along Bradley Hill Road and New York State Route 303. Under existing conditions, the site consists of a $\pm 1,614$ square foot single-family residence near the intersection of Whittier Road and Bradley Hill Road. The remainder of the site is primarily vacant, wooded land.

The Applicant is seeking to subdivide the property into three (3) separate lots. Proposed Lot 1 would consist of 1.31 acres (57,134 SF), Proposed Lot 2 would consist of 0.95 acres (41,445 SF), and Proposed Lot 3 would consist of 1.02 acres (44,612 SF). The existing single-family dwelling on the site would remain within Proposed Lot 2. The two (2) new lots would be intended for future single-family dwellings. No site improvements are proposed at this time, however conceptual site layout, grading, and utility designs are shown on the plans to demonstrate that the proposed lots can support single-family dwellings.

The Orangetown Planning Board granted a Neg Dec under SEQRA and Preliminary Subdivision Approval at their September 25, 2024, meeting. As indicated in Director Slavin's review memo, application must be made to the Zoning Board of Appeals for a 280-A variance because one of the newly created lots in the subdivision will have frontage/access to a Private Road, in this case Whittier Road. Should the Zoning Board see fit to grant the requested variance, application will be made back to the Planning Board for Final Subdivision Approval. It is acknowledged that any future development of this property sought by the current and all future owners shall require approval from the Town of Orangetown Planning Board and ACABOR prior to the issuance of a building permit. The applicant only intends to subdivide the property under this application.

R:\Projects\2024\24001458A\Correspondence\OUT\241001_Narrative Summary.docx



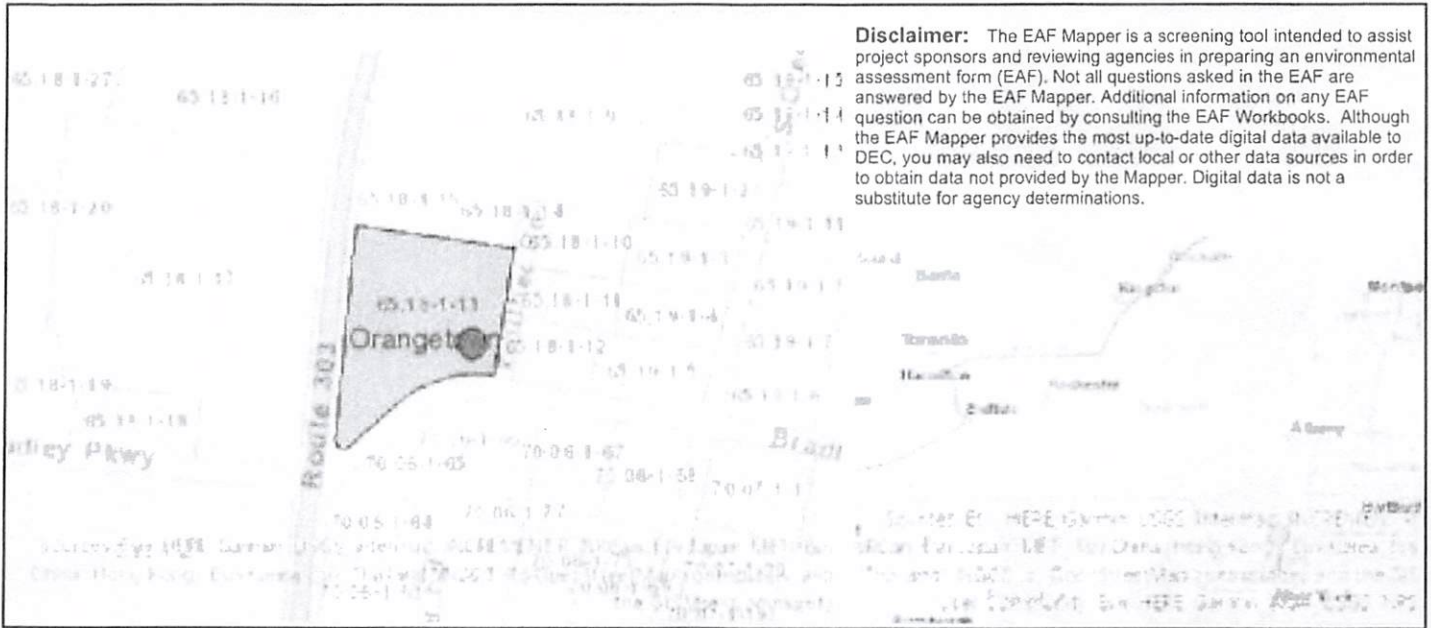
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Not proposed as part of this action, but connection will be made to existing public water supply should houses be constructed	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Not proposed as part of this action, but connection will be made to existing public wastewater utilities should houses be constructed	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			


 OCT 7 2024
 TOWN OF ORANGETOWN
 LAND USE BOARDS

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,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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 type="checkbox"/>	<input checked="" type="checkbox"/>
Adjacent properties across NYS Route 303 (Former General Bearing Site & Xerox Blauvelt) are previous remediation sites per NYSDEC records. These parcels are separated from the site by a State Highway and would not be impacted by the proposed action.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Bedrock Whittier LLC by Yehuda S. Gershtrom</u> Date: <u>6/19/24</u>		
Signature: <u>[Signature]</u> Title: <u>Member</u>		



PRINT FORM



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



SWIS	PRINT KEY	NAME	ADDRESS
392489	65.18-1-9	Advanced Manolta LLC	614 Route 303,Blauvelt, NY 10913
392489	65.18-1-10	Mark Hovsepien	28 Whittier Rd,Blauvelt, NY 10913
392489	65.18-1-11	Russell H Tobe	26 Whittier Rd,Blauvelt, NY 10965
392489	65.18-1-12	Jacqueline Jewett	722 Bradley Pkwy,Blauvelt, NY 10913
392489	65.18-1-13	Steven Finn	25 Whittier Rd,Blauvelt, NY 10913
392489	65.18-1-14	Deanna Lamhut	29 Whittier Rd,Blauvelt, NY 10913
392489	65.18-1-15	Raffe Balabanian	579 Rte 303,Blauvelt, NY 10913
392489	65.18-1-16	PG-OE 100 Corporate Dr LLC	900 Route 9 North Ste 400,Woodbrige, NJ 07095
392489	65.18-1-17	Bradley Pkwy Holding LLC	2727 LBJ Freeway Ste 806,Dallas, TX 75234
		Coforge BPS	
392489	65.19-1-2	Michael Acosta	516 N Greenbush Rd,Blauvelt, NY 10913
392489	65.19-1-3	Stephanie Zanetti	508 Greenbush Rd N,Blauvelt, NY 10913
392489	65.19-1-4	Rose Magnone	502 N Greenbush Rd,Blauvelt, NY 10913
392489	65.19-1-5	Midalama Perez	750 Bradley Pkwy,Blauvelt, NY 10913
392489	70.06-1-64	Pedro Rios	17 Sgt Parker Rd,Blauvelt, NY 10913
392489	70.06-1-65	FEFI & EL Holdings LLC	75 Sterling Blvd Unit 453,Englewood, NJ 07631
392489	70.06-1-66	Boris Sipershteyn	21 Sgt Parker Rd,Blauvelt, NY 10913
392489	70.06-1-67	Lucine Debany	23 Sgt Parker Rd,Blauvelt, NY 10913
392489	70.06-1-2	Advanced Blauvelt LLC	614 Route 303, Blauvelt NY 10913





**PB #24-41: 25 Whittier Road Subdivision Plan
Final Site Plan Subject to Conditions
NEG DEC**

**Town of Orangetown Planning Board Decision
September 25, 2024
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**TO: Bedrock Whittier LLC, Monsey, New York 10952
FROM: Orangetown Planning Board**

RE: PB #24-41: 25 Whittier Road Subdivision Plan – 3 lots: The application of Bedrock Whittier LLC, applicant and owner, for Prepreliminary/ Preliminary/ Final Site Plan, at a site known as "25 Whittier Road", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 25 Whittier Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.18, Block 1, Lot 13 in the R-40/LO zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday September 25, 2024**

September 25, 2024

Jesse Cokeley, Colliers Engineering, appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated September 11, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated September 20, 2024.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 24, 2024.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated September 10, 2024.
5. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated September 16, 2024.
6. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by Jim Dean, Superintendent of Highways, dated September 25, 2024.
7. Interdepartmental memorandum from the Office of Recreation and Parks, Town of Orangetown, signed by Aric Gorton, Superintendent of Parks, Recreation and Building Maintenance, dated July 25, 2024.
8. Letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated September 16, 2024.
9. Letter from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated July 12, 2024.
10. Letter from Rockland County Sewer District NO.1, signed by Nicolas King, Engineer I, dated September 6, 2024.

TOWN OF ORANGETOWN
2024 OCT 24 A 9:19
TOWN CLERK'S OFFICE

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11. Letter from Orange and Rockland Utilities, Inc., signed by Alfred Gaddi, PE, dated August 2, 2024.
12. Project Narrative Summary, signed by Jesse Cokeley, P.E., Dated July 10, 2024.
13. Response letter from Colliers Engineering to Bruce Peters, Town of Orangetown DEME, dated July 10, 2024
14. A letter/notice from Town of Orangetown Zoning Board of Appeals, signed by Michael J. Bosco, dated July 31, 2024.
15. A letter/notice from the Rockland County Department of Planning, signed by Jake Palant, dated July 23, 2024.
16. A letter/notice from the Rockland County Highway Department, signed by Dyan Rajasingham, dated August 2, 2024.
17. Preliminary Plot Plan for 25 Whittier Road Proposed 3 Lot Subdivision, Prepared by Colliers Engineering and Design, dated June 4, 2024.
18. 3 Lot Subdivision Prepared for Steven Finn, prepared and signed by Edward T. Gannon, P.L.S., dated June 27, 2024.
19. Survey Prepared for Steven Finn, prepared and signed by Edward T. Gannon, P.L.S., dated October 19, 2023.

The Board reviewed the plan. The meeting was open to the public.

A motion was made to open the Public Hearing by Michael Mandel- Vice Chairman and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Lisa DeFeciani, absent; Bruce Bond (Alternate Member), aye Michael McCrory, aye; and Andrew Andrews, aye.

Public Comment:

Deanna Lamhunt, 29 Whittier Road, Blauvelt. Brought up the issue of property being maintained from an aesthetics standpoint. Stressed concern and question regarding how the property will be zoned.

Vanessa Lapins, 659 Western Highway, Blauvelt. Questioned the Board on who the owner of the lot is.

Donna Solari, 573 Greenbush Road, Blauvelt. Concerned that aesthetics will be an issue. Questioned about access to records.

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Andrew Andrews and second by Michael Mandel- Vice Chairman and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Lisa DeFeciani, absent; Bruce Bond (Alternate Member), aye, Michael McCrory, aye; and Andrew Andrews, aye.

TOWN OF ORANGETOWN
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SEQRA

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and the applicant's consultant and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Planning, Rockland County Department of Highways, Rockland County Department of Health, Rockland County Sewer District #1, and having reviewed the drawings presented by the applicant's professional consultants; a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown Comprehensive/Master Plan;

TOWN OF ORANGETOWN
TOWN CLERK'S OFFICE
OCT 24 4 41 PM 2024

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- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Michael Mandel, Vice Chairman, and seconded by Andrew Andrews, carried as follows: Thomas Warren, Chairman, aye; Michael Mandel, Vice Chairman, aye; Andrew Andrews, aye; Michael McCrory, aye; Bruce Bond, (Alternate Member), aye; Denise Lenihan, aye; and Lisa DeFeciani, aye, the Board declared itself Lead Agency.

On motion by Denise Lenihan, and seconded by Michael Mandel, Vice Chairman, carried as follows: Thomas Warren, Chairman, aye; Michael Mandel, Vice Chairman, aye; Andrew Andrews, aye; Michael McCrory, aye; Bruce Bond, (Alternate Member), aye; Denise Lenihan, aye; and Lisa DeFeciani, aye, the Board declared a Negative Declaration.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Subject to the Following Conditions:**

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and the construction plans are reviewed and approved by the inspector.

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5. The Town of Orangetown Department of Building, Zoning, Planning Administration and Enforcement reviewed the Information and has the following comments:
 - Whittier Road is not a dedicated town road. A 280-A variance is required.
 - Per Town Code Chapter 2, section 2-4, ACABOR review is required.
 - The SEAF appears to be in order.

6. The Town of Orangetown Department of Environmental Management and Engineering (DEME) reviewed the information and offered the following comments:
 - Contrary to the applicant's engineer's letter to this Department of 7/10/24 (attached), whether the applicant plans to do the site improvements now or at a later date, **all required subdivision improvements (site, roadway, drainage, sanitary, etc.) must be designed in accordance with the Town of Orangetown Town Code and depicted on the drawing(s) NOW** in order for the subdivision to be approved.
 - Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted for review and approval. The applicant's engineer shall design onsite storage to achieve a zero increase in runoff, up to and including the 100-yr. storm, for the proposed subdivision.
 - The total area of disturbance shall be listed on the subdivision plan.
 - Whittier Road is currently an undersized, gravel road. Because the applicant is proposing to add another single-family Residence to this street - bringing the total residences to 5. To ensure that any and all emergency service vehicles have clear, safe and unobstructed access to the new and existing residences along said road, Whittier Road shall be improved (rebuilt and paved) to meet the Town of Orangetown Rural Road specifications from the intersection with Bradley Hill Road to the northern most property line. The improvements shall include but not limited to widening the road to 24-foot wide minimum, paving the road and depth of constituent's (asphalt, subgrade, etc.) as well as load capacity to support fire apparatus.
 - A note shall be added to the Subdivision Plan (Plot plan) stating that *--"All required improvements to Whittier Road depicted on this plan shall be completed, inspected, approved and accepted (including submission and approval of As-Builts) prior to the issuance of **ANY** building permits for proposed Lots 1&3 and/ or C o f0. for proposed Lot 2."*

TOWN OF ORANGETOWN
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CONTINUATION OF CONDITION # 6

- The intersection of Whittier Road at Bradley Hill Road shall be modified to conform to Town of Orangetown Street Specification standards.
- A stop sign shall be added to Whittier Road, at the intersection with Bradley Hill Road.
- Whittier Road shall be labeled as a private road.
- The proposed driveway entrances for Lots 1 & 3 shall be revised to have proposed radii - at the intersection with the street.
- All existing utilities & utility structures (sanitary, storm, water, gas electric, cable/ fiber optic, etc.) within Whittier Road, Bradley Hill Road and Route 303 shall be shown complete on the drawings.
- All driveways on the east side of Whittier road, opposite the proposed subdivision, shall be shown on the plans.
- The northern section of the existing driveway on proposed Lot 2 shall be removed from proposed Lot 1. Also, the first 15 feet of the two driveway entrances from proposed Lot 2 (existing driveway) shall be shown to be paved, to keep gravel from the driveway spilling out onto Whittier Road.
- The proposed driveways for Lots 1 & 3 shall be shown and labeled to be paved. Also, a typical symbol for paving shall be shown at these locations (as well as the required improved portion of Whittier Road) and added to the drawing legend.
- The sight distances at the driveway entrance for proposed Lot 3 onto Bradley Hill Road shall be given on the plans.
- Concrete curbing shall be shown and installed along west side Whittier Road - for the length of the of subdivision- and the north side of Bradley Hill Road- for the length of the subdivision.
- Profiles shall be provided for all proposed drainage piping.
- Separate post construction stormwater maintenance agreements for all proposed stormwater systems shall be submitted to this Department and the Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, individual inspection checklists for all existing and proposed stormwater facilities, contact person with cell phone number, yearly report to be submitted to this Department, etc.

TOWN CLERK'S OFFICE
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CONTINUATION OF CONDITION # 6

- All existing & proposed easements and dedications shall be shown on the plan (s), including page and liber or instrument number, metes and bounds, utility location within easement (where applicable) and ownership.
- Soil erosion and sediment control plans and details shall be submitted with the drawing set for review and approval. The plans shall depict SESC features designed so that each lot may be developed independently/ separately.
- The proposed sanitary house connections for Lot 1 & 3 shall be designed in accordance with all applicable rules & regulations and shown on the drawings -i.e. not just conceptual layouts as currently labeled on the plan.
- The proposed sanitary house connection for Lot 3 shall be relocated/ redesigned to run directly west to the existing public sanitary main along Route 303, to avoid crossing the existing utility line that runs through the Lot.
- The existing and proposed sanitary house connections shall be shown complete (connecting to the existing sanitary main) on the drawings.
- Profiles for the proposed sanitary house connections shall be added to the drawings.
- Cleanouts shall be shown and labeled along all of the existing and proposed sanitary house connections. The top and invert elevations for every sanitary house connection cleanout shall be added to the plans.
- The drawing depicts the existing sanitary house connection running through proposed Lot 3. An easement through lot 3, to the benefit of Lot 2, shall be proposed and shown on the drawings, including the metes and bounds. A written easement shall be submitted to the Town Attorney's office and this Department for review and approval.
- All utility connections (electric, gas, water, sanitary sewer, fiber, etc.) shall be shown complete (from mains to the homes) for all three homes of the subdivision.
- All existing foliage/ trees/ etc. shall be located and added to the plans. The symbol(s) for same shall be added to the drawing legend.
- The drawings shall show all proposed tree removals.

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CONTINUATION OF CONDITION # 6

- A landscaping plan shall be added to the drawing set.
 - The edge of pavement symbol shown on the drawing does not match the symbol in the legend. This shall be corrected. Also, the edge of pavement symbol is the same symbol as the designated street line. This too shall be corrected. All symbols shown on the drawing(s) shall be included in the drawing legend and match what is shown on the legend.
 - Typical details shall be included with the drawings (i.e. pavement, curbing, sanitary house connection, sanitary cleanout, etc.)
 - Monuments shall be drawn and labeled at all subdivision comers/ R.O.W.s for Whittier Road, Bradley Hill Road, Route 303.
 - Iron pins shall be clearly shown at each property comer. The symbol for same shall be added to the drawing legend.
 - The datum for the contours shall be given. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)
7. The Town of Orangetown Bureau of Fire Prevention reviewed the information and offered the following comments:
- Show the distance from the closest hydrant to furthest portion of the building measuring along the Fire Apparatus Access Route. Greater than 600' may require the installation of fire hydrant. IFC 507.5.1.
 - Show the width of Whittier Road, required fire access road width is 20'.
 - Show that the fire access road is capable of supporting the imposed load of a Fire Apparatus weighing up to 75,000 pounds.
8. The Town of Orangetown Highway Department reviewed the information and offered the following comments:
- Please be advised that Whittier Road is not a Town road and does not appear on the NYS Local Highway Inventory.

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9. The Town of Orangetown Office of Parks and Recreation reviewed the information and offered the following comments:
- In review of the 25 Whittier Rd. Subdivision Plan -3 lots, the Town of Orangetown Parks and Recreation Department recommends, pursuant to Orangetown Zoning Code Section 21-20.E and Town Board Resolution #396 dated May 8, 2006, which sets the amount of \$6,300.00 per lot for single family homes, that the Planning Board waive the requirement for the reservation of parkland and condition approval on payment of \$18,900.00 in lieu of parkland.
10. The Rockland County Department of Planning reviewed the plans and offered the following comments.
- The Town shall be satisfied that the proposed residential subdivision is compliant with all applicable provisions of the Route 303 Overlay Zone, outlined in Article XIII, Section 13 .1 OB. of the Orangetown Zoning Code.
 - A review shall be completed by the New York State Department of Transportation and any required permits obtained.
 - A review must be completed by the County of Rockland Department of Highways and any required permits obtained from them.
 - The applicant must comply with the comments provided by the Rockland County Department of Health in their letter dated August 6, 2024.
 - As required by the Rockland County Stream Control Act, the subdivision must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
 - Once a subdivision has been approved, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the subdivision map. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.
 - Prior to the start of demolition, construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
 - There shall be no net increase in the peak rate of discharge from the site at all design points.

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CONTINUATION OF CONDITION # 10....

- A Stormwater Pollution Prevention Plan (SWPPP), if required for development, shall be provided and conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.
- Water is a scarce resource in Rockland County; thus, proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.
- Any future site plan and variance applications required to implement the proposed subdivision must be referred to this department, as required by New York State General Municipal Law, Section 239-m.
- Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

11. The Rockland County Department of Health (RCDOH) reviewed the plans and offered the following comments:

- Realty Subdivision application is to be made to this office

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CONTINUATION OF CONDITION # 11

- Should the Board require a stormwater management system to remediate the increase in impervious surface, application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.

12. The Rockland County Sewer District NO. 1 reviewed the information and offered the following comments:

- The Rockland County Sewer District No. 1 does not object to the Planning Board serving as lead agency for this review.
- The Rockland County Sewer District No. 1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District. We request no future correspondence for this site

13. Orange and Rockland Utilities, Inc. reviewed the information and offered the following comments:

- Being that this is only a lot subdivision and no construction activities, there are no gas conflicts. Please contact O&R's new business department for any new customers.

14. TREE PROTECTION: The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to preserve and protect existing trees to remain are as follows:

- No construction equipment shall be parked under the tree canopy.
- There will be no excavation or stockpiling of earth underneath the trees.
- Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
- The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - i. One (1) foot radius from trunk per inch DBH

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CONTINUATION OF CONDITION # 14

- ii. Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - 1. Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - 2. Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

- 15. All landscaping shown on the site plan shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.
- 16. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.
- 17. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 18. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the

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CONTINUATION OF CONDITION # 18

applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

19. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
20. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications
21. A note shall be included on the filed site plan to the effect that approval is granted for ITE Land Use Code 150 warehousing only, and any future intent for alternate warehousing will require a new application to the Building Department and Planning Board.
22. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing resolution was made and moved by Denise Lenihan, and second by Michael Mandel – Vice Chairman and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, aye; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye; and Andrew Andrews, aye.

The Planning Assistant is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

Dated: September 25, 2024
Gerard Chesterman, Town of Orangetown Planning Board



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**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

**PB #24-41: 25 Whittier Road Subdivision Plan
Final Site Plan Subject to Conditions
NEG DEC**

**Town of Orangetown Planning Board Decision
September 25, 2024**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: 25 Whittier Road Subdivision Plan

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Final Site Plan Review

LOCATION: 25 Whittier Road, Blauvelt, New York 10913

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
26 West Orangeburg Road, Orangeburg, NY 10962
Telephone Number: 845-359-8410

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies



TOWN OF ORANGETOWN
2024 OCT 24 A 9:20
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WHITTIER ROAD

Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is not an expressed or implied warranty or guarantee, it is purely a statement of professional opinion based on knowledge, information and existing field evidence and documentary evidence available. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.

Any alteration or addition to this survey is a violation of SECTION 7209 of the NEW YORK STATE EDUCATION LAW, except as per SUBDIVISION 2. All certifications hereon are valid for this map and copies thereof only if said map or copies bear the inked or impressed seal of the surveyor whose original signature appears hereon.

ANY EASEMENTS AND/OR SUBSURFACE STRUCTURES UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF THE SURVEY

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS RECORDED AND UNRECORDED

UNDERGROUND UTILITIES SHOWN HEREON BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION

UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES

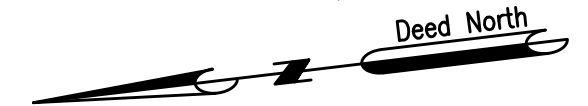
SUBJECT TO AN UP TO DATE TITLE SEARCH

WETLANDS IF ANY ARE NOT SHOWN

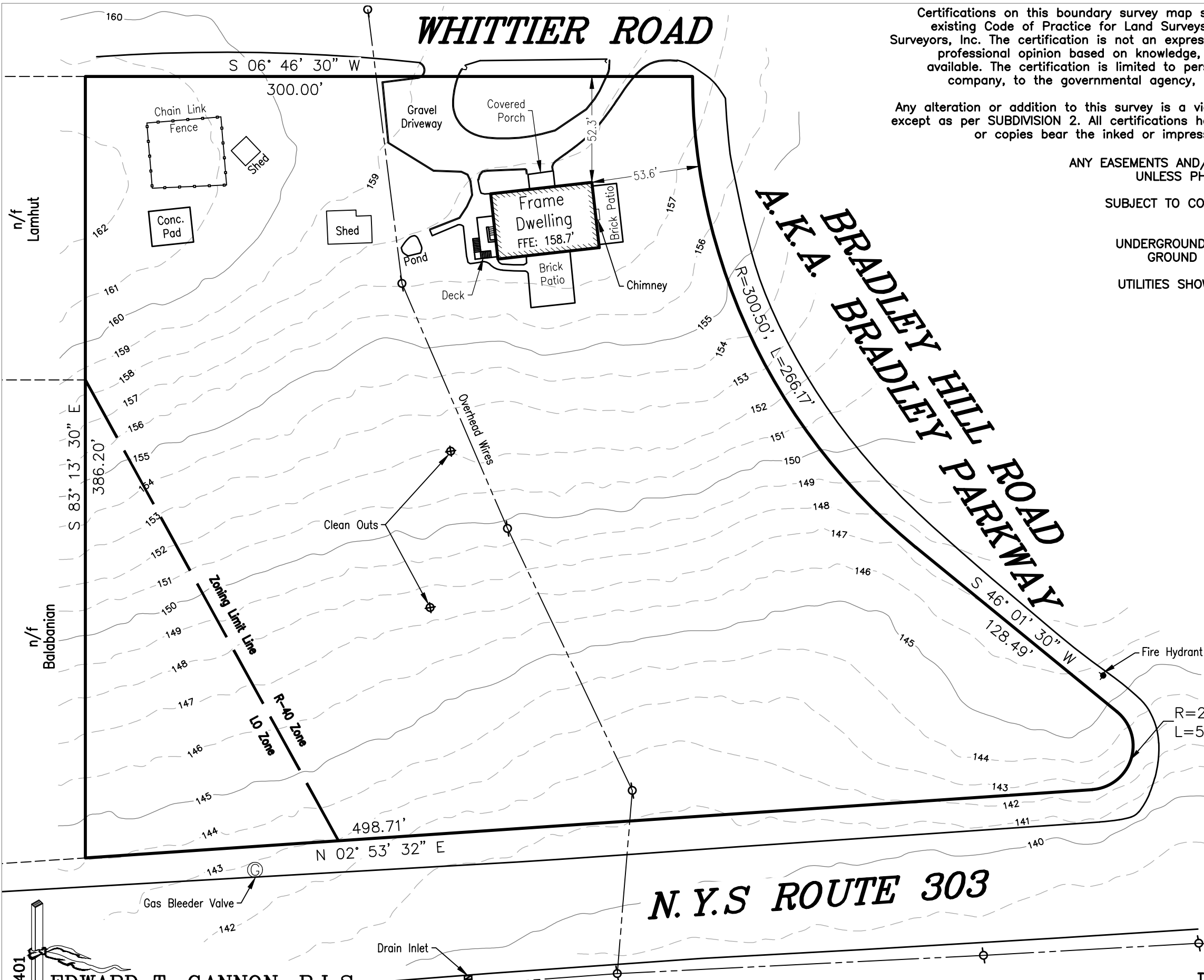
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VERTICAL DATUM: NAVD1988

EXTERIOR BOUNDARY SHOWN AS PER A COMBINATION OF THE DEED OF RECORD, BOOK 657 PAGE 1338, AND THE ROAD DEDICATION FOR BRADLEY PARKWAY, BOOK 346 PAGE 566



CERTIFIED ONLY TO:
 Steven Finn
 Old Republic Title Insurance Company
 M&M Self Storage LLC
 Bedrock Property Group LLC

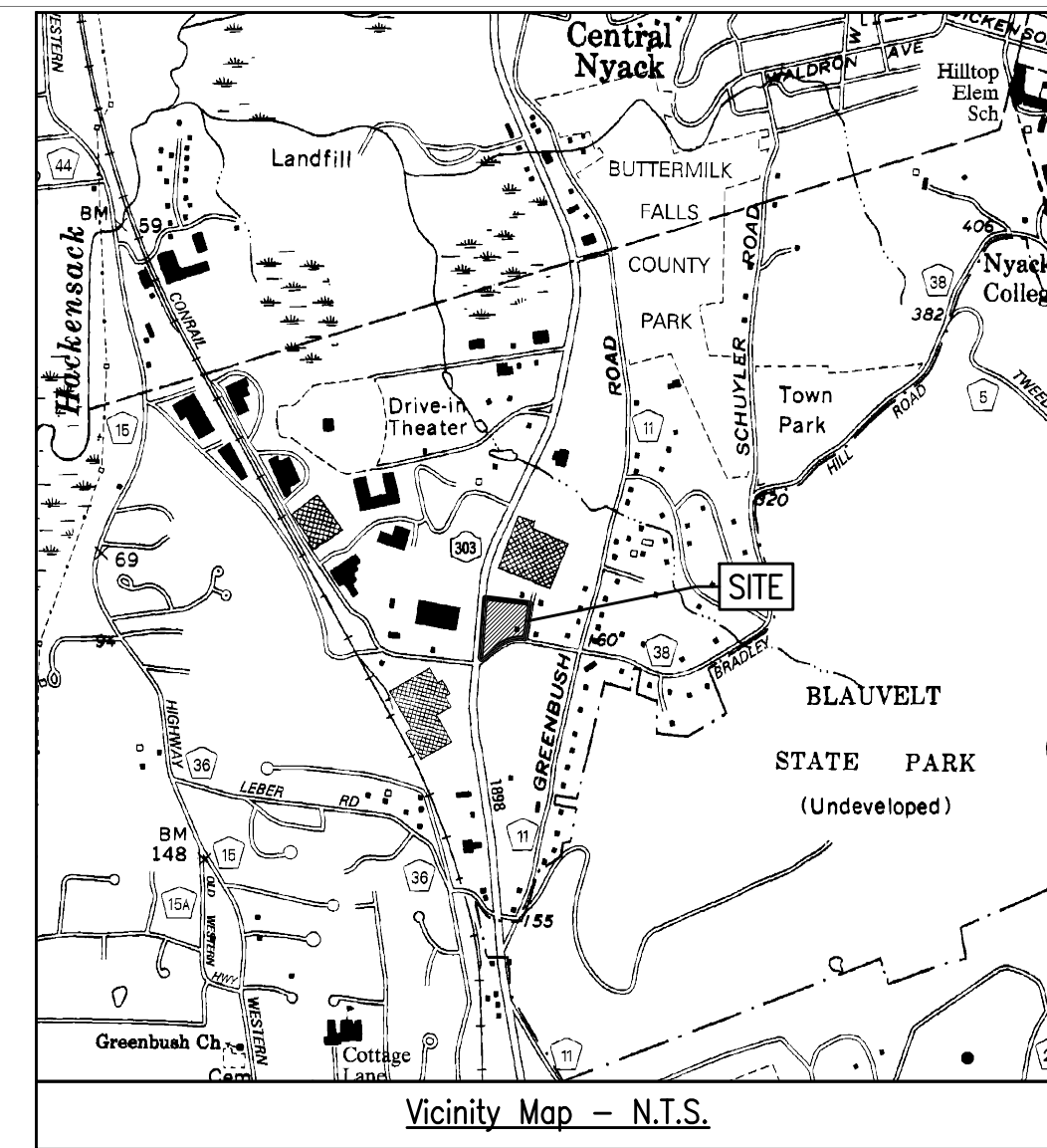
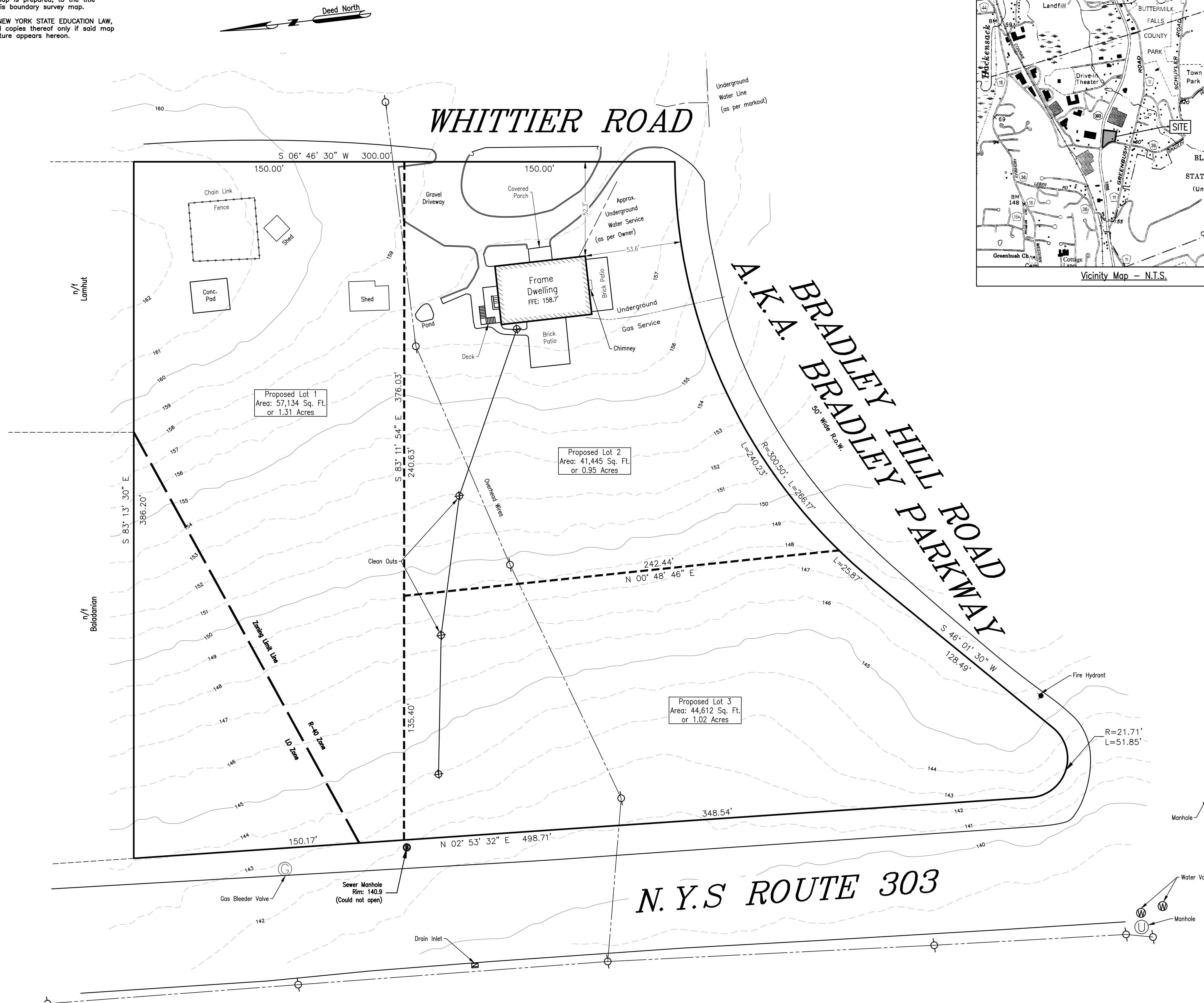


#23401
EDWARD T. GANNON, P.L.S.
 CHERRY HILL ROAD ~ BLOOMING GROVE, NY 10914
 egannonsurveying@yahoo.com

SURVEY PREPARED FOR STEVEN FINN
 TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, STATE OF NEW YORK
 TAX LOT: SECTION 65.18 - BLOCK 1 - LOT 13
 SCALE: 1" = 50'
 SURVEY DATE: OCTOBER 19, 2023
 AREA: 3.29 ACRES

Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is not an expressed or implied warranty or guarantee, it is purely a statement of professional opinion based on knowledge, information and existing field evidence and documentary evidence available. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.

Any alteration or addition to this survey is a violation of SECTION 7209 of the NEW YORK STATE EDUCATION LAW, except as per SUBDIVISION 2. All certifications hereon are valid for this map and copies thereof only if said map or copies bear the inked or impressed seal of the surveyor whose original signature appears hereon.



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Legend	
	Catch Basin
	Utility Pole
	Sewer Manhole
	Property Line to Remain
	Proposed Property Line
	Adjoiner Property Line
	Overhead Wires
	Water Line
	Gas Line

- Area Notes:**
1. Area of Existing Lot is 143,191 Sq. Ft. or 3.29 Acres
 2. Area of Proposed Lot 1 is 57,134 Sq. Ft. or 1.31 Acres
 3. Area of Proposed Lot 2 is 41,445 Sq. Ft. or 0.95 Acres
 4. Area of Proposed Lot 4 is 44,612 Sq. Ft. or 1.02 Acres

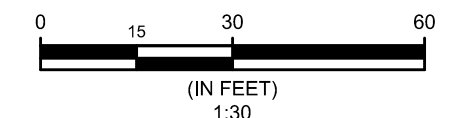
- Deed & Map References:**
1. Deed of record filed as Book 657, Page 1338.
 2. Road Dedication for Bradley Parkway filed as Book 346, Page 566.

Planning Board Signature _____
 Planning Board Chairman _____ Signature Date _____
 This is to Certify that this site plan dated _____, has been approved by the Planning Board by a resolution of approval dated: _____
 I hereby consent to the filing of this site plan, including all design concepts, notes, stipulation and other information indicated thereon

#53401
 EDWARD T. GANNON, P.L.S.
 CHERRY HILL ROAD ~ BLOOMING GROVE, NY 10914
 egannonsurveying@yahoo.com

RECORD OWNER:
 SBL 65,16-1-13
 Steven Finn
 25 Whittier Road, Blauvelt, NY 10913

Signature _____ Date _____



I hereby certify to the parties of interest below that this map is based on surveys and maps of record on file with Edward T. Gannon, P.L.S., and an actual field survey completed on October 19, 2023.



Edward T. Gannon, PLS
 NY License No. 049901
 Date: JUNE 27, 2024

**3 LOT SUBDIVISION
 PREPARED FOR
 STEVEN FINN**
 TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, STATE OF NEW YORK
 TAX LOT: SECTION 65.16 - BLOCK 1 - LOT 13
 SCALE: 1" = 30'
 SURVEY DATE: OCTOBER 19, 2023
 AREA: 3.29 ACRES
 Sheet 1 of 1

