

VILLAGE OF POMONA

100 LADENTOWN ROAD

POMONA, N.Y. 10970

Phone (845) 354-0545 ~ Fax (845) 354-0604

December 28, 2022

Mr. Eisenbach

146 Camp Hill / 24.16-1-12

Pomona NY

RE: Building Permit for the construction of a single family home, 146 Camp Hill Rd, submitted 4/26/22

Dear Mr. Eisenbach:

Please be advised that the newly revised Plot Plan and architectural drawings dated 11/11/2022 from Civil Tec for a building permit application has been reviewed and currently there are several issues with the application which must be resolved. The existing structure was removed from the site, save for two walls of the foundation. Therefore this is considered new construction and a substantial improvement. Because of this there is a number of variances required to construct the single family home proposed.

- 1) The Plot Plan dated 11/11/2022 by Civil Tec, the bulk table is showing a requirement to go to the ZBA for 7 variances.
 - A) Min Lot area – 40,000 required, 13,144 provided.
 - B) Min Lot Frontage – 100 ft required, 75 ft provided.
 - C) Min Lot Width – 150 required, 75 provided.
 - D) Min lot depth – 140 ft required, 108 ft provided.
 - E) Min Front yard – 50 ft, 26.2 ft provided
 - F) Min side yard – 25 ft required, 17.8 ft provided.
 - G) Min rear yard - 30 ft required, 10 ft provided.
- 2) Based on the code 130-16 (5) (a) Accessory structures greater than 100 sqft must comply with all front, side and rear yard setbacks. Due to this the setback is actually 10 feet, not 34 feet.
- 3) In addition the owner of the property was issued a violation and Stop Work Order (copies supplied) for working without a permit and inspections. Without having approvals or a valid permit footing, foundation and waterproofing were installed on the lot.
- 4) The merging of the additional lot, greatly reduced the size of the variances requested and eliminated the variance for Lot Coverage. Currently, the max lot coverage is 15% for a structure, 20% with accessories.

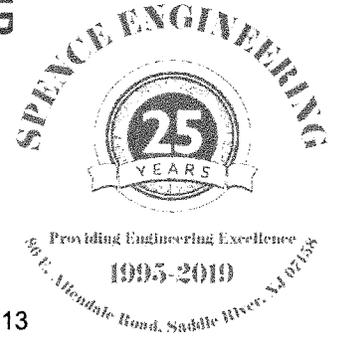
Please call the Village Hall (845) 354-0545, if you have any questions.

Best Regards,

Louis Zummo

Building Inspector

Village of Pomona NY



TO: Village of Pomona, Zoning Board
 FROM: Martin K. Spence, PE Village Engineer
 DATE: January 23, 2023
 RE: 146 (A) and 146 (B) Camp Hill Road Tax Map Reference 24.16-1-12 & 13
 New Home, Pool and Site Construction, Bulk Variances

Martin K. Spence

We have received the following regarding the subject application:

- Application Review ZBA Part No. 1
- Subdivision Plat, Dwg 1 of 3 as prepared by Civil Tec Engineering last revised December 28, 2022 (this is a Planning Board review)
- Site Plan, Dwg 2 of 3 as prepared by Civil Tec Engineering last revised December 28, 2022
- Details, Dwg 3 of 3 as prepared by Civil Tec Engineering last revised December 28, 2022

We offer the following:

1. The owner/applicant in this matter is:
 146 Camp Hill, LLC / Yakov Eisenbach
 1215 39th Street
 Brooklyn, NY 11219
2. The application is proposing to construct a new dwelling, pool and site improvements on two lots that are to be consolidated and before the Planning Board. A previous dwelling was recently demolished on the lot 12. The 2 lots are owned by the same owner and the consolidation will increase lot area as well as reduce/minimize variances. There are no notes or references to easements on the plan, however the tax maps show that there is a ROW and some differences between tax maps and surveys.
3. The property is located in the R-40 Zone District where a minimum of 40,000 SF is required. The consolidation (before the Planning Board) will combine two (2) undersized lots resulting in a lot area of 13,144 bringing the lots into closer of conformity (if approved by the Planning Board).
4. The applicant is proposing rear and side areas with "pervious pavers" which is not counted as part of development coverage, however will appear as hardscape. The pervious pavers have a reduction in runoff benefit.
5. Three (3) trees are shown to be removed as part of the development. Proposed landscaping is now shown as part of the submittal.

Proposed Variances

The application before the Zoning Board proposes the following variances (existing or new):

	Required (min)	Proposed	Variance
Lot Area (SF):	40,000	13,144	26,856
Lot Width (feet)	150	112.3	37.7
Lot Depth (feet)	140	108	32

Minimum Front Yard (feet)	50	26.2	23.8
Minimum Side Yard (feet)	25	17.8	7.2
Minimum Rear Yard (feet)	30	10 (pool)	20

It is noted that pervious pavers are provided for the rear and side patios which are not part of the development coverage calculation as per Code.

Engineering Comments:

- S-1. Provide specification of actual permeable paver block (manufacturer and paver block name).
- S-2. It is recommended that the arborvitae along the North side of the pool area be planted as a solid hedge screen to the adjacent property.
- S-3. Filter fabric at seepage pit shall be placed between soil and stone interphase only at sides.
- S-4. Vicinity Map on Plat shall include lot 13 as part of the subject lot/application.
- S-5. Provide drainage calculations to support the size of the seepage pit for the dwelling runoff.

END OF REPORT

c Louis Zummo, Building Inspector
Chakiera Locust, Board Clerk
David MacCartney, Board Attorney



ZBA Application

- Application
- Narrative
- Site Plan

24.16-1-12 & 13
146 A & B Camp Hill Rd

Amended*
APPLICATION REVIEW FORM

PART I

Name of Municipality Pomona Date 11/15/2022

Please check all that apply:

<input type="checkbox"/> Planning Board	<input type="checkbox"/> Municipal Board
<input checked="" type="checkbox"/> Zoning Board of Appeals* <i>(*Fill out Parts I & II of this form)</i>	<input type="checkbox"/> Historical Board
	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision <input type="checkbox"/> # of Lots	<input type="checkbox"/> Pre-preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Final
<input type="checkbox"/> Conditional Use	
<input type="checkbox"/> Zoning Code Amendment	
<input type="checkbox"/> Zone Change	
<input checked="" type="checkbox"/> Variance	

Project Name: 146B Camp Hill

Tax Map Designation:

Section 24.16 Block 1 Lot(s) 12
Section 24.16 Block 1 Lot(s) 13

Location: On the East side of Camp Hill Rd,
500 feet North of Haley Dr in the
town/village of Pomona.

Street Address: 146B Camp Hill Rd, Pomona, NY 10970

Acreage of Parcel 0.302 Zoning District R-40

School District East Ramapo Postal District _____

Fire District _____ Ambulance District _____

Water District _____ Sewer District _____

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

Proposing the reconstruction of the recently demolished single family house
on the same footprint as the former house

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

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. _____

Are there streams on the site? If yes, please provide the names. _____

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

Project History: Has this project ever been reviewed before? No

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.

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

APPLICATION REVIEW FORM

Contact Information:

Applicant: Yakov Eisenbach Phone # 917-216-9225

Address 1215 39th St, Brooklyn, NY 11219
Street Name & Number (Post Office) State Zip code

Property Owner: 146 Camp Hill LLC Phone # 917-216-9225

Address 1215 39th St, Brooklyn, NY 11219
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Rachel Barese - Civil Tec Phone # 845-547-2241

Address 139 Lafayette Ave, Suffern, NY 10901
Street Name & Number (Post Office) State Zip code

Attorney: Paul S Baum Phone # 845-205-4556

Address 67 North Main St - Suite 300, New City, NY 10956
Street Name & Number (Post Office) State Zip code

Contact Person: Mendy - Fast Forward Permits Phone # 845-533-4473

Address PO Box 141, Tallman, NY 10982
Street Name & Number (Post Office) State Zip code

General Municipal Law Review:

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- | | |
|---|---|
| <input type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path | <input type="checkbox"/> County Stream |
| <input type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) of facility checked above. _____

Referral Agencies: *(Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)*

- | | |
|--|--|
| <input type="checkbox"/> RC Highway Department | <input type="checkbox"/> RC Division of Environmental Resources |
| <input type="checkbox"/> RC Drainage Agency | <input type="checkbox"/> RC Dept. of Health |
| <input type="checkbox"/> NYS Dept. of Transportation | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority | <input type="checkbox"/> Palisades Interstate Park Comm. |
| <input type="checkbox"/> Adjacent Municipality _____ | |
| <input type="checkbox"/> Other _____ | |

****All applicants must send copies of their applications and plans to:
 Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.**

APPLICATION REVIEW FORM

Applicant's Combined Affidavit and Certification

State of New York)
County of Rockland) ss.:
Town/Village of _____ Pomona _____)

Yakov Eisenbach, being duly sworn, deposes and says:
Applicant's Name

I am the applicant in this matter. I make these statements to induce the Town/Village of
Pomona, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Town/Village will rely upon the statements made herein.

1. Verification of Facts. All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

2. Consent to Enter. I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

3. Affidavit Pursuant to General Municipal Law Section 809. All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

APPLICATION REVIEW FORM

C. To the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Pomona in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee None
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of Pomona.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

4. Reimbursement for Professional Consulting Services. I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.

APPLICATION REVIEW FORM

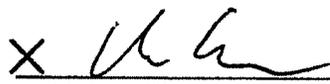
5. Application Fee(s)

I, Yakov Eisenbach, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

***The following paragraph is optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of Pomona from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature

X 

Print Applicant's Name

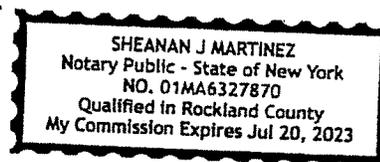
Yakov Eisenbach

SWORN to before me this

4 day of August, 2022



Notary Public



I have received from _____ the sum of _____ on this date

Reviewed by the _____

on _____

Municipal Clerk/Treasurer

Action Taken: _____

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS.:
Town/Village of Pomona

I, Yakov Eisenbach being duly sworn, hereby
depose and say that I reside at: 1215 39th St, Brooklyn, NY 11219

in the county of Kings in the state of New York

I am the (* Yakov Eisenbach) owner in fee simple of premises located at:
146B Camp Hill Rd, Pomona, NY 10970

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber of conveyances, page or as Instrument ID #

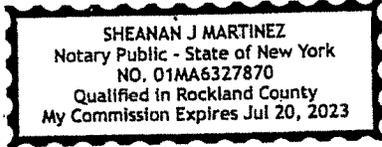
Said premises have been in my/its possession since 2021. Said premises are also
known and designated on the Town of Haverstraw Tax Map as:
section 24.16 block 1 lot(s) 12

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

Owner X [Signature]
Mailing Address 1215 39th St,
Brooklyn, NY 11219

SWORN to before this
4 day of August, 2022

[Signature]
Notary Public



* If owner is a corporation or LLC, fill in the office held by deponent and name of
corporation or LLC, and provide a list of all directors, officers, and stockholders
owning more than 5% of any class of stock and all members having greater than 5%
beneficial interest.

APPLICATION REVIEW FORM

PART II*

Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section 12 -a, b, c, d, e, g, i, f _____;
- Use Variance from the requirement of Section _____;
- Special permit per the requirements of Section _____;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (*explain*) _____;

To permit construction, maintenance and use of _____
replacing recently demolished house on same footprint

Previous Appeal:

- a. A previous appeal ___ has, or has not, been made with respect to this property.
- b. Such appeal was in the form of:
 - ___ An AREA Variance; or
 - ___ A USE Variance; or
 - ___ Appeal from decision of Town Official or Officer; or
 - ___ Interpretation of the Zoning Ordinance or Map; or
 - ___ Other
- c. The previous appeal described above was appeal number _____,
dated _____ and was _____ (Granted/Denied).

TO ALL APPLICANTS: Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

APPLICATION REVIEW FORM

A. AREA VARIANCE (This section to be completed only for an AREA variance. Use additional pages, if needed.)

This application seeks a variance from the provisions of Article 130,
 Section(s) 12 -a, b, c, d, e, g, i, f. Specifically, the applicant seeks a variance
 from the requirements from:

Dimension*	Column	Required	Provided
Lot area		40,000 sf	13,144 sf
Minimum Lot Width		150 ft	121.04 ft
Minimum Lot Depth		140 ft	108 ft
Minimum Front Yard		50 ft	26.2 ft
Minimum Side Yard		25 ft	17.8 ft
Minimum Rear Yard		30 ft	10ft
Max Lot Coverage		15 %	18%

*e.g., front yard, side setback, FAR, etc.

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? Yes

Describe: The lot is extremely small which forces the applicant to seek these variances. The applicant only seeks to reconstruct the dwelling that was recently demolished and will keep the same footprint.

2. Is the variance substantial in relation to the zoning code? _____

Explain: _____

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? No

Explain: As the house that will be constructed will remain on the same footprint as the former house, there will be no change to the neighborhood

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? No

Explain: The building inspector has determined that reconstructing the former house is the same as building a new house and therefore requires variances due to the size of the lot

APPLICATION REVIEW FORM

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? No

Explain: As the house that will be constructed will remain on the same footprint as the former house, there will be no adverse affect

6. Will there be any affect on governmental facilities or services if this variance is granted? None

Describe: _____

7. Other factors I/we wish the Board to consider in this case are

The applicant is proposing to merge lots 12 & 13 together in order to create a more conforming lot

B. USE VARIANCE *(This section to be completed only for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because:

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

4. The amount paid for the entire parcel was: _____

5. The date of purchase of the property was: _____

6. The present value of the entire property is: _____

7. The monthly expenses attributed to normal and usual maintenance of the property are: _____

8. The annual taxes on the property are: _____

**NARRATIVE SUMMARY
FOR
146 CAMP HILL ROAD
S/B/L: 24.19-1-12 and 24.16-1-13**

INTRODUCTION

This narrative summary is submitted in support of the within updated and corrected application for variances in order to permit the re-construction of a single-family home at the premises located at 146B Camp Hill Road (Lot 12). The property was previously improved with a single-family dwelling. The previous house was an old, run-down structure and the applicant seeks to build a new, modern style home in order to beautify the neighborhood. The applicant intended to raze the existing house to the foundation and reconstruct the dwelling on the same foot print. Such construction would have been permitted as a matter of right without the need for variances as an existing nonconforming structure per the provisions of Section 130-15(D)(2).

A demolition permit was issued to raze the house. During the demolition, the applicant realized that the existing foundation was in poor shape and could not be used so the foundation was demolished as well.

Due to the need for the demolition of the foundation, the BI determined that the re-construction must be considered new construction and that the structure needs to meet the current zoning requirements of the R-40 zoning district. As a result, the following seven (7) variances are required in order to reconstruct the house in the same location. Six of the variances were existing conditions, most of which are now being improved by the merger of Lot 12 with the premises next door located at 146A Camp Hill Road (Lot 13). One variance is being eliminated.

1. Required Lot Area – 40,000 sf
 Provided Lot Area (Lot 12)– 8,098 sf (prior nonconforming condition)
 Provided Lot Area (Lot 13)– 5,046 sf
 Proposed Lot Area- 13,144 sf

The lot area is an existing nonconforming condition. The applicant agrees to merge Lots 12 & 13 to increase the lot area to 13,144 sf which improves the prior nonconforming condition.

2. Minimum Lot Width – 150 Ft
 Provided Lot Width (Lot 12)– 75 ft (prior nonconforming condition)
 Provided Lot Width (Lot 13)– 46.04 ft
 Proposed Lot Width – 121.04 ft

The lot width is an existing nonconforming condition. With the merger of Lots 12 & 13 the lot width will be increased to will be increased to 121.04 ft which improves the prior nonconforming condition.

3. Minimum Lot Depth – 140 ft
 Provided Lot Depth – 108 ft (prior nonconforming condition)

The lot area is an existing nonconforming condition.

4. Required Front Yard – 50 Ft
 Provided Front Yard – 24.2 Ft (prior nonconforming condition)

Proposed Front Yard – 26.2 Ft

The existing front yard was only 24.2 Ft. The applicant made the footprint smaller to increase this existing nonconforming condition to 26.2 feet thereby improving the prior existing nonconformity.

5. Required Side Yard – 25 ft

Provided Side Yard – 7.1 ft (prior nonconforming condition)

Proposed Side Yard – 17.8 ft (prior nonconforming condition)

The existing side yard to the south was only 7.1 ft. The applicant eliminating the need for that variance by merging Lots 12 and 13. As a result, the existing side yard to the north of 17.89 ft will still continue but the nonconforming southerly side yard has been eliminated.

6. Maximum Lot Coverage – 15%

Proposed Lot Coverage (Lot 12)– 22% (prior nonconforming condition was 23%)

Proposed Lot Coverage (Lot 13)- 18%

The previous existing lot coverage was 23%. The applicant had proposed a lot coverage of 22% with just Lot 12. With the merger of Lots 12 & 13 the lot coverage will be decreased to 18% thereby improving the prior existing nonconforming condition.

7. Required Rear Yard – 30 ft

Proposed Rear Yard – 10 ft

The new dwelling will comply with the rear yard requirement and will be 34 ft from the rear lot line. However, the pool is considered an accessory structure under the Zoning Code requiring the pool to be also set back 34 ft from the rear property line. This is rather unusual as most zoning codes permit swimming pools and other accessory structures to be within 10 or 15 feet of a property line.

The following variance is no longer needed:

Minimum Lot Frontage – 100 ft

Provided Lot Frontage (Lot 12)– 75 ft (prior nonconforming condition)

Provided Lot Frontage (Lot 13)– 37.34 ft

Proposed Lot Frontage– 112.34 ft (no variance needed)

The lot frontage of 75 ft was an existing nonconforming condition. With the merger of Lots 12 & 13 the lot frontage will be increased to 112.34 ft which eliminates the need for a variance.

SEQRA

The action is a Type II pursuant to 6 NYCRR 617.5(c)(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site); (11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections); (16) granting of individual setback and lot line variances and adjustments) and; (17) granting of an area variance for a single-family, two-family or three-family residence. It is not subject to environmental review pursuant to SEQRA. An SEAF Part 1 has been submitted.

GML

The property is not within 500' of a facility identified in Section 239-m(3)(b) of the General Municipal Law and no referral to the Rockland County Department of Planning is required.

VARIANCES

In making its determination to grant a variance, a zoning board of appeals must take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the zoning board of appeals is also required to consider the following factors:

a. An undesirable change will not be produced in the character of the neighborhood nor a detriment created to nearby properties by the granting of the area variances.

The requested variances will not create an undesirable change to the character of the neighborhood. This is the replacement of an existing structure in the same location in the same size footprint and does not change the conditions that previously existed before the previous old, run-down house was torn down. The new home will be a modern style home that will beautify the area and be a significant improvement of what previously existed without increasing the degree of any nonconformity. The combination of Lots 12 and 13 reduces the prior nonconforming conditions and eliminates one variance and therefore represents an increased benefit to the community.

b. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Because the property is an existing undersized lot, even with the merger of the two lots, it is impossible to build a new home on the lot without the variances being granted. The variances being requested are the minimum required in order to reconstruct a home on the same footprint as previously existed. Except for the rear yard, no new nonconforming conditions are being created and most of the preexisting nonconforming conditions on Lot 12 are being decreased or eliminated entirely.

c. That the requested area variances are not substantial.

In considering whether a variance is substantial the ZBA must examine the totality of the circumstances of an application. Although a strict mathematical calculation may indicate the variances are significant, all the conditions were existing conditions that existed for decades. None of the nonconforming conditions are newly created by the applicant with the exception of the addition of a swimming pool that makes the rear yard deficient.

d. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variance requests will not have an adverse effect or impact on the physical

or environmental conditions of the neighborhood or district. A Short Environmental Assessment Form (“EAF”) has been submitted with this application. The variance requests are considered Type II pursuant to SEQRA. The deviations will not have any adverse effects or impacts, especially where, as here, they are existing nonconforming conditions.

f. That the alleged difficulty was not self-created.

The variance requests are not self-created. The applicant had to remove the existing foundation of the home because it was in poor shape. Had that not occurred, the proposed home could have been constructed without the need for any variances. The existing foundation was not in adequate condition to permit the construction of the new home so there was no way the applicant could have avoided the need for the variances. The only way to have avoided it was to construct a new home on substandard foundation. The new house will not detract from the community, will not create a detriment to nearby properties, and will not create an undesirable change in the community. The architectural plan shows that the proposed new home will contribute to the overall preservation and protection of the character of the neighborhood without any impacts to the health, safety and welfare of the community. The merger of the two lots improves previously existing nonconforming conditions.

Response to Martin Spence Memo of October 25, 2022:

1. The applicant shall provide an exact building height calculation, instead of the <35’. Based on our review, the building height may be in the 34’ to 35’ range.

Response: Bulk table has been revised to show the height as 34.5’.

2. Provide a detail for the pervious paver design. In order to qualify for “pervious pavers”, the detail shall provide stormwater mitigation including stone and open coarse pavement design. Provide maintenance requirement notes.

Response: Permeable paver detail and maintenance schedule are provided on the Detail Sheet.

3. The applicant shall discuss with the Board the new parking area and if any construction/ gravel areas will be required on the adjacent lot to the South. Provide dimensions of proposed gravel parking area.

Response: A subdivision application has been provided to combine this lot with the Lot 24.19-1-12 with Lot 24.16-1-13 to the south. All parking areas work will be on the new proposed lot. Dimensions are now provided.

4. The applicant shall discuss with the Board the access to the subject lot which crosses (2) adjacent lots, where the tax map shows a ROW but the plan/notes do not refer to rightful access.

Response: A ten foot wide “perpetual ROW leading from the subject parcel across lands now or formerly of Sarah Ellen Oliver in a general Westerly direction to Camp Hill Road” is provided in the property deed recorded on February 10, 2022 as Instrument No. 2022-00006460 and in deed recorded in October 6, 1958 in Liber 678 Page 423. A note has been added to the plot plan.

5. The Board may want the applicant to submit a landscaping plan as part of any subsequent submittals including foundation plantings, screening and street type trees.

Response: Landscaping has been added to the plot plan.

6. Provide soil erosion and sediment control details and notes. Provide notes/details how disturbed areas will be stabilized.

Response: Erosion control measures and details/notes have been added to the plot plan.

7. Show pool equipment locations.

Response: Pool equipment location has been added.

8. Provide note, "all roof drains shall be connected to the seepage pit".

Response: A note has been added.

9. Provide drainage calculations showing the seepage pit adequately sized.

Response: Drainage calculations are provided.

10. There is a conflict between the plan and detail of the seepage dimensions.

Response: The seepage pit dimensions have been updated to match the detail.

11. Seepage pit detail shall provide for filter fabric at sides and top of tank, revise detail accordingly.

Response: The detail has been revised.

12. Clarify address (146) or (146B).

Response: Rockland County GIS, the recorded deed and the tax assessment information maintained by the Town state the address of Lot 24.19-1-12 is 146B Camp Hill Road. Lot 24.16-1-13 is 146A Camp Hill Road.

13. Provide grading detail; proposed contours, and spot elevations at the building corners and at the proposed patio.

Response: Spot grades and proposed contours are provided.

14. Show the natural gas connection.

Response: The natural gas connection has been shown.

CONCLUSION

The new house will not detract from the community, or create a detriment to nearby properties, or create an undesirable change in the community. The architectural plan shows that the proposed new home will contribute to the overall preservation and aesthetic look of the property and generally improve the character of the neighborhood by eliminating and the older rundown house. No impacts to the health, safety and welfare of the community are created by the replacement of an older hose with a new modern one. The requested variances will not impact any of the neighbors. Under the particular circumstances of this case, the benefit to the applicant from the grant of the variances significantly outweighs any detriment to the health, safety and welfare of the neighborhood. The balance of equities lies in favor of the granting of the variance.

It is therefore respectfully requested that the Zoning Board grant the variances requested.

Dated: November 14, 2022

VILLAGE OF POMONA
100 LADENTOWN ROAD
POMONA, N.Y. 10970
Phone (845) 354-0545 ~ Fax (845) 354-0604

July 29, 2022
Mr. Schoenwald
22 South Ridge Rd
Pomona NY

RE: Building Permit for the construction of an in-ground pool with patio, cabana building, outdoor kitchen and retaining walls.

Dear Mr. Schoenwald:

Please be advised that the building permit application submitted has been reviewed and currently there is an issue with the application which must be resolved prior to issuance of the permit.

- 1) The plans drawn by Gdanski, are showing a variance for Developmental Coverage. You must go to the ZBA to seek a variance for the requested amount. The variance is 100% over allowed, the current is 60% over allowed. It is also unclear if the Developmental Coverage was calculated on the Gross Lot or the Net Lot area. Please clarify and update variance requested.
- 2) Please submit corrected copies of the architectural drawings and the site plan with the proper numbers of the requested variance.

Please call the Village Hall (845) 354-0545, if you have any questions.

Best Regards,

Louis Zummo
Building Inspector
Village of Pomona NY



TO: Village of Pomona, Zoning Board
 FROM: Martin K. Spence, PE Village Engineer
 DATE: January 23, 2023
 RE: 22 South Ridge Road Tax Map Reference 25.10-1-8
 Proposed Pool, Poolhouse and Rear Yard Improvements with Coverage Variance

Martin K. Spence

We have received the following regarding the subject application:

- Application Review Form Part 1
- Plot Plan, 1 sheet as prepared by Paul Gdanski, PE last revised September 6, 2022

We offer the following:

1. The owner/applicant in this matter is:
 Schoenwald
 22 South Ridge Road
 Pomona, NY
2. The application consists of improvements to the rear yard including a pool, poolhouse, patios, and retaining walls due to the site topography and grading.
3. The property is located in the R-40 Zone District and has a lot area of 40,050 SF where 40,000 SF is required.
4. The property is generally rectangular and slopes up from the road due to the natural topography. The house and immediate rear yard was previously cleared and graded to provide a level building pad, where the further back yard is at a higher elevation than the dwelling area. The rear limits of the cleared yard is at elevation 628 where the first floor elevation is 603.6.
5. A series of retaining walls are proposed to provide for the grade changes and level areas for the pool (proposed coping elevation of 606, where the pool house is at elevation of 612).
6. The plan proposes development coverage that exceeds the maximum of 20% (recently increased from 15%). The existing development coverage is shown to be 23.1%, where the proposed development coverage is 29.1%. The maximum 20% (is a combination of 15% for the house and 5% for accessory structures). The breakdown is not clearly shown on the plot plan.

Proposed Variances

The applicant is requesting the following:

	Required (max)	Proposed	Variance
Development Coverage (Maximum)	20 (15 and 5)% (8,010 SF)	29.1% (11,637 SF)	9.1% (3,627 SF)

The existing improvements consist of a conforming dwelling size, single access driveway and a deck. The existing improvements are not oversized and appear to be consistent within the neighborhood. The Board shall review if the proposal for an amenity such as a pool, poolhouse and patio for back yard use is justified / warranted. An 800 SF pool is a typical size.

The Village of Pomona allows for permeable paver detailing that is not counted as part of development coverage. The permeable paver design would require a porous/open joint paver block detail as well as a open stone subgrade to satisfy the "permeable paver" design criteria. Additionally, maintenance of the permeable paver design is required and specifications shall be made part of any details. The applicant / Board should review the application of a permeable paver design to reduce and/or minimize the variance request. Replacement of select areas of existing asphalt pavement may even provide a compliant design.

Engineering Comments:

- S-1. Provide select TW/BW elevations at wall to the rear of the proposed pool cabana. To maintain a maximum 4' high wall detail, some slope between tiers may be required.
- S-2. Show zoning of adjacent areas on the vicinity map.
- S-3. Provide landscaping and stabilization of disturbed areas. The areas between the walls shall be stabilized with bushes and/or low maintenance vegetation. A landscape plan should be submitted.
- S-4. Indicate quantity of soil moving (import or export) that will be necessary for the improvements. Any excess soil shall be removed from the site.
- S-5. Revise bulk table to reflect the maximum 20% development coverage with breakdown.

END OF REPORT

c Louis Zummo, Building Inspector
Chakiers Locust, Board Clerk

APPLICATION REVIEW FORM

PART I

Name of Municipality Pomona Date 12/27/22

Please check all that apply:

<input type="checkbox"/> Planning Board	<input type="checkbox"/> Municipal Board
<input checked="" type="checkbox"/> Zoning Board of Appeals* (*Fill out Parts I & II of this form)	<input type="checkbox"/> Historical Board
<input type="checkbox"/> Subdivision _____ # of Lots _____	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Pre-preliminary/Sketch
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Zoning Code Amendment	
<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance	

Project Name: SCHOENWALD

Tax Map Designation:

Section 25.10 Block 1 Lot(s) 8
Section _____ Block _____ Lot(s) _____

Location: On the North side of South Ridge Rd,
528 feet Southeast of Overlook Rd in the
town/village of Pomona

Street Address: 22 South Ridge Rd

Acreage of Parcel .91 Zoning District R-40

School District East Ramapo Postal District _____

Fire District Moleston Ambulance District Ramapo Valley

Water District Veolia Sewer District Haverstraw
Joint Regional

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

Construction of an inground pool with patio, pool house, outdoor kitchen and retaining walls. This project would exceed coverage limits for this zone. A variance is sought to allow a coverage percentage of 29.1%.

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? N/A
- 2) Is any open space being offered? If so, what amount?
- 3) Is this a standard or average density subdivision?

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.

N/A

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. +25% 5,874 sf (shown on plan)

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? No

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.

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

APPLICATION REVIEW FORM

Contact Information:

Applicant: Maureen Nicolich Phone # 845-893-9364

Address 3 Nickolaus Ln. Nanuet NY 10954
Street Name & Number (Post Office) State Zip code

Property Owner: Schoenwald Phone # 917-474-6703

Address 22 South Ridge Rd. Pomona NY 10970
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Paul Galanski, PE Phone # 917-418-0999

Address 633 Woodmont Ln. Sleatsburg NY 10974
Street Name & Number (Post Office) State Zip code

Attorney: _____ Phone # _____

Address _____
Street Name & Number (Post Office) State Zip code

Contact Person: Maureen Nicolich Phone # 845-893-9364

Address 3 Nickolaus Ln Nanuet NY 10954
Street Name & Number (Post Office) State Zip code

General Municipal Law Review:

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

_____ State or County Road

_____ State or County Park

_____ Long Path

_____ County Stream

_____ Municipal Boundary

_____ County Facility

List name(s) of facility checked above. _____

Referral Agencies: (Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)

_____ RC Highway Department

_____ RC Division of Environmental Resources

_____ RC Drainage Agency

_____ RC Dept. of Health

_____ NYS Dept. of Transportation

_____ NYS Dept. of Environmental Conservation

_____ NYS Thruway Authority

_____ Palisades Interstate Park Comm.

_____ Adjacent Municipality _____

_____ Other _____

**All applicants must send copies of their applications and plans to:

Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.

APPLICATION REVIEW FORM

C. To the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Ramapo in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee none
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____
- f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

4. Reimbursement for Professional Consulting Services. I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.

APPLICATION REVIEW FORM

5. Application Fee(s)

I, Maureen Nicolich, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

***The following paragraph is optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of _____ from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature Maureen Nicolich
Print Applicant's Name Maureen Nicolich

SWORN to before me this

22nd day of December, 2022

Stephen M. Papas

Notary Public

STEPHEN M. PAPAS
Notary Public, State of New York
Registration No. 01PA6239296
Qualified in Putnam County
Commission Expires 04/18/2023

I have received from _____ the sum of _____ on this date _____.

Reviewed by the _____ on _____ Municipal Clerk/Treasurer

Action Taken: _____

APPLICATION REVIEW FORM

Owners of Nearby Properties:

That the following are all of the owners of property 500 ft (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT	NAME	ADDRESS
25.10-1-4	124 Overlook LLC.	110 Overlook Rd. Pomona
25.10-1-5	Michael & Cynthia Chambliss	127 Overlook Rd. Pomona
25.10-1-79	Carolis Edwards	28 Woodfield Rd. Pomona
25.10-1-11	Mohammed & Queen Islam	28 S. Ridge Rd. Pomona
25.10-1-13	Mordechai & Chana Lasker	35 Woodfield Rd. Pomona
25.06-2-11	Akiva Nussbaum	123 Overlook Rd. Pomona
25.10-1-7	Yaakov Putter / Freida C. Gordon	20 S. Ridge Rd. Pomona
25.10-1-80	Camille Stewart / Cobb ^{Stewart} Family Trust	30 Woodfield Rd. Pomona
25.06-1-51	Daniel / Kathryn Wawrzonek	122 Overlook Rd. Pomona
25.10-1-12	Kalu Mbu Agwu	37 Woodfield Rd. Pomona
25.06-1-50	Alfred & Noel De Lorenzo	120 Overlook Rd. Pomona
25.10-1-23	Taras & Marina Giria	2 Parkside Ct. Pomona
25.10-1-23	Thomas & Leslie Kenney	26 Woodfield Rd. Pomona
25.06-2-12	Draw & Esther Lloyd	125 Overlook Rd. Pomona
25.10-1-53	NYS Assoc for Retarded Children	25 Hemlock Dr. Cargas, NY 10920
25.10-1-6	Mark & Shellie Schaeffer	18 S. Ridge Rd. Pomona
25.10-1-84	Elana Strauss	23 S. Ridge Rd. Pomona
25.06-2-9	David Duk Min & Kimberly Y. Yoon	119 Overlook Rd. Pomona
25.10-1-10	BLVE Holdings LLC.	990 Stewark Ave Rd. Ste 201 Garden City, NY 11530
25.06-1-49	S. Allan & Orren Harmon Dubow	12 Carbery Ct. Pomona
25.10-1-81	Ramit Hora	228A Oneida Ave, San Francisco, CA 94112
25.10-1-82	Machluf & Malka Krispine	27 S. Ridge Rd. Pomona

(use additional paper if needed) continued. →

SWORN to before this

22nd day of December, 2022

Stephen M. Papas
Notary Public

STEPHEN M. PAPAS
Notary Public, State of New York
Registration No. 01PA6239296
Qualified in Putnam County
Commission Expires 04/18/2023

Schoenwald
22. S. Ridge Rd
Abutting List cont.

Section / Block / Lot	Name	Address
25.06.2-10	Michael Maroff	121 Overlook Rd, Pomona
25.10.1-83	Shneur Pruss	25 So Ridge Rd, Pomona
25.06.2-13	Abraham Schrieber & Lea Yabra	30 S. Ridge Rd, Pomona
25.10.1-9	Sonia C. Tracey	24. S Ridge Rd, Pomona

APPLICATION REVIEW FORM

PART II*

Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section _____;
- Use Variance from the requirement of Section _____;
- Special permit per the requirements of Section _____;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (explain) Variance for Developmental Coverage

To permit construction, maintenance and use of inground pool, patio pool house, outdoor kitchen and retaining walls

Previous Appeal:

- a. A previous appeal ___ has, or has not, been made with respect to this property.
- b. Such appeal was in the form of:
 - ___ An AREA Variance; or
 - ___ A USE Variance; or
 - ___ Appeal from decision of Town Official or Officer; or
 - ___ Interpretation of the Zoning Ordinance or Map; or
 - ___ Other
- c. The previous appeal described above was appeal number _____, dated _____ and was _____ (Granted/Denied).

TO ALL APPLICANTS: Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

APPLICATION REVIEW FORM

A. AREA VARIANCE (This section to be completed only for an AREA variance. Use additional pages, if needed.)

This application seeks a variance from the provisions of Article ✓,
 Section(s) 130-12 (J). Specifically, the applicant seeks a variance
 from the requirements from:

Dimension*	Column	Required	Provided
<u>Dev. Coverage</u>		<u>15%</u>	<u>29.1% prop</u>

*e.g., front yard, side setback, FAR, etc.

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? yes

Describe: It is the minimum needed to make the improvement sought

2. Is the variance substantial in relation to the zoning code?

Explain: The developmental coverage sought is 100% over the allotted

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? no

Explain: The work is in the rear of the property and won't affect others

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? no

Explain: The variance is needed in order to complete the project

APPLICATION REVIEW FORM

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? no

Explain: _____

6. Will there be any affect on governmental facilities or services if this variance is granted? no

Describe: _____

7. Other factors I/we wish the Board to consider in this case are

B. USE VARIANCE *(This section to be completed only for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because:

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

4. The amount paid for the entire parcel was: _____

5. The date of purchase of the property was: _____

6. The present value of the entire property is: _____

7. The monthly expenses attributed to normal and usual maintenance of the property are: _____

8. The annual taxes on the property are: _____

APPLICATION REVIEW FORM

9. The current income from the property is: _____

10. The amount of mortgages and other encumbrances on the property in question is:

a. Date of mortgage: _____

b. Scheduled maturity (payoff) date: _____

c. Present monthly payment amount: _____

d. Current principal balance: _____

e. Current interest rate: _____

11. Other factors I/we wish the Board to consider in this case are:

C. APPEAL OF DECISION OF BUILDING INSPECTOR *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision:

2. Nature of decision:

3. The decision described above is hereby appealed because:

D. INTERPRETATION OF ZONING CODE *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted: _____

2. An interpretation of the Zoning Code is requested because:

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Schoenwald		
Project Location (describe, and attach a general location map): 22 South Ridge Road (north side)		
Brief Description of Proposed Action (include purpose or need): Construction of new in-ground pool, cabana, and patio.		
Name of Applicant/Sponsor: Maureen Nicolich		Telephone: 845-893-9364
		E-Mail: maureen@stevegriggsdesign.com
Address: 3 Nickolaus Lane		
City/PO: Nanuet	State: NY	Zip Code: 10954
Project Contact (if not same as sponsor; give name and title/role): Steve Griggs, contractor		Telephone: 914-879-5602
		E-Mail: <i>steve@stevegriggsdesign.com</i>
Address: 76 Spruce St.		
City/PO: Blauvelt	State: NY	Zip Code: 10913
Property Owner (if not same as sponsor): Schoenwald		Telephone: 917-474-6703
		E-Mail: dinarodov@gmail.com
Address: 22 South Ridge Rd.		
City/PO: Pomona	State: NY	Zip Code: 10970

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village Zoning Board of Appeals - variances	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village Building Permit	
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Zone R-40	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located?	East Ramapo School District
b. What police or other public protection forces serve the project site?	Town of Ramapo Police
c. Which fire protection and emergency medical services serve the project site?	Moleston Fire Protection, Ramapo Valley EMS
d. What parks serve the project site?	Town of Ramapo

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?	Residential
b. a. Total acreage of the site of the proposed action?	0.91 acres
b. Total acreage to be physically disturbed?	0.17 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	0.91 acres
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is a cluster/conservation layout proposed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 100 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: Veolia
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 100 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Haverstraw Joint Regional
- Name of district: Haverstraw Joint Regional
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

Do existing sewer lines serve the project site?
 Will a line extension within an existing district be necessary to serve the project?
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- ii. Describe types of new point sources. _____
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 - If to surface waters, identify receiving water bodies or wetlands: _____
 - Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.21	0.28	0.07
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.71	0.64	-0.07
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 20 %

c. Predominant soil type(s) present on project site: CkD - Charlton Rock Outcrop _____ 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ >8 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 100 % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 10 % of site
 10-15%: _____ 25 % of site
 15% or greater: _____ 65 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ Deer, rabbits, groundhogs _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ _____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> Species and listing: _____ _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
E.3. Designated Public Resources On or Near Project Site	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____</p>	

e. 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. 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"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

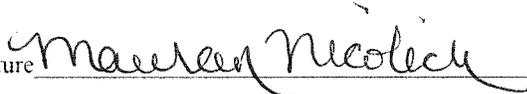
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Maureen Nicolich Date 8/18/2022

Signature  Title Agent

