

85 Lafayette Ave.
Suffern, NY 10901
(845) 357-0830
fax 357-0756
e-mail: GreenwellPLS@aol.com

Jay A. Greenwell, PLS, LLC
Land Surveying * Land Planning

TRANSMITTAL

To: Village of Upper Nyack

Attn: Planning Board, Jill Sinnott

Date: 10/26/2020

From: Jay A. Greenwell, PLS

Re: Widewater Site Plan, #21515

CC: Eric Bergstol

Urgent **For Review** **Please Comment** **Per Your Request** **FYI**

By Mail **Via Fax** _____ **Overnight Mail** **Hand Delivery**

Dear Jill

In connection with the plans for a requested amendment to the approved site plan for a re-approval of the pool and cabana area at Widewater, please find the following:

- Signed application forms with 2 copies of application
- Copy of Deed into current owner
- Copy of Survey in name of current owner
- 12 copies of site plans
- Copy of Short EAF
- 12 copies of Narrative Summary
- GML application form
- Check for \$250 application fee

Please advise if you need anything else in connection with this submission.

We would appreciate your scheduling this matter for a Planning Board hearing at your earliest convenience. Thank you.

Sincerely,



Jay A. Greenwell, PLS

cc: Eric Bergstol

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Suffern, NY 10901
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fax 357-0756
email: greenwellpls@aol.com

Jay A. Greenwell, PLS, LLC
Land Surveying and Land Planning

VILLAGE OF UPPER NYACK
AMENDED WIDEWATER SITE PLAN
POOL AND CABANA

October 26, 2020

The subject site is shown as Tax Lot 60.10-1-14 on the Town of Clarkstown tax maps, and consists of 3.43 acres of land in the R-2 zone (requiring 30,000 sf lots), bounded on the west side by North Broadway and on the easterly side by the Hudson River. The property has been the subject of numerous reviews by the Village of Upper Nyack Land Use Boards, and the project has been developed in accordance with the originally approved plans, as modified by subsequent submissions.

The current project is really a requested re-approval of the pool and cabana area which had previously been depicted on plans submitted to, and reviewed / approved by, the Planning and Zoning Board in the early months of 2017. There have been no substantive changes to the proposed pool and cabana since that time.

However, the Village has a 3 year life-span for Site Plan approvals, and we have been advised that the effective period of the approval has lapsed. Accordingly, we are herewith seeking a re-instatement of the approval for the Site Plan for the Pool and Cabana area of the site. Since there is no change to the variances previously issued, it is our understanding that a new application to the ZBA is not necessary.

Prepared by



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VILLAGE OF UPPER NYACK
AMENDED WIDEWATER SITE PLAN
POOL AND CABANA

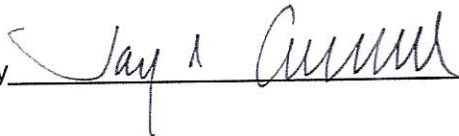
October 26, 2020

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Prepared by



VILLAGE OF UPPER NYACK

Submission of Building Permit Applications for Planning Board Review

Checklist items 1-10 must be submitted and reviewed by Clerk and Building Inspector before application is placed on Planning Board agenda. Planning Board meets monthly; application deadline is 15 business days prior to public hearing.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

CHECKLIST FOR EXTERIOR RENOVATION/NEW CONSTRUCTION

1. 2 copies of building permit application (in packet)
2. 1 copy of deed
3. 1 copy of survey in current owners' names
4. 11 copies of Site Plan, signed and sealed by licensed professional
REFER TO SITE PLAN CHECKLIST FOR REQUIREMENTS (in packet)
5. NA 11 copies of Landscaping Plan signed and sealed by licensed landscaping professional
(if required) *(FULL SITE PLANTING PLAN PREVIOUSLY PROVIDED)*
6. NA 3 copies of elevations and construction plans with details
7. 1 copy of Short or Full Environmental Assessment Form (in packet)
8. NA 1 copy of Architectural Review Board Exterior Finish Schedule (in packet)
9. NA 1 copy of REScheck Inspection Checklist and Compliance Report for NYS
Energy Conservation Construction Code (submitted by Architect/Engineer)
10. Payment of Board Fees at time of submission

Requirements prior to appearance before Planning Board:

- _____ Postal receipts for certified letters of neighbor notification, accompanied by:
- _____ 1 copy of signed and notarized AFFIDAVIT submitted to clerk 5 days prior to Planning Board Meeting

Three Requirements from General Contractor BEFORE PERMIT IS ISSUED:

- _____ 1 copy of contractor's home improvement license
- _____ 1 copy of Workers' Compensation Insurance form. Submit ONE of the following:
 - Form U-26 for the State Insurance Fund
 - Form C105.2 Certificate of NYS Workers' Compensation Insurance Coverage (Obtained from insurance carrier)
 - Form CE-200 Affidavit that Workers Compensation and /or Disability Benefits Insurance is NOT Required
 - Form SI-12 Certificate of Workers Compensation Self-Insurance
 - Form GSI-105.2 Certificate of Group Workers' Compensation Self-Insurance
 - Form BP-1 Affidavit of Exemption, if work is to be done by homeowner acting as General Contractor

Please note: ACORD Forms are not acceptable proof of coverage

- _____ SPEDES Stormwater Management Inspection Forms. To be completed by General Contractor and kept on site for future inspections.

12/16/2009

VILLAGE OF UPPER NYACK
SITE PLAN CHECK LIST

Project Name: AMENDED WIDENATER SITE PLAN - POOL # CABANA

Name of Applicant: WIDENATER HUDSON RIVER LLC

The following information must be submitted and included on the proposed site plan at a **minimum scale of 1" = 20'** in a form having sufficient detail to insure a clear understanding of the work to be performed by the Owner or Applicant. A larger scale may be required to show extent of the work.

Information Required for All Applications:

- Name and address of surveyor or engineer of record.
- Name and address of Owner of Record.
- Vicinity Map at a scale not over 1" = 1000'
- Bulk Table requirements.
- Zoning District identification.
- North reference arrow.
- Usage of all existing structures.
- Indication of proposed staging during construction.
- Location of proposed structures within limit lines.
- NA Locate and identify trees that are 8" in diameter or larger
- Reference 3- year life of approved Site Plan.
- Adjacent property owners names and tax lot numbers
- NA Architectural plans & elevations of any additions/proposed bldgs. @ 1/4" = 1'0"
- Existing and proposed contours at 2 ft. intervals.
- Proposed finished floor elevations.
- Proposed final grade elevations at reference points.
- Note reference to construction and utility standards.
- Proposed treatment of ground water flow control.
- Identify all proposed and existing utility lines and services.
- Reference requirement for highway tree planting.
- Outline designated wooded area to remain undisturbed.
- Locate and describe all Rights of Way.
- Locate and describe all easements, existing and proposed.
- Reference all existing restrictive covenants.
- Reference all proposed restrictive covenants.
- Show treatment of outstanding geological features.

Additional Information Required for Subdivision Plat Applications Only:

- Show name of all proposed roads.
- Provide plans and profiles of sanitary sewers.
- Provide plans and profiles of storm drainage system.
- Reference installation of proposed fire hydrants.
- Reference installation of proposed street lighting.
- Provide a tabulation of estimated public improvement costs.
- Submit an Environmental Assessment Form identifying the project impact on the community

NA

APPLICATION REVIEW FORM

PART I

Name of Municipality VILLAGE OF UPPER NYACK Date 10/21/20

Please check all that apply:

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

Project Name: AMENDED SITE PLAN - PROPOSED POOL & CABANA

Tax Map Designation:

Section 60.10 Block 1 Lot(s) 14
Section _____ Block _____ Lot(s) _____

Location: On the EAST side of NORTH ROADWAY,
350' feet S. of LEXOW AVE in the
town/village of UPPER NYACK

Street Address: 539 N. BROADWAY

Acreage of Parcel 3.43 Zoning District R-2

School District NYACK Postal District 10960

Fire District NYACK Ambulance District NYACK

Water District SUEZ NY Sewer District ORANGETOWN

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

PROPOSED RE-APPROVAL OF POOL AND CABANA
REQUIRED DUE TO EXPIRATION OF ORIGINAL
APPROVAL

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? NA
- 2) Is any open space being offered? NA 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 _____

PROPOSED POOL @ 800 SF ±
PROPOSED CABANA @ 200 SF ±

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

NA

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. SHOWN PER ORIGINAL SITE 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? YES

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

* PLANNING BOARD - 3/16/16; 11/15/16; 7/19/17
ZBA 2/16/16; 1/17/17; 9/19/17

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

NA

* ORIGINAL APPROVAL W/ SUBSEQUENT AMENDMENTS FOR POOL/CABANA/SEA WALL, AND DRIVEWAY/REFUSE AREA.

APPLICATION REVIEW FORM

Contact Information:

Applicant: WIDEWATER HUDSON RIVER LLC Phone # 362-2323

Address 3 CAVALRY DR., NEW CITY, NY 10956
Street Name & Number (Post Office) State Zip code

Property Owner: SAME Phone # _____

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

Engineer/Architect/Surveyor: JAY A. GREENWELL ^{PLS} Phone # 357-0830

Address 85 CAYAYETTE AVE, SUFFERN NY 10901
Street Name & Number (Post Office) State Zip code

Attorney: NONE AT THIS TIME Phone # _____

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

Contact Person: JAY A. GREENWELL, PLS Phone # _____

Address ABOVE
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 checked="" type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) of facility checked above. HUDSON RIVER
TOWN OF CLARESTOWN

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 checked="" type="checkbox"/> RC Division of Environmental Resources |
| <input type="checkbox"/> RC Drainage Agency | <input checked="" type="checkbox"/> RC Dept. of Health |
| <input type="checkbox"/> NYS Dept. of Transportation | <input checked="" type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority | <input type="checkbox"/> Palisades Interstate Park Comm. |
| <input checked="" type="checkbox"/> Adjacent Municipality <u>TOWN OF CLARESTOWN</u> | |
| <input checked="" type="checkbox"/> Other <u>NYS - DOS - COASTAL RESOURCES</u> | |

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

VILLAGE OF UPPER NYACK
328 NORTH BROADWAY
UPPER NYACK, NY 10960
INCORPORATED 1872
Tel. 845-358-0084 FAX. 845-358-0741
www.uppernyack-ny.us

BUILDING PERMIT APPLICATION FOR
EXTERIOR RENOVATION / NEW CONSTRUCTION
SHEDS OVER 120 SF / DECKS OVER 200 SF
IN GROUND POOLS

Application is hereby made for a Building Permit in conformance with the Zoning Ordinance of the Incorporated Village of Upper Nyack.

Submit the following:

- 2 copies of this application
- 1 copy of deed
- 1 copy of survey in current homeowner's name
- 11 copies of signed and sealed site plan, and submission of plans in pdf format
- 6 copies of elevations and construction plans with details
- 1 copy of Architectural Review Board Finish Schedule
- 1 copy of REScheck Inspection Checklist and Compliance Report for NYS
- 11 copies of signed and sealed landscape plan, if applicable
- General Municipal Law Application, if applicable
- Environmental Assessment Form, if applicable

Further information may be required by the Office of the Building Inspector, as provided by the Zoning Ordinance of the Incorporated Village of Upper Nyack, if such is considered necessary for approval of this application.

Owner(s) WIDEWATER HUDSON RIVER, LLC

Address: 3 CAVALRY OLIVE, NEW CITY, NY 10956

Phone # 845-362-2323

Email Address: _____

Property Address to which permit pertains: 539 N. BROADWAY

PLEASE COMPLETE THE FOLLOWING

Proposed work: CONSTRUCTION OF POOL & CASINA

Total valuation of work: \$150,000

County Tax ID Number of Property: 60.10-1-14

Zoning District R-2

Zoning: Single Family Two Family _____ Other (specify) _____

Sewage disposal: Public sewers Septic system _____

Distance to nearest stream, river, or waterway 300' +

Engineer: ^{SUMNER} JAY A. GREENWELL, PLS, LLC Phone # 845-357-0830

Address: 85 LAFAYETTE AVE., SUFFERN, NY 10901

Architect: NA Phone # _____

Address: _____

Contractor Information

General Contractor _____
Address: _____
Phone: _____

Mechanical Contractor / Plumber _____
Address: _____
Phone: _____

HVAC Contractor _____
Address: NOT KNOWN AT THIS TIME
Phone: _____

Electrician _____
Address: _____
Phone: _____

OFFICE OF THE BUILDING INSPECTOR
INCORPORATED VILLAGE OF UPPER NYACK
PROPERTY OWNER CERTIFICATION

Inc. Village of Upper Nyack
County of Rockland
State of New York

Property Owner: WIDEWATER HUDSON RIVER, LLC
ERIC BERGSTOL

Certifies that he/she resides at 539 N. BROADWAY, UPPER NYACK

and that he/she is the owner of all that certain lot, parcel of land and/or building located at
SAME

and proposed construction will be performed in accordance with the New York State Building Code;
in conformance with the Zoning Ordinance of the Incorporated Village of Upper Nyack; and in
accordance with plans and specifications submitted herewith.

Signature

Date

**STATEMENT BELOW ONLY TO BE FILLED OUT IN THE EVENT THIS
APPLICATION IS MADE BY PERSON OTHER THAN OWNER OF PROPERTY**

Inc. Village of Upper Nyack
County of Rockland
State of New York

Agent Name: _____ *NA* being duly sworn deposes and says:

That _____ is the owner of the land that is the subject of this permit.
The deponent is duly authorized to make this application by said owner.
That the proposed work is authorized by said owner.

Agent Signature:

Sworn to before me this _____ day of _____ 20

(Notary Public)

VILLAGE OF UPPER NYACK

328 NORTH BROADWAY

UPPER NYACK, NY 10960

INCORPORATED 1872

Tel. 845-358-0084 FAX. 845-358-0741

www.uppernyack-ny.us

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- Environmental Assessment Form, if applicable

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Phone # 845-362-2323

Email Address: _____

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Engineer: ^{SUMNER} JAY A. GREENWEL, PLS, LLC Phone # 845-357-0830

Address: 85 LAFAYETTE AVE., SUFFERN, NY 10901

Architect: NA Phone # _____

Address: —

Contractor Information

General Contractor _____

Address: _____

Phone: _____

Mechanical Contractor / Plumber _____

Address: _____

Phone: _____

HVAC Contractor _____

Address: NOT KNOWN AT THIS TIME

Phone: _____

Electrician _____

Address: _____

Phone: _____

OFFICE OF THE BUILDING INSPECTOR
INCORPORATED VILLAGE OF UPPER NYACK
PROPERTY OWNER CERTIFICATION

Inc. Village of Upper Nyack
County of Rockland
State of New York

Property Owner: WIDEWATER HUDSON RIVER, LLC
ERIC BERGSTOL

Certifies that he/she resides at 539 N. BROADWAY, UPPER NYACK

and that he/she is the owner of all that certain lot, parcel of land and/or building located at
SAME

and proposed construction will be performed in accordance with the New York State Building Code;
in conformance with the Zoning Ordinance of the Incorporated Village of Upper Nyack; and in
accordance with plans and specifications submitted herewith.

Signature

Date

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Inc. Village of Upper Nyack
County of Rockland
State of New York

Agent Name: _____ being duly sworn deposes and says:

That _____ is the owner of the land that is the subject of this permit.
The deponent is duly authorized to make this application by said owner.
That the proposed work is authorized by said owner.

Agent Signature:

Sworn to before me this _____ day of _____ 20

(Notary Public)

Paul Piperato, County Clerk
1 South Main St., Ste. 100
New City, NY 10956
(845) 638-5070

Rockland County Clerk Recording Cover Sheet

Received From :
MAVEN ABSTRACT CORP
252 GREENWICH AVE
GOSHEN, NY 10924

Return To :
MAVEN ABSTRACT CORP
252 GREENWICH AVE
GOSHEN, NY 10924

Method Returned : FILE CABINET

First GRANTOR

MACCARTNEY, HAROLD Y -JR

First GRANTEE

WIDEWATER HUDSON RIVER LLC

Index Type : Land Records

Instr Number : 2016-00001387

Book : Page :

Type of Instrument : Deed

Type of Transaction : Deed Other

Recording Fee: \$316.00

Recording Pages : 5

The Property affected by this instrument is situated in Clarkstown, in the County of Rockland, New York

Real Estate Transfer Tax

RETT # : 3102

Deed Amount : \$3,650,000.00

RETT Amount : \$14,600.00

Total Fees : \$14,916.00

State of New York

County of Rockland

I hereby certify that the within and foregoing was recorded in the Clerk's office for Rockland County, New York

On (Recorded Date) : 01/14/2016

At (Recorded Time) : 9:16:00 AM



Doc ID - 0369743400005

Paul Piperato, County Clerk



This sheet constitutes the Clerks endorsement required by Section 319 of Real Property Law of the State of New York

Entered By: NYROCKLANDUSER16 Printed On : 01/15/2016 At : 9:31:43AM

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

THIS INDENTURE, made the ^{AS OF} 2nd day of November, in the year 2015

BETWEEN

HAROLD Y. MACCARTNEY, JR., residing at 131 Ocean Grande Blvd., Unit 805, Jupiter, Florida 33477 and
BARRY MACCARTNEY, residing at 539 North Broadway, Upper Nyack, New York 10960

party of the first part, and

Widewater

~~WIDE WATER~~ HUDSON RIVER, LLC, a domestic company with offices at 118 Pomona Road, Pomona, New York 10970

[Handwritten signature]

party of the second part,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Upper Nyack, Town of Clarkstown, County of Rockland and State of New York, and more particularly bounded and described on the attached Schedule "A".

BEING AND INTENDED TO BE the same premises conveyed to Harold Y. MacCartney and Barry MacCartney by deed from Margaret R. MacCartney dated 1/15/1976 and recorded 10/18/2001 in the Office of the Rockland County Clerk in Instrument No. 2001-00050093 and as specific devisees under the Last Will and Testament of Harold Y. MacCartney, deceased, probated under Rockland County Surogates File No. 762-1988.

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

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

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

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

IN PRESENCE OF:

[Handwritten signature]

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Rockland ss:

On the 2nd day of November in the year 2015, before me, the undersigned, personally appeared

Barry MacCartney

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

MARILYN GOULD
Notary Public, State of New York
No. 01GO06096013
Qualified in Rockland County
Commission Expires July 21, 2019

**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS
TAKEN IN NEW YORK STATE**

State of New York, County of _____, ss:

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

_____, the

subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

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

**Bargain and Sale Deed with
covenant against Grantors Acts**

Harold Y. MacCartney, Jr. and Barry MacCartney

TO

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the _____ day of _____ in the year 200 _____, before me, the undersigned, personally appeared

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

**ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK
STATE**

* State of Florida, County of PALM BEACH, ss:

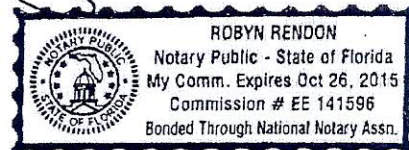
*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the 20th day of October in the year 2015, before me the undersigned personally appeared

Harold Y. MacCartney, Jr.

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

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).



SECTION 60.10
BLOCK 1
LOT 14
COUNTY Rockland



SCHEDULE A – DESCRIPTION

Title No.: ST15-25040

REVISED 10/27/2015

ALL that certain tract, piece or parcel of land together with the buildings and improvements thereon erected, situate, lying and being in Village of Upper Nyack, in the Town of Clarkstown, County of Rockland and State of New York and bounded and described as follows:

BEGINNING at a point on the easterly side of North Broadway where the same is intersected by the northerly line of lands formerly of A.J. Smith and now or formerly of Adler;

RUNNING THENCE northerly along the easterly side of North Broadway of North fourteen (14) degrees East three hundred (300) feet per deed (302.16 feet as measured) to a point and the southerly line of lands now or formerly of Chazen;

RUNNING THENCE easterly along the last said line of lands on a course of South seventy-six (76) degrees East per deed (South 75 degrees 53 minutes 00 seconds East as measured) 480.00 feet to a point at a cross cut or drill hole in rock at the highwater mark of the Hudson River;

RUNNING THENCE southerly along the highwater mark of said Hudson River South 07 degrees 19 minutes 00 seconds West three hundred and fifty hundredths (300.50) feet per deed (300.68 feet as measured) to the southeast corner of the within described lot and said lands formerly of A.J. Smith, now or formerly of Adler, and

RUNNING THENCE westerly along the last said lands North seventy-six degrees West per deed (North 76 degrees 17 minutes 00 seconds West as measured) 515.00 feet to the Easterly side of North Broadway and the point and place of BEGINNING.

For conveyance description only, not for policy:

TOGETHER with all of the right title and interest of the grantor(s) in and to certain lands between the high and low Water mark and under the waters of the Hudson River in front of and adjacent to the uplands above described being three hundred and fifty-one hundredths (300.50) feet along high water mark of said River and extending south eighty-five degrees east, and three hundred and fifty one-hundredths (300.50) feet in width, five hundred (500) feet under the waters of said River.

For conveyance description only, not for policy:

Being and intended to be the same premises described in the following deeds:

- 1) Deeds from Harold Y. Mac Cartney to Harold Y. Mac Cartney, Jr. dated 12/24/1975 and recorded 12/30/1975 in Liber 971 Page 647 and dated 1/2/1976 and recorded 1/9/1976 in Liber 971 page 1043;
- 2) Deeds from Harold Y. Mac Cartney to Barry Mac Cartney dated 12/24/1975 and recorded 12/30/1975 in Liber 971 Page 651 and dated 1/2/1976 and recorded 1/9/1976 in Liber 971 Page 1039;
- 3) Deed from Margaret R. Mac Cartney to Harold Y. Mac Cartney and Barry Mac Cartney dated 1/15/1976 and recorded 10/18/2001 in Document No. 2001-00050093.

FOR COUNTY USE ONLY

C1. SWIS Code 39,20,89
 C2. Date Deed Recorded 1/14/16
 C3. Book 2016 C4. Page 1387



New York State Department of
Taxation and Finance
 Office of Real Property Tax Services
RP- 5217-PDF
 Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location 539 North Broadway
* STREET NUMBER * STREET NAME
Clarkstown Upper Nyack 10960
* CITY OR TOWN * VILLAGE * ZIP CODE

2. Buyer Name Wide Water Hudson River, LLC
* LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address
 Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)
LAST NAME/COMPANY FIRST NAME
STREET NUMBER AND NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR Part of a Parcel (Only if Part of a Parcel) Check as they apply:
 4A. Planning Board with Subdivision Authority Exists
 4B. Subdivision Approval was Required for Transfer
 4C. Parcel Approved for Subdivision with Map Provided

5. Deed Property Size X 3.40
* FRONT FEET * DEPTH * ACRES

6. Seller Name MacCartney, Jr. Harold Y.
* LAST NAME/COMPANY FIRST NAME
MacCartney Barry
LAST NAME/COMPANY FIRST NAME

7. Select the description which most accurately describes the use of the property at the time of sale:
B. 2 or 3 Family Residential F. Commercial
 Check the boxes below as they apply:
 8. Ownership Type is Condominium
 9. New Construction on a Vacant Land
 10A. Property Located within an Agricultural District
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date 06/30/2015
 * 12. Date of Sale/Transfer 11/02/2015
 * 13. Full Sale Price 3,650,000.00
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:
 A. Sale Between Relatives or Former Relatives
 B. Sale between Related Companies or Partners in Business.
 C. One of the Buyers is also a Seller
 D. Buyer or Seller is Government Agency or Lending Institution
 E. Deed Type not Warranty or Bargain and Sale (Specify Below)
 F. Sale of Fractional or Less than Fee Interest (Specify Below)
 G. Significant Change in Property Between Taxable Status and Sale Dates
 H. Sale of Business is Included in Sale Price
 I. Other Unusual Factors Affecting Sale Price (Specify Below)
 J. None
 Comment(s) on Condition:

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken (YY) 15 * 17. Total Assessed Value 408,000
 * 18. Property Class 411 * 19. School District Name Nyack
 * 20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

Harold Y. MacCartney, Jr. 10/20/2015
SELLER SIGNATURE DATE
Barry MacCartney 11/2/2015
BUYER SIGNATURE DATE

BUYER CONTACT INFORMATION
(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or trust that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)
Bergstol Eric
* LAST NAME FIRST NAME

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

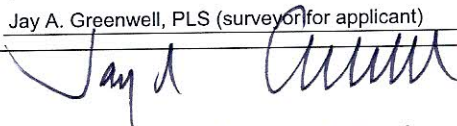
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Amended Widewater Site Plan -- Proposed Pool and Cabana			
Project Location (describe, and attach a location map): #539 North Broadway, Upper Nyack, NY			
Brief Description of Proposed Action: Proposed in-ground pool and pool house to be constructed near the southwesterly corner of the approved dwelling as shown on submitted plans. Pool and Cabana were approved by prior submission to the Village Planning and Zoning Boards, but the 3 year statutory time from approval has been deemed expired. Re-approval is sought herewith.			
Name of Applicant or Sponsor: Widewater Hudson River, LLC		Telephone: 845-362-2323 E-Mail: ebergstol@bergstol.net	
Address: 3 Cavalry Drive			
City/PO: New City		State: NY	Zip Code: 10956
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Planning Board-site plan; RC Planning Board--GML review; NYS DEC and DOS (if proximity to Hudson River); Rockland County Health Dept.-mosquito control			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		3.43 acres	
b. Total acreage to be physically disturbed?		0.1+/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.43 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

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

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Widewater Hudson River, LLC</u>		Date: <u>10/21/2020</u>
Signature: <u>Jay A. Greenwell, PLS (surveyor) for applicant</u>		



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

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

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

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

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

PRINT