



October 30, 2023

Mr. Jeff Faiella, Chairman
PLANNING BOARD
Village of Buchanan
Village Hall Municipal Building
236 Tate Avenue
Buchanan, New York 10511

Re: 3176 Albany Post Road (Site Plan Review)
(S/B/L: 43.16 – 2 – 11, Zoning District: “ C-1 ”)

Dear Mr. Faiella & Honorable Members of the Planning Board,

As it relates to the aforementioned property location, our last appearance before this Board was on September 16, 2021 for the purpose of addressing several “Order-to-Remedy” and a “Stop Work Order” issued against our Clients property. Regrettably, unforeseen issues unrelated to the proposed building, delayed our resubmittal.

The intent of the redevelopment of the property however, has not changed. The intent is to develop the existing property into a mixed-use building, using the basement of the existing building as storage, with the 1st floor of the building as commercial/retail space, and with the 2nd floor to house two(2) Residential Apartments at approx.. 850 SqFt each.

We refer you to the attached Planning Board Decision and Order, advising that until such time the “*slope remediation/restoration*” has been addressed, and to the “*satisfaction of the Village Engineer*”, the application would not be considered. Please be advised that the remediation/restoration of the slopes has since been undertaken and completed as is outlined in the updated Topographic Survey provided in the attached package, hence our return to the Board for this review and anticipated approval.

Also, please note and kindly take into consideration that all prior comments and observances noted by the Engineering Consultant (“*James J. Kahn Engineering, P.C.*”) have been taken into consideration and/or included in the provided update plans attached. A copy of Kahns’ last round of comments have also been included in this package.

Please accept our thanks and appreciate in advance for your time and consideration. As always, should you or the Board Members have any additional questions or comments, please feel free to contact our office at your earliest convenience.

Sincerely,


Jorge B. Hernandez, R.A., A.I.A.
President

Cc: Attachments/Enclosures
Job File No.: 20-117



August 5, 2021

Mr. Jeff Faiella, Chairperson
PLANNING BOARD
Village of Buchanan
Village Hall Municipal Building
236 Tate Avenue
Buchanan, New York 10511

Re: 3176 Albany Post Road Site Plan Review

Dear Mr. Faiella and Honorable Members of the Planning Board,

As it relates to the aforementioned Application, we have taken note of the comments listed on Mr. Pommers March 10, 2021 Memorandum and have addressed each of the comments accordingly. Please see below. Also included are the revised drawings reflecting said comments and changes:

1. The proposed gravel path grades do not comply with the requirements of Section 165 of the Village Code. The maximum allowable grade is 15% and the proposed grades are 18% and 20%. In addition, the proposed path is located on an existing steep slope which has been disturbed. The steep slope and the full extent of disturbance shall be stabilized. **PLEASE SEE SHEET "S-1"**
2. Slope analysis with grades 15% or greater and their areas should be provided. The provided survey is illegible. A readable copy must be provided. **PLEASE SEE SHEET "D-1"**
3. The proposed concrete curb and parking spaces, 7, 8, and 9 are located within 5 feet of the southern property line, therefore a variance is required. **PLEASE SEE SHEET "S-1". NO VARIANCE SHOULD BE REQUIRED.**
4. The existing driveway entrance on the northeast corner may cause conflicts with the existing traffic pattern. There is an existing stop sign on the intersection of White Street and Albany Post Road. There is an existing white stop line approximately 10 feet east of the stop sign, closer to the Albany Post Road roadway. Vehicles turning on to White Street from Albany Post Road and attempting to enter the northeast driveway entrance will be in conflict with vehicles approaching the intersection. Therefore, the northeast driveway entrance should be closed off from the roadway and a concrete curb should extend from the existing island located east of the property, up to the proposed driveway entrance located at the north, adjacent White Street. **PLEASE SEE SHEET "S-1"**

5. The proposed concrete curb and driveway entrance located adjacent White Street should have a larger radius to prevent incoming vehicles from jumping the curb. **PLEASE SEE SHEET "S-1"**
6. The proposed dimensions of the driveway entrance should be provided. **PLEASE SEE SHEET "S-1"**
7. The proposed parking spaces dimension details should be provided. **PLEASE SEE SHEET "S-1"**
8. Backup area for parking spaces numbers 1-5 & 6 should be dimensioned and should be 24' for maneuverability. **PLEASE SEE SHEET "S-1"**
9. The applicant is proposing a gravel driveway to access the rear of the site. This does not comply with Village code for commercial property.
10. Turning movements and backup area should be provided for vehicle access to shed. Should consider shed closer to other site improvements. **PLEASE SEE SHEET "S-1" (NO VEHICULAR TRAFFIC)**
11. Parking calculations updated to show 9 total spaces, not 8. **PLEASE SEE SHEET "S-1"**
12. Proposed signage should be provided. Signage visible and located along the NYSDOT Right of Way should be submitted and approved by the NYSDOT. **PLEASE SEE SHEET "S-3"**
13. NYSDOT Highway Work permit will be required for the proposed improvements within the State Right-of-Way along Albany Post Road. **NOTED. NYSDOT HIGHWAY WORK PERMIT WILL BE APPLIED FOR ACCORDINGLY.**
14. A curb or wheel stop should be included for the proposed parking spaces adjacent to the building to prevent vehicles from colliding into the building. **PLEASE SEE SHEET "S-1"**
15. The location and design of any loading areas, including the proposed surfacing of these areas should be shown. **PLEASE SEE SHEET "S-1"**
16. There appears to be pavement surfacing stripes indicated to the east and west of the building shown on sheet S-2. The applicant should clarify and note the marking details. **PLEASE SEE SHEET "S-1"**
17. The entrance pavement should be keyed into the roadway pavement. This should be shown and detailed on the plans. **PLEASE SEE SHEET "S-1"**
18. Proposed sight distance at all points of vehicular access should be shown. **A SIGHT DISTANCE STUDY IS UNDERWAY & WIL BE SHOWN ON A SUBSEQUENT PLAN. DANGEROUS CONDITIONS HAVE BEEN ELIMINATED BY CLOSING VEHICULAR TRAFFIC ACCESS +/- 70 FT FROM INTERSECTIONS.**
19. An accessory structure is proposed along the southwestern area of the property. The size of the structure should comply with C-1, Permitted Accessory Uses, of the Village Code. An alternate means of access shall be provided and should avoid a path along the steep slope.
20. Spot elevations should be provided. The proposed parking area should pitch away from the adjacent residence located to the south. The parking area should also pitch away from the building. **PLEASE SEE SHEET "S-2"**
21. Top and bottom wall elevations should be shown at all changes in elevation of the retaining wall. **PLEASE SEE SHEET "S-2"**
22. The proposed retaining wall drain and connection into the drainage system should be shown. **PLEASE SEE SHEET "S-2"**

23. It appears the proposed first floor will be used as a commercial space, therefore fire protection should be provided and reviewed by the Building and Fire Department. A backflow preventer shall be provided for the sprinkler system. **PLEASE SEE SHEET "A-1"**
24. The proposed store located on the first floor should include a grease trap. Connection to the existing sanitary system shall be shown on the plans.
25. Existing sewer lateral should be videoed to ensure it is still functional. Video should be submitted to the Village Engineer for review. **NOTED. ARRANGEMENTS FOR A VIDEO RECORD ARE BEING MADE.**
26. The location of all existing utilities should be shown (i.e. water, gas, electric, storm, sewer, cable, etc.). **UTILITIES WILL BE MARKED, SURVEYED & UPDATED ON PLANS.**
27. Any existing or proposed structure or impervious area (i.e. retaining walls, mechanical equipment, etc.) should be shown on the plans and included in the coverage calculations. Site Plan Review 3176 Albany Post Road March 10, 2021 Page 4 A breakdown of the structures and areas should be shown on the plans and included in the coverage calculations. **PLEASE SEE SHEET "S-2"**
28. Drainage calculations signed and sealed by a NYS licensed PE or RA for pipe sizing and the infiltration system should be provided. **NOTED.**
29. The proposed stormwater drainage system should include inverts for all catch basins, pipes and the size, material and direction of flow should be shown. **PLEASE SEE SHEET "S-2"**
30. An overflow structure should be provided for the drainage system. The system overflow should tie into the nearest drainage structure. **PLEASE SEE SHEET "S-2"**
31. The location of all existing and any proposed roof leaders and downspouts should be provided. Connections into the drainage system should be shown. **PLEASE SEE SHEET "S-2"**
32. The specification details on Sheet T-1 indicate a 6 inch footing drain. The proposed footing drain and its connection into the drainage system should be shown. **PLEASE SEE SHEETS "T-1" & "S-1"**
33. All drainage structures must be able to withstand H-20 loading. **NOTED AND WILL COMPLY.**
34. Test pits, groundwater elevation and infiltration tests used in stormwater calculations should be provided. Infiltration tests should be performed in accordance with Appendix D of the NYSDEC Stormwater Management Design Manual. **PREP. TEST & PERCOLATION TEST TO BE COORDINATED BY TOWN ENGINEER.**
35. The area of the proposed infiltration system should be protected from over-compaction during construction. The area should be fenced off during construction or the area should be de-compacted prior to installation of the infiltration units. **PLEASE SEE SHEET "S-2"**
36. Post-construction maintenance notes should be provided for the stormwater management practices.
PLEASE SEE SHEET "S-2"
37. The infiltration system must not be connected until construction is complete and the site is stabilized. A note, stating as much, should be added to the plans. **PLEASE SEE SHEET "S-2"**
38. Access for fire and emergency vehicles should be considered. Approval from the fire department is recommended. **PLEASE SEE SHEET "S-3"**
39. The quantity of cut/fill material to be imported/exported should be stated on the plans.

40. The "limits of construction" should be delineated, and the square-footage noted. **PLEASE SEE SHEET "S-2"**
41. A construction sequence should be shown on the plans. **PLEASE SEE SHEET "S-1"**
42. The location and design of any refuse storage or collection areas should be shown.
43. Dumpster location and means of garbage pickup should be identified. Screening of the dumpsters should be considered. **PLEASE SEE SHEET "S-1"**
44. The location, direction, fixture type, power, and time of operation of any proposed outdoor lighting should be provided, and the applicant should demonstrate that the proposed lighting meets the dark-sky requirements. Details should be provided. **PLEASE SEE SHEET "S-3"**
45. Buffer screening should be added as required by Section 211-21 of the Village Code. Screening along the south, southwest, and northwest should be considered and a planting plan prepared by a qualified landscape architect or architect should be provided. **A PLANTING PLAN WILL BE SUBMITTED**
46. Tree protection should be shown on the Site Plan and a detail should be provided. **PLEASE SEE SHEET "D-1"**
47. Several trees shown on the Survey appear to have been removed. All trees to be removed and have been removed should be indicated on the Demo Plan. Additional landscaping should be added to the steep to slope for stabilization. **PLEASE SEE SHEET "D-1"**
48. Silt fence should be shown parallel to topographic contours. The plans should be corrected. **PLEASE SEE SHEET "D-1"**
49. A stabilized construction entrance, concrete wash-off, and erosion control blankets should be shown on the plans and details provided. **PLEASE SEE SHEET "D-1"**
50. It appears the plans are not to scale. **CORRECTED - SEE ATTACHED**
51. On March 15, 2019, Con Edison issued a moratorium on new gas connections and limited expansion of existing services. It should be confirmed that Con Edison is able to provide the proposed service, otherwise alternate means of heating, etc. should be identified. An approval waiver from Con Edison should be provided. **CONFIRMATION WILL BE OBTAINED**
52. Inspections of the Erosion and Sediment Control Devices will be required throughout the project. The following should be shown on the plans:

"The applicant shall notify the Village of Buchanan Building Inspector at least 48 hours before any of the following as required by the Stormwater Management Officer: **PLEASE SEE SHEET "D-1"**

- Start of construction
- Installation of sediment and erosion control measures
- Completion of site clearing
- Completion of rough grading
- Installation of Stormwater Management Facilities
- Completion of final grading
- Close of the construction season
- Completion of final landscaping
- Successful establishment of landscaping in public areas."

53. The following notes should be shown on the plans: **PLEASE SEE SHEET "D-1"**

"The Building Inspector or Village Engineer may require additional erosion control measures if deemed appropriate to mitigate unforeseen siltation and erosion of disturbed soils."

"As-Built" drawings of the site improvements shall be submitted to the Village Engineer for review prior to obtaining Certificate of Occupancy."

"Proposed soil slopes exceeding 1:2 (V:H) shall be rip-rapped and shall not exceed 1:1 (V:H)."

"Imported fill must be certified and approved by the Village Building Inspector or Engineer."

"The restoration work for the roadway and shoulder construction within the Village Right-of-Way shall be performed to the satisfaction of the Village Engineer and NYSDOT.

We look forward to being able to move this project forward accordingly and working with your Board and the Village in partnership to do so.

As always, should you have any questions, please contact our office at your earliest convenience.

Sincerely,



Jorge B. Hernandez, R.A., A.I.A.
President

Cc: Mr. George Pommer
James J. Hahn Engineering, P.C.
Putnam Business Park
1689 Route 22
Brewster, N.Y. 10509

Job File No.: 20117

MEMORANDUM

To : Buchanan Planning Board

From : George E. Pommer
Village Consulting Engineer

Dated : March 10, 2021

Subject : Site Plan Review
3176 Albany Post Road
Village of Buchanan, NY

Drawings Reviewed : “Maps and General Notes”, Dated 11/19/2020, Sheet T-1.
Survey, Dated 11/12/2020.
“Proposed Site Plan, Zoning Data and Site Details”, Dated 11/19/2020,
Sheet S-1.
“Proposed Grading and Drainage Plan”, Dated 11/19/2020, Sheet S-2.
“Demolition Site Plan and Erosion Control Details”, Dated 11/19/2020,
Sheet D-1.

Documents Reviewed : Application To The Planning Board, Dated 2/12/2021.
Letter of Authorization, Dated 12/24/2020.

The referenced plans have been reviewed for compliance with Article VII - Site Development Plan Approval of the Village Code. The applicant proposes additions, alterations, grading, and drainage upgrades in the C-1 Zoning District. The applicant also proposes a gravel path along a steep slope. The steep slope was previously disturbed and must be immediately stabilized prior to any proposed site work. The proposed path appears to have had existing slopes up to and exceeding 40%. Pursuant to our review, the following items should be addressed by the applicant.

1. The proposed gravel path grades do not comply with the requirements of Section 165 of the Village Code. The maximum allowable grade is 15% and the proposed grades are 18% and 20%. In addition, the proposed path is located on an existing steep slope which has been disturbed. The steep slope and the full extent of disturbance shall be stabilized.
PLEASE SEE SHEET “S-1”
2. Slope analysis with grades 15% or greater and their areas should be provided. The provided survey is illegible. A readable copy must be provided. **PLEASE SEE SHEET “D-1”**

3. The proposed concrete curb and parking spaces, 7, 8, and 9 are located within 5 feet of the southern property line, therefore a variance is required. **PLEASE SEE SHEET "S-1". NO VARIANCE SHOULD BE REQUIRED**
4. The existing driveway entrance on the northeast corner may cause conflicts with the existing traffic pattern. There is an existing stop sign on the intersection of White Street and Albany Post Road. There is an existing white stop line approximately 10 feet east of the stop sign, closer to the Albany Post Road roadway. Vehicles turning on to White Street from Albany Post Road and attempting to enter the northeast driveway entrance will be in conflict with vehicles approaching the intersection. Therefore, the northeast driveway entrance should be closed off from the roadway and a concrete curb should extend from the existing island located east of the property, up to the proposed driveway entrance located at the north, adjacent White Street. **PLEASE SEE SHEET "S-1"**
5. The proposed concrete curb and driveway entrance located adjacent White Street should have a larger radius to prevent incoming vehicles from jumping the curb. **PLEASE SEE SHEET "S-1"**
6. The proposed dimensions of the driveway entrance should be provided. **PLEASE SEE SHEET "S-1"**
7. The proposed parking spaces dimension details should be provided. **PLEASE SEE SHEET "S-1"**
8. Backup area for parking spaces numbers 1-5 & 6 should be dimensioned and should be 24' for maneuverability. **PLEASE SEE SHEET "S-1"**
9. The applicant is proposing a gravel driveway to access the rear of the site. This does not comply with Village code for commercial property.
10. Turning movements and backup area should be provided for vehicle access to shed. Should consider shed closer to other site improvements. **PLEASE SEE SHEET "S-1" (NO VEHICULAR TRAFFIC)**
11. Parking calculations updated to show 9 total spaces, not 8. **PLEASE SEE SHEET "S-1"**
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13. NYSDOT Highway Work permit will be required for the proposed improvements within the State Right-of-Way along Albany Post Road. **NOTED. NYSDOT HIGHWAY WORK PERMIT WILL BE APPLIED FOR ACCORDINGLY.**
14. A curb or wheel stop should be included for the proposed parking spaces adjacent to the building to prevent vehicles from colliding into the building. **PLEASE SEE SHEET "S-1"**

15. The location and design of any loading areas, including the proposed surfacing of these areas should be shown. **PLEASE SEE SHEET "S-1"**
16. There appears to be pavement surfacing stripes indicated to the east and west of the building shown on sheet S-2. The applicant should clarify and note the marking details. **PLEASE SEE SHEET "S-1"**
17. The entrance pavement should be keyed into the roadway pavement. This should be shown and detailed on the plans. **PLEASE SEE SHEET "S-1"**
18. Proposed sight distance at all points of vehicular access should be shown. **A SIGHT DISTANCE STUDY IS UNDERWAY & WIL BE SHOWN ON A SUBSEQUENT PLAN. DANGEROUS CONDITIONS HAVE BEEN ELIMINATED BY CLOSING VEHICULAR TRAFFIC ACCESS +/- 70 FT FROM INTERSECTIONS.**
19. An accessory structure is proposed along the southwestern area of the property. The size of the structure should comply with C-1, Permitted Accessory Uses, of the Village Code. An alternate means of access shall be provided and should avoid a path along the steep slope.
20. Spot elevations should be provided. The proposed parking area should pitch away from the adjacent residence located to the south. The parking area should also pitch away from the building. **PLEASE SEE SHEET "S-2"**
21. Top and bottom wall elevations should be shown at all changes in elevation of the retaining wall. **PLEASE SEE SHEET "S-2"**
22. The proposed retaining wall drain and connection into the drainage system should be shown. **PLEASE SEE SHEET "S-2"**
23. It appears the proposed first floor will be used as a commercial space, therefore fire protection should be provided and reviewed by the Building and Fire Department. A backflow preventer shall be provided for the sprinkler system. **PLEASE SEE SHEET "A-1"**
24. The proposed store located on the first floor should include a grease trap. Connection to the existing sanitary system shall be shown on the plans.
25. Existing sewer lateral should be videoed to ensure it is still functionable. Video should be submitted to the Village Engineer for review. **NOTED. ARRANGEMENTS FOR A VIDEO RECORD ARE BEING MADE.**
26. The location of all existing utilities should be shown (i.e. water, gas, electric, storm, sewer, cable, etc.). **UTILITIES WILL BE MARKED, SURVEYED & UPDATED ON PLANS.**
27. Any existing or proposed structure or impervious area (i.e. retaining walls, mechanical equipment, etc.) should be shown on the plans and included in the coverage calculations.

A breakdown of the structures and areas should be shown on the plans and included in the coverage calculations. **PLEASE SEE SHEET "S-2"**

28. Drainage calculations signed and sealed by a NYS licensed PE or RA for pipe sizing and the infiltration system should be provided. **NOTED.**
29. The proposed stormwater drainage system should include inverts for all catch basins, pipes and the size, material and direction of flow should be shown. **PLEASE SEE SHEET "S-2"**
30. An overflow structure should be provided for the drainage system. The system overflow should tie into the nearest drainage structure. **PLEASE SEE SHEET "S-2"**
31. The location of all existing and any proposed roof leaders and downspouts should be provided. Connections into the drainage system should be shown. **PLEASE SEE SHEET "S-2"**
32. The specification details on Sheet T-1 indicate a 6 inch footing drain. The proposed footing drain and its connection into the drainage system should be shown. **PLEASE SEE SHEETS "T-1" & "S-1"**
33. All drainage structures must be able to withstand H-20 loading. **NOTED AND WILL COMPLY.**
34. Test pits, groundwater elevation and infiltration tests used in stormwater calculations should be provided. Infiltration tests should be performed in accordance with Appendix D of the NYSDEC Stormwater Management Design Manual. **PREP. TEST & PERCOLATION TEST TO BE COORDINATED BY TOWN ENGINEER.**
35. The area of the proposed infiltration system should be protected from over-compaction during construction. The area should be fenced off during construction or the area should be de-compacted prior to installation of the infiltration units. **PLEASE SEE SHEET "S-2"**
37. The infiltration system must not be connected until construction is complete and the site is stabilized. A note, stating as much, should be added to the plans.
38. Access for fire and emergency vehicles should be considered. Approval from the fire department is recommended.
36. Department of Environmental Conservation notes should be provided for the stormwater management practices
39. The quantity of cut/fill material to be imported/exported should be stated on the plans.
40. The "limits of construction" should be delineated and the square-footage noted. **PLEASE SEE SHEET "S-2"**

41. A construction sequence should be shown on the plans. **PLEASE SEE SHEET "S-3"**
42. The location and design of any refuse storage or collection areas should be shown.
43. Dumpster location and means of garbage pickup should be identified. Screening of the dumpsters should be considered. **PLEASE SEE SHEET "S-1"**
44. The location, direction, fixture type, power, and time of operation of any proposed outdoor lighting should be provided, and the applicant should demonstrate that the proposed lighting meets the dark-sky requirements. Details should be provided. **PLEASE SEE SHEET "S-3"**
45. Buffer screening should be added as required by Section 211-21 of the Village Code. Screening along the south, southwest, and northwest should be considered and a planting plan prepared by a qualified landscape architect or architect should be provided. **A PLANTING PLAN WILL BE SUBMITTED**
46. ~~Some portions should be shown on the Site Plan and details should be provided~~ removed and have been removed should be indicated on the Demo Plan. Additional landscaping should be added to the steep to slope for stabilization. **PLEASE SEE SHEET "D-1"**
48. Silt fence should be shown parallel to topographic contours. The plans should be corrected. **PLEASE SEE SHEET "D-1"**
49. A stabilized construction entrance, concrete washoff, and erosion control blankets should be shown on the plans and details provided. **PLEASE SEE SHEET "D-1"**
50. It appears the plans are not to scale. **CORRECTED - SEE ATTACHED**
51. On March 15, 2019, Con Edison issued a moratorium on new gas connections and limited expansion of existing services. It should be confirmed that Con Edison is able to provide the proposed service, otherwise alternate means of heating, etc. should be identified. An approval waiver from Con Edison should be provided. **CONFIRMATION WILL BE OBTAINED**
52. ~~Inspections of the Erosion and Sediment Control Devices will be required throughout the project.~~ The following should be shown on the plans. **PLEASE SEE SHEET "D-1"**

- Start of construction
- Installation of sediment and erosion control measures

- Completion of site clearing
- Completion of rough grading
- Installation of Stormwater Management Facilities
- Completion of final grading
- Close of the construction season
- Completion of final landscaping
- Successful establishment of landscaping in public areas.”

53. The following notes should be shown on the plans:

PLEASE SEE SHEET "D-1"

“The Building Inspector or Village Engineer may require additional erosion control measures if deemed appropriate to mitigate unforeseen siltation and erosion of disturbed soils.”

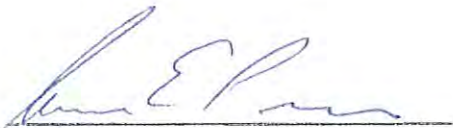
““As-Built” drawings of the site improvements shall be submitted to the Village Engineer for review prior to obtaining Certificate of Occupancy.”

“Proposed soil slopes exceeding 1:2 (V:H) shall be rip-rapped and shall not exceed 1:1 (V:H).”

“Imported fill must be certified and approved by the Village Building Inspector or Engineer.”

“The restoration work for the roadway and shoulder construction within the Village Right-of-Way shall be performed to the satisfaction of the Village Engineer and NYS DOT. “

A written response and revised plans responding to the above comments should be submitted by the applicant for review. Any changes made that do not pertain to our comments should be identified separately in the written response. Additional comments may be generated based on the revised plans.



GEP:EG

cc: Marcus Serrano, Village Administrator
Stephanie Porteus, Village Attorney

VILLAGE OF BUCHANAN

236 E AVE., BUCHANAN, NY 10511

(914) 737-1033

APPLICATION TO THE PLANNING BOARD

I. IDENTIFICATION OF APPLICANT

APPLICANT NAME ARQ Architecture, P.C. PHONE (914) 944-3377
ADDRESS 100 Executive Boulevard, Suite 204, Ossining, N.Y. 10562
APPLICANT EMAIL jb@arqpc.com / rjm@arqpc.com
ARCHITECT/ENGINEER Jorge B. Hernandez, R.A.

II. IDENTIFICATION OF PROPERTY

TAX MAP SECTION 43.16 BLOCK 2 LOT(S) 11 LOCATION OF
AFFECTED PREMISES (ADDRESS) 3176 Albany Post Road, Buchanan, N.Y. 10511
DISTRICT C - 1 AREA 22,092 SQ/FT ZONING

III. DESCRIPTION OF PROPOSED ACTIVITY/OCCUPANCY

RESIDENTIAL X COMMERCIAL X OTHER

IV. TO THE PLANNING BOARD:

APPLICATION IS HEREBY MADE FOR (CHECK ALL THAT APPLY):
X SITE DEVELOPMENT PLAN APPROVAL
SPECIAL PERMIT PURSUANT TO PART OF THE VILLAGE CODE
SUBDIVISION APPROVAL
OTHER (EXPLAIN):

V. ADDITIONAL INFORMATION

HAVE PREVIOUS APPLICATIONS TO THE PLANNING OR ZONING BOARD BEEN FILED IN
REGARD TO THESE PREMISES? YES X NO
HAS VIOLATION BEEN SERVED RELATIVE TO THIS MATTER? YES X NO

VI. ATTACHED HERETO AND MADE PART OF THIS APPLICATION, I SUBMIT TEN (10) COPIES OF THE FOLLOWING (CHECK ALL THAT APPLY):

X LONG ENVIRONMENTAL ASSESSMENT FORM
SKETCH PLAT
X PROPOSED SITE DEVELOPMENT PLAN
X PROPERTY SURVEY
X FLOOR PLANS WITH ALL NECESSARY MEASUREMENTS
X COPY OF DEED
X SIGNED CONSENT BY OWNER IF APPLICANT IS NOT THE OWNER
OTHER (EXPLAIN):

VII. APPROVAL FOR SUBMISSION

SIGNATURE OF APPLICANT [Signature] DATE 10/18/2023

VIII. RECEIPT

DATE RECEIVED BY CLERK FEE RECEIVED \$
RECEIPT NO.
ESCROW RECEIVED

NOTE: ALL APPLICANTS ARE RESPONSIBLE FOR DEPOSIT OF ESCROW AND THE REIMBURSEMENT OF COSTS INCURRED BY THE VILLAGE FOR ENGINEERING, ENVIRONMENTAL, LEGAL OR OTHER TECHNICAL CONSULTANTS WHERE DEEMED NECESSARY BY THE VILLAGE BOARDS AS PER LOCAL LAWS.

AFFIDAVIT OF APPLICANT

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) SS:
VILLAGE OF BUCHANAN)

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS SUBMITTED HERewith ARE TRUE.

APPLICANT: Jorge B. Hernandez, R.A.
ADDRESS: ARQ Architecture, P.C.
100 Executive Blvd. Suite 204, Ossining, NY 10562

SWORN TO ME THIS
 DAY OF , 2023

NOTARY PUBLIC
COUNTY OF WESTCHESTER

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) SS:
VILLAGE OF BUCHANAN)

Mr. Raulindo Sarmiento BEING DULY SWORN, DEPOSES AND SAYS THAT HE/~~SHE~~ RESIDES AT 3212 Albany Post Road IN Buchanan, IN THE COUNTY OF Westchester IN THE STATE OF New York THAT HE/SHE IS THE OWNER IN FEE OF ALL THAT CERTAIN LOT , PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE VILLAGE OF BUCHANAN AFORESAID AND DESIGNATED AS TAX MAP SECTION 43.16 BLOCK 2 LOT(S) 11 OF THE BUCHANAN TAX MAP AND THAT HE/SHE HEREBY AUTHORIZES IN HIS/HER BEHALF THAT THE STATEMENTS OF FACT CONTAINED IN SAID APPLICATION ARE TRUE.

OWNER Raul Sarmiento
ADDRESS 3212 Albany Post Road
Buchanan, New York 10511

SWORN TO ME THIS
18 DAY OF OCT, 2023
M. Jill Davis
NOTARY PUBLIC
COUNTY OF WESTCHESTER

M. JILL DAVIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DA5061203
Qualified in Westchester County
My Commission Expires 10-29-2025

NOTICE

TEN (10) COPIES OF THE APPLICATION AND ANY ATTACHEMENTS SHALL BE SUBMITTED TO THE CLERK’S OFFICE BEFORE THIS MATTER WILL BE PLACED ON THE PLANNING BOARD AGENDA. APPLICANTS MUST CONTACT VILLAGE ENGINEER GEORGE POMMER BEFORE THE MEETING AT: HAHN ENGINEERING, 1689 Route 22, BREWSTER, NY 10509 (845) 279-2220

OFFICE USE ONLY

CAL NO. _____

Mr. Raulindo Sarmiento
Raulindo Auto Body
3176 Albany Post Road
Buchanan, New York 10511
raulindoautobody@live.com
(914) 424-7328

April 4, 2023

Village of Buchanan
236 Tate Avenue
Buchanan, New York 10511

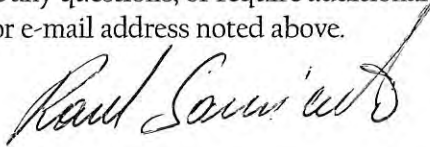
Re: 3176 Albany Post Road, Buchanan
(S/B/L.: 43.16 - 2 - II, Zone District: "C-II")

Dear Sir or Madam,

I, Raulindo Sarmiento (Property Owner), hereby provide notice that ARQ Architecture, P. C. has been retained to assist with addressing the remaining issues associated with the property indicated above. As such, ARQ Architecture, P.C. and/or employee(s) thereof, have my authorization to file on my behalf, any and all related documentation, application(s), and/or forms as required by the Village of Buchanan, in addition to representing myself at any and all related Board meetings as may be necessary.

Should you have any questions, or require additional information, please feel free to contact me at the phone number or e-mail address noted above.

Sincerely,



Raulindo Sarmiento

Notary: Sworn before me this 4th Day of April, 2023.

Signature of Notary:



SANDRA ANELLI
Notary Public — State of New York
No. 01AN6305869
Qualified in Westchester County
Commission Expires June 16, 20 26

Cc: ARQ Architecture, P.C.
Job File No.: 20-117

**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 I is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: <p align="center">Sarmiento Property</p>		
Project Location (describe, and attach a general location map): <p align="center">3176 Albany Post Road, Buchanan, N.Y. (Nearest intersection/Cross Street is White Street) - SEE ATTACHED</p>		
Brief Description of Proposed Action (include purpose or need): Proposed Mixed-Use Building - Commercial Area - Basement (Storage) and First Floor (Retail) Residential Area - Second Floor (2 Apartments - 850 s.f. each apt.)		
Name of Applicant/Sponsor: <p align="center">Jorge B. Hernandez, R.A.</p>	Telephone: (914) 944-3377	E-Mail: jb@arqpc.com / rjm@arqpc.com
Address: ARQ Architecture, P.C., 100 Executive Boulevard, Suite 204		
City/PO: Ossining	State: New York	Zip Code: 10562
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): <p align="center">Mr. Raulindo Sarmiento</p>	Telephone: (914) 424-7328	E-Mail: raulindoautobody@live.com
Address: <p align="center">3212 Albany Post Road</p>		
City/PO: Buchanan	State: New York	Zip Code: 10511

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 Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village of Buchanan Planning Board	To Be Determined
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village of Buchanan Building Dept.	April 2023
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" 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. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
C-1 (Neighborhood Commercial District)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Hendrick-Hudson

b. What police or other public protection forces serve the project site?
Village of Buchanan Police Department

c. Which fire protection and emergency medical services serve the project site?
Village of Buchanan Fire Department / Cortlandt Community Volunteer Ambulance Corps.

d. What parks serve the project site?
Village Park - 0.5 Miles from Project Site

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)? Proposed Mixed-Use Building

b. a. Total acreage of the site of the proposed action? .507 acres
 b. Total acreage to be physically disturbed? .23 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .507 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 44% Units: 2 Housing Units

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes 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? Yes No
 i. If No, anticipated period of construction: _____ months
 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 use? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase		<u>2</u>		
At completion of all phases		<u>2</u>		

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

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 13.25' height; 44.5' width; and 44' length

iii. Approximate extent of building space to be heated or cooled: 1062 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 shoring? 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, 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: _____ 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: Buchanan Village
- 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: _____ 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: _____
- Name of district: Buchanan Village
- 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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 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 Hydrofluorocarbons (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): _____
 Delivery Truck and Customer Vehicles

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 1/2 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.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	8am to 5pm	• Monday - Friday:	6am to 10pm
• Saturday:	8am to 5pm	• Saturday:	6am to 10pm
• Sunday:	No	• Sunday:	TBD
• Holidays:	No	• Holidays:	TBD

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Three of exterior wall mounted fixture (WPLED18) on each sides where it will aimed to Parking and Driveway Area.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ 1 tons per _____ WEEK (unit of time)
- Operation : _____ 1/2 tons per _____ MONTH (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- 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:

Proposed Mixed Use: Commercial @ basement (storage), first floor (retail) and Residential @ second floor (2 apartments)

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	.066 (2,885 S.F.)	.202 (8,810 S.F.)	+ .136 (+ 5,925 S.F.)
• Forested	N/A	-	-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	.440 (19,207 S.F.)	.304 (13,282 S.F.)	- .136 (- 5,925 S.F.)
• Agricultural (includes active orchards, field, greenhouse etc.)	N/A	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	N/A	-	-
• Wetlands (freshwater or tidal)	N/A	-	-
• Non-vegetated (bare rock, earth or fill)	N/A	-	-
• 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): 360026
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? _____ Unknown feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 0 %

c. Predominant soil type(s) present on project site: Urban Land - Charlton-Chatfield 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 60.0' feet

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

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 64 % of site
 10-15%: _____ % of site
 15% or greater: _____ 36 % 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: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

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? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Bald Eagle

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? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: Hudson River
 ii. Basis for designation: Exceptional or unique character
 iii. Designating agency and date: Agency: Westchester County, Date: 1-31-90

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? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. 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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. 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? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. 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? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

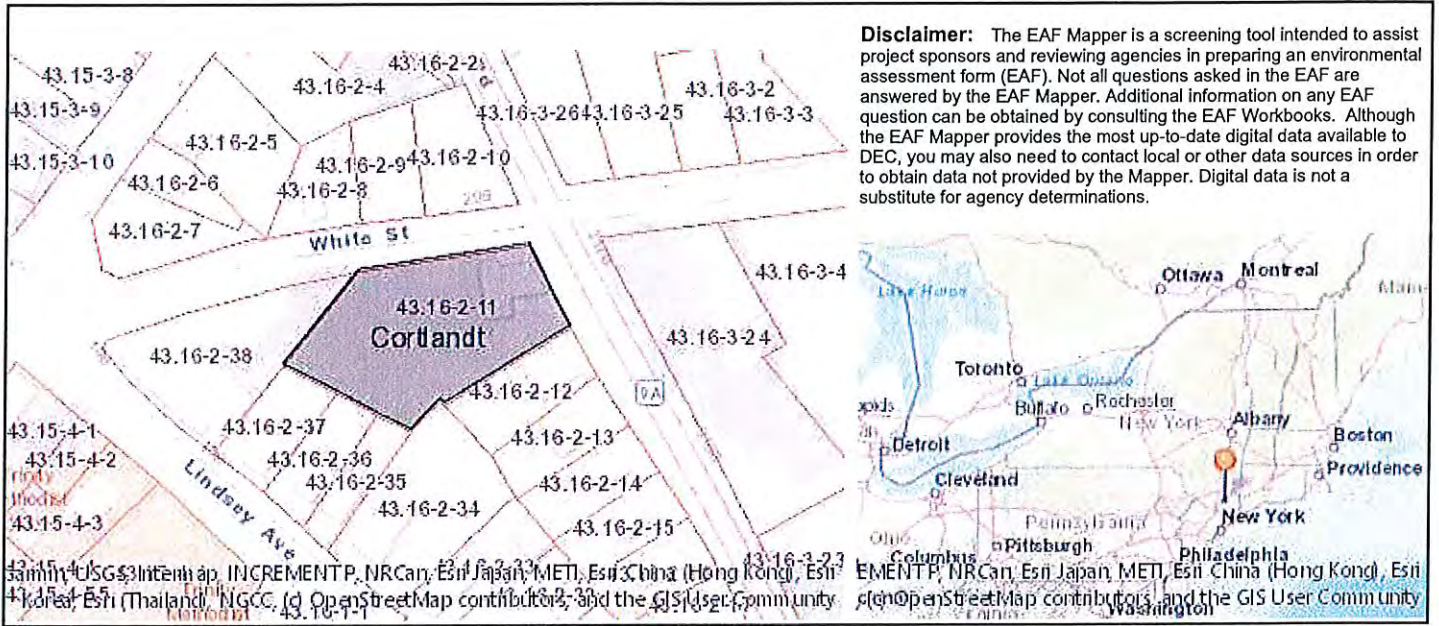
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name JORGE B. HERNANDEZ, R.A. (SPONSOR) Date October 17, 2023

Signature  Title PRESIDENT



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	360026
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.o. [Endangered or Threatened Species - Name]	Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Hudson River
E.3.d.ii [Critical Environmental Area - Reason]	Exceptional or unique character
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Westchester County, Date:1-31-90
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

The Office of the Westchester County Clerk: This page is part of the instrument... The County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



602673331DED001V

Westchester County Recording & Endorsement Page

Submitter Information

Name:	MAJOR ABSTRACT CORP	Phone:	845-337-4910
Address 1:	1110 Route 55	Fax:	845-337-4970
Address 2:	Suite 205	Email:	eric@majorabstract.com
City/State/Zip:	LaGrangeville NY 12540	Reference for Submitter:	12273

Document Details

Control Number:	602673331	Document Type:	Deed (DED)
Package ID:	2020092300205001003	Document Page Count:	3
		Total Page Count:	4

Parties

Additional Parties on Continuation page

1st PARTY

2nd PARTY

1: SELICK REGINALD	- Individual	1: RAULINDO AUTO BODY INC	- Other
2:		2:	

Property

Additional Properties on Continuation page

Street Address:	3176 ALBANY POST ROAD	Tax Designation:	43.16-2-11
City/Town:	CORTLANDT	Village:	BUCHANAN

Cross-References

Additional Cross-Refs on Continuation page

1:	2:	3:	4:
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Supporting Documents

1: RP-5217	2: TP-584
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Recording Fees

Statutory Recording Fee:	\$40.00
Page Fee:	\$20.00
Cross-Reference Fee:	\$0.00
Mortgage Affidavit Filing Fee:	\$0.00
RP-5217 Filing Fee:	\$250.00
TP-584 Filing Fee:	\$5.00
RPL 291 Notice Fee:	\$0.00
Total Recording Fees Paid:	\$315.00

Mortgage Taxes

Document Date:	
Mortgage Amount:	
Basic:	\$0.00
Westchester:	\$0.00
Additional:	\$0.00
MTA:	\$0.00
Special:	\$0.00
Yonkers:	\$0.00
Total Mortgage Tax:	\$0.00

Transfer Taxes

Consideration:	\$210,000.00
Transfer Tax:	\$840.00
Mansion Tax:	\$0.00
Transfer Tax Number:	18151

Dwelling Type:	Exempt: <input type="checkbox"/>
Serial #:	

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 10/06/2020 at 10:11 AM
 Control Number: **602673331**
 Witness my hand and official seal

Timothy G. Ideni
Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

David O. Wright, Esq.
 118 North Bedford Road
 Suite 100
 Mount Kisco, NY 10549

2872
2872
THIS INDENTURE, made the _____ day of September, in the year 2020

BETWEEN REGINALD SELICK
3176 Albany Post Road, Buchanan, NY 10511

party of the first part, and

RAULINDO AUTO BODY, INC.
3212 Albany Post Road, Buchanan, NY 10511

party of the second part,
WITNESSETH, that the party of the first part, in consideration of

TEN (\$10.00) dollars
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 Buchanan, Town of Cortlandt, County of Westchester and State of New York, and more particularly described in Schedule A annexed hereto and incorporated herein.

Said premises being and intended to be the same premises conveyed to the party of the first part by deed dated 2/22/1993 and recorded on 5/23/1996 in L. 11426 ep 31 of the Office of the Westchester County Clerk.

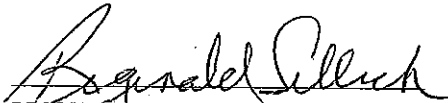
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; 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:


REGINALD SELICK

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of WESTCHESTER, ss:

On the 25 day of September in the year 2020, before me, the undersigned, personally appeared REGINALD SELICK

, 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.

DANIEL F. McCARTHY
Notary Public-State of New York
No. 02MC6387034
Qualified in Westchester County
Commission Expires February 11, 2023

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS
TAKEN IN NEW YORK STATE

DANIEL F. McCARTHY
Notary Public-State of New York
No. 02MC6387034
Qualified in Westchester County
Commission Expires February 11, 2023

State of New York, County of Westchester, ss:
On the day of in the year 20, 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

Title No.

TO

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of , ss:

On the day of in the year 20, 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 , County of , ss:

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

On the day of in the year 20, 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), 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.

SECTION: 43.16

BLOCK: 2

LOT: 11

COUNTY OR TOWN: WESTCHESTER

RETURN BY MAIL TO:

DAVID O. WRIGHT, P.C.
118 North Bedford Road, Suite 100
Mount Kisco, New York 10549



DISTRIBUTED BY

Chicago Title Insurance Company

"Appreciate the Fidelity Difference"
Member of the New York Land Title Association

Schedule A Description

Title Number MAC-12273

Page 1

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Buchanan, in the Town of Cortlandt, County of Westchester, State of New York, bounded and described as follows:

Beginning at the intersection of the West line of Penelope Avenue (Albany Post Road) and the South line of Factory Street;

thence along the South line of said Factory Street, north eighty-seven degrees twelve minutes West one hundred and sixty-nine and eight one-hundredths feet to land now or formerly of Cole;

thence still along land of Cole, south forty-five degrees twenty-nine minutes west eighty-four and seventy one-hundredths (84.70) feet to the land of William R. Tuttle;

thence along the land of said Tuttle and other lands of the Standard Textile Products Company, formerly of Mackey, south fifty-two degrees sixteen minutes East one hundred and twenty-one and eighty-four one-hundredths feet to land of Mathews;

thence along land of Mathews North thirty-nine degrees forty-four minutes East forty-one and fifty-seven one-hundredths feet to a corner;

thence South twenty-eight degrees fifty-four minutes East eighteen and Sixty one-hundredths feet still along Mathews land to the land now or formerly of Werle;

thence along land of said Werle North seventy-one degrees fifty seven minutes East one hundred and thirty-one and fifty-three one hundredths feet to the West line of said Penelope Avenue (Albany Post Road);

thence along the West line of Penelope Avenue (Albany Post Road) North twenty-one degrees forty-eight minutes West seventy-five and eleven one-hundredths feet to the place of beginning.

**AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (6/17/06)
With New York Coverage Endorsement Appended**

Issued by

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY, a Florida corporation, (the "Company") insures as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or



(b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records

(i) to be timely, or

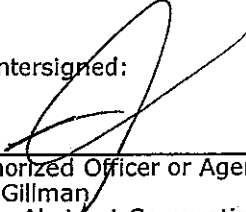
(ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.

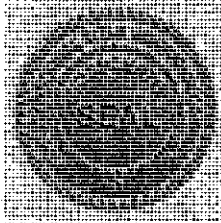
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions

IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

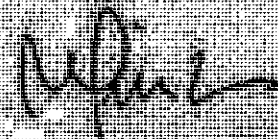
Countersigned:

By: 
Authorized Officer or Agent
Eric Gillman
Major Abstract Corporation
1110 Route 55
Suite 205
LaGrangeville, NY 12540
Tel: 845-337-4910
Fax: 845-337-4970




FIDELITY NATIONAL TITLE INSURANCE COMPANY

By:


SANDY R. DE L
President

Attest:


Secretary

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is



- (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT



The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters

insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

(b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

(c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title, or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Insurance.



To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

(b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.

(i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

(ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

(a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of

(i) the Amount of Insurance; or

(ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.

(b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,

(i) the Amount of Insurance shall be increased by 10%, and

(ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.

(c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

(a) If the Company establishes the Title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

(b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.

(c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and



expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

(b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.

(c) Any amendment or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

(d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

(a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

(b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at FIDELITY NATIONAL TITLE INSURANCE COMPANY, Attn: Claims Department, P.O. Box 45023, Jacksonville, FL 32232-5023.



Fidelity National Title Insurance Company

Schedule A

Alta Owner Policy

Title Number:	MAC-12273	Policy Number	2730632-221118247
Policy Date	09/28/2020	Policy Amount	\$ 210,000.00

1. Name of Insured

Raulindo Auto Body, Inc.

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Raulindo Auto Body, Inc. by deed dated 9/28/2020 made by Reginald Sellick and recorded 10/6/2020 in Control No. 602673331.

4. The land referred to in this policy is described as follows:

PREMISES KNOWN AS:

1. Address **3176 Albany Post Road, Buchanan**
S/B/L 43.16 /2/11

Major Abstract Corp
1110 Route 55 Suite 205
LaGrangeville, New York 12540
Tel (845) 337-4910 Fax (845) 337-4970

Schedule A Description

Title Number **MAC-12273**

Policy Number: **2730632-221118247**

Page 1

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Buchanan, in the Town of Cortlandt, County of Westchester, State of New York, bounded and described as follows:

Beginning at the intersection of the West line of Penelope Avenue (Albany Post Road) and the South line of Factory Street;

thence along the South line of said Factory Street, north eighty-seven degrees twelve minutes West one hundred and sixty-nine and eight one-hundredths feet to land now or formerly of Cole;

thence still along land of Cole, south forty-five degrees twenty-nine minutes west eighty-four and seventy one-hundredths (84.70) feet to the land of William R. Tuttle;

thence along the land of said Tuttle and other lands of the Standard Textile Products Company, formerly of Mackey, south fifty-two degrees sixteen minutes East one hundred and twenty-one and eighty-four one-hundredths feet to land of Mathews;

thence along land of Mathews North thirty-nine degrees forty-four minutes East forty-one and fifty-seven one-hundredths feet to a corner;

thence South twenty-eight degrees fifty-four minutes East eighteen and Sixty one-hundredths feet still along Mathews land to the land now or formerly of Werle;

thence along land of said Werle North seventy-one degrees fifty seven minutes East one hundred and thirty-one and fifty-three one hundredths feet to the West line of said Penelope Avenue (Albany Post Road);

thence along the West line of Penelope Avenue (Albany Post Road) North twenty-one degrees forty-eight minutes West seventy-five and eleven one-hundredths feet to the place of beginning.

**Owner's Policy
Schedule B**

Title Number: **MAC-12273**

Policy Number: **2730632-22118247**

The following are expressly excluded from coverage of Policy, and the Company will not pay loss or damage costs, attorneys' fees, or expenses which arise by reason of:

1. Policy excepts any unpaid water charges regardless of the period covered, or when the lien was created, even if prior to the date of the Policy.
2. Mortgage dated made by Raulindo Auto Body, Inc. to Reginald Sellick in the amount of \$120,000.00 and recorded 10/6/2020 in Control No. 602793388.
3. Any state of facts which an accurate survey would disclose.
4. Second half 32020/2021 School Tax.



Fidelity National Title INSURANCE COMPANY

STANDARD NEW YORK ENDORSEMENT (OWNER POLICY)

Attached to and made a part of Policy Number: 2730632-221118247

1. The following is added as a Covered Risk:

"11. Any statutory lien arising under Article 2 of the New York Lien Law for services, labor or materials furnished prior to the date hereof, and which has now gained or which may hereafter gain priority over the estate or interest of the insured as shown in Schedule A of this policy."

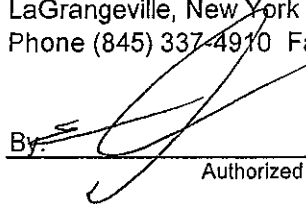
2. Exclusion Number 5 is deleted, and the following is substituted:

5. Any lien on the Title for real estate taxes, assessments, water charges or sewer rents imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as Shown in Schedule A.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

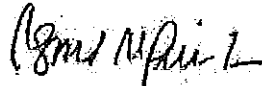

09/28/2020

Major Abstract Corp
1110 Route 55
Suite 205
LaGrangeville, New York 12540
Phone (845) 337-4970 Fax (845) 337-4970

By: 
Authorized Signature

Fidelity National Title Insurance Company



By: 
ATTEST 
President
Secretary

ORDER TO REMEDY VIOLATION

OFFICE OF THE BUILDING INSPECTOR
VILLAGE OF BUCHANAN

No. 1249

TO RAUL SARMIENTO
(OWNER OR AUTHORIZED AGENT OF OWNER)
3212 ALBANY POST ROAD
(ADDRESS OF OWNER OR AUTHORIZED AGENT)

PLEASE TAKE NOTICE THERE EXISTS A VIOLATION OF:

THE STATE BUILDING CONSTRUCTION CODE

ZONING ORDINANCES

OTHER APPLICABLE LAWS, ORDINANCES OR REGULATIONS

§ 165-2

VILLAGE OF BUCHANAN

AT PREMISES HEREINAFTER DESCRIBED IN THAT AT 3176 ALBANY POST ROAD
(STATE CHARACTER OF VIOLATION)

CREATION OF CUT INTO HILLSIDE CREATING ROADWAY
TO TOP OF PROPERTY, EXCEEDING 30% SLOPE

IN VIOLATION OF § 165-2 STEEP SLOPES
(STATE SECTION OR PARAGRAPH OF APPLICABLE LAW, ORDINANCE)

YOU ARE THEREFORE DIRECTED AND ORDERED TO COMPLY WITH THE LAW
AND TO REMEDY THE CONDITIONS ABOVE MENTIONED FORTHWITH ON OR BEFORE THE
18th DAY OF JANUARY 1st 2021

THE PREMISES TO WHICH THIS ORDER TO REMEDY VIOLATION REFERS ARE SITUATED AT
3176 ALBANY POST ROAD

_____, SHOWN ON THE
TAX MAP AS SECTION 43.16, BLOCK 2, LOT 11.

FAILURE TO REMEDY THE CONDITIONS AFORESAID AND TO COMPLY WITH THE
APPLICABLE PROVISIONS OF LAW MAY CONSTITUTE AN OFFENSE PUNISHABLE BY FINE OR
IMPRISONMENT OR BOTH.

Brian Cook

BUILDING INSPECTOR

PLEASE CALL THE BUILDING INSPECTOR AT 737-1033 WHEN THIS VIOLATION HAS
BEEN CORRECTED SO THAT ARRANGEMENTS CAN BE MADE TO INSPECT THIS PROPERTY
WITH YOU AND HAVE THE VIOLATION LIFTED.

CC: WHITE - OWNER'S COPY
YELLOW - BLDG. INSP. FILE COPY
PINK - VILLAGE CLERK
GREEN - TO REMAIN BOUND

ORDER TO REMEDY VIOLATION

OFFICE OF THE BUILDING INSPECTOR VILLAGE OF BUCHANAN

No. 1250

TO RAUL SARMIENTO
(OWNER OR AUTHORIZED AGENT OF OWNER)
3212 ALBANY POST ROAD
(ADDRESS OF OWNER OR AUTHORIZED AGENT)

PLEASE TAKE NOTICE THERE EXISTS A VIOLATION OF:

THE STATE BUILDING CONSTRUCTION CODE

ZONING ORDINANCES

OTHER APPLICABLE LAWS, ORDINANCES OR REGULATIONS

VILLAGE OF BUCHANAN

§159-8

AT PREMISES HEREINAFTER DESCRIBED IN THAT AT 3176 ALBANY POST ROAD
(STATE CHARACTER OF VIOLATION)

SITE CHANGES, TREE REMOVALS, LIVE AND DEAD, REMOVAL
OF ROCK RETAINING WALL WITHOUT BENEFIT OF REQUIRED PERMIT

IN VIOLATION OF §159-8 PERMIT REQUIRED
(STATE SECTION OR PARAGRAPH OF APPLICABLE LAW, ORDINANCE)

YOU ARE THEREFORE DIRECTED AND ORDERED TO COMPLY WITH THE LAW
AND TO REMEDY THE CONDITIONS ABOVE MENTIONED FORTHWITH ON OR BEFORE THE
18th DAY OF JANUARY ~~2021~~

THE PREMISES TO WHICH THIS ORDER TO REMEDY VIOLATION REFERS ARE SITUATED AT
3176 ALBANY POST ROAD

, SHOWN ON THE
TAX MAP AS SECTION 43.16, BLOCK 2, LOT 11.

FAILURE TO REMEDY THE CONDITIONS AFORESAID AND TO COMPLY WITH THE
APPLICABLE PROVISIONS OF LAW MAY CONSTITUTE AN OFFENSE PUNISHABLE BY FINE OR
IMPRISONMENT OR BOTH.

Brian Cook

BUILDING INSPECTOR

PLEASE CALL THE BUILDING INSPECTOR AT 737-1033 WHEN THIS VIOLATION HAS
BEEN CORRECTED SO THAT ARRANGEMENTS CAN BE MADE TO INSPECT THIS PROPERTY
WITH YOU AND HAVE THE VIOLATION LIFTED.

CC: WHITE - OWNER'S COPY
YELLOW - BLDG. INSP. FILE COPY
PINK - VILLAGE CLERK
GREEN - TO REMAIN BOUND

STOP WORK

OFFICE OF THE BUILDING INSPECTOR
VILLAGE OF BUCHANAN

NO. 2021- #101

JOB LOCATED AT 3176 ALBANY POST RD
SECTION 43.16..... BLOCK 2..... LOT 1.....

I HAVE THIS DAY INSPECTED THIS STRUCTURE AND THESE PREMISES AND HAVE FOUND THE FOLLOWING VIOLATIONS OF THE VILLAGE AND/OR STATE LAWS GOVERNING SAME:

Observed excavation & grading on steep slope without approval or permit § 165-2, § 165-4, § 169-8
Remedy Required Code of the Village of Buchanan

YOU ARE HEREBY NOTIFIED THAT NO MORE WORK SHALL BE DONE UPON THESE PREMISES UNTIL THE ABOVE VIOLATIONS ARE CORRECTED. WHEN CORRECTIONS HAVE BEEN MADE, CALL FOR INSPECTION.

DATE 12/4/2021 to 2021 *Ronald D Cook*
BUILDING INSPECTOR

DO NOT REMOVE THIS NOTICE

MAINTENANCE