

CRAIG PAEPRER
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ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS

CARL STONE
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ROBERT FRENKEL
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**TOWN OF CARMEL
PLANNING BOARD**



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 – Ext.190
www.ci.carmel.ny.us

MICHAEL CARNAZZA
*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

PATRICK CLEARY,
AICP, CEP, PP, LEED AP
Town Planner

**PLANNING BOARD AGENDA
OCTOBER 9, 2019 – 7:00 P.M.**

MEETING ROOM #1

TAX MAP # PUB. HEARING MAP DATE COMMENTS

RESOLUTION

1. Downtown Mahopac Properties – 559 Route 6	75.12-2-26	7/23/19	Amended Site Plan
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SUBDIVISION

2. Monteleone, Laurie – 120 & 124 Shindagen Hill Road, Carmel	87.8-1-12 & 88.5-1-11	9/26/19	Lot Line Adjustment
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MISCELLANEOUS

3. Melchner Site Plan – 177 Buckshollow Road	75.16-1-8		Bond Return
4. Minutes – 07/17/19 & 08/14/19			

PUBLIC HEARING

5. Braemar at Carmel – 49 Seminary Hill Road, Carmel	55.10-1-3	10/9/19	9/13/19	Site Plan
6. Homeland Towers Lake Casse – 254 Croton Falls Rd	65.19-1-43	10/9/19	9/17/19	Site Plan (Cell Tower)
7. Homeland Towers Dixon Lake - 36 Dixon Road	54.-1-6	10/9/19	8/14/19	Site Plan (Cell Tower)

Monteleone



TOWN OF CARMEL SUBDIVISION APPLICATION INSTRUCTIONS



The Town of Carmel Planning Board meetings are held twice a month, on the second and fourth Wednesday's, at 7:00 PM at Carmel Town Hall, 60 McAlpin Avenue, Carmel

The submission deadline is 10 days prior to the Planning Board meeting. New subdivision applications that have been deemed complete will be placed on the agenda in the order they are received.

Pre-Submission:

Prior to the formal submission of the subdivision, a pre-submission conference may be requested by the applicant to be conducted with representatives from the Town, which may include the Town Planner, Town Engineer, Director of Code Enforcement, Planning Board Attorney. This conference will serve to educate the applicant on the process he/she must follow, clarify the information required to submit a complete subdivision application, and to highlight any specific areas of concern. You may arrange a pre-submission conference through the Planning Board Secretary at (845) 628-1500.

Submission Requirements:

At least 10 days prior to the Planning Board meeting, the subdivision application shall be submitted to the Planning Board Secretary as follows:

All subdivisions shall be signed, sealed and folded with the title box legible. The application package shall include:

- ☒ 11 copies of the Subdivision Application Form signed and notarized.
- ☒ 11 copies of the SEQR Environmental Assessment Form (use of short form or long form shall be determined at pre-submission conference).
- ☒ 5 full size sets of the Subdivision Plan
- ☒ 1 CD (in pdf. format) containing an electronic version of the Subdivision Plan
- ☒ 2 copies of the Disclosure Statement
- ☒ 11 copies of the Subdivision Completeness Certification Form
- ☒ All supplemental studies, reports, plans and renderings.
- ☒ 2 copies of the current deed.
- ☒ 2 copies of all easements, covenants and restrictions.
- ☒ The appropriate fee, determined from the attached fee schedule. Make checks payable to the Town of Carmel.

Rose Grimbette 10/3/19
Planning Board Secretary; Date

Bucky DPA
Town Engineer; Date



TOWN OF CARMEL SUBDIVISION APPLICATION



Per Town of Carmel Code – Section 131 – Subdivision of Land

SITE IDENTIFICATION INFORMATION		
Application Name: Laurie Monteleone	Application # 19-0011	Date Submitted: 9/16/19
Site Address: No. 124 Street: 124 Shindagen Hill Road Hamlet: Carmel		
Property Location: (Identify landmarks, distance from intersections, etc.) Union Valley		
Town of Carmel Tax Map Designation: Section 88.5, 87.5 Block 1 Lot(s) 11 & 12	Zoning Designation of Site: R-120	
Property Deed Recorded in County Clerk's Office Date Liber Page	Liens, Mortgages or other Encumbrances Yes No	
Existing Easements Relating to the Site No <input checked="" type="checkbox"/> Yes Describe and attach copies:	Are Easements Proposed? No <input checked="" type="checkbox"/> Yes Describe and attach copies:	
Have Property Owners within a 500' Radius of the Site Been Identified? Yes <input checked="" type="checkbox"/> No Attached List to this Application Form		
APPLICANT/OWNER INFORMATION		
Property Owner: Laurie Monteleone	Phone #: 845-225-6248 Fax#:	Email: LaurieB48@aol.com
Owners Address: No. 14 Street: Pugsley Place Town: Carmel State: NY Zip: 10512		
Applicant (If different than owner): SAME	Phone #: Fax#:	Email:
Applicant Address (If different than owner): No. Street: Town: State: Zip:		
Individual/ Firm Responsible for Preparing Site Plan: Architectural Visions, PLLC Joel Greenberg, AIA, NCARB	Phone #: 845-628-6613 Fax#: 845-628-2807	Email: joel.greenberg @arch-visions.com
Address: No. 2 Street: Muscoot Rd, North Town: Mahopac State: NY Zip: 10541		
Other Representatives:	Phone #: Fax#:	Email:
Owners Address: No. Street: Town: State: Zip:		
PROJECT DESCRIPTION		
Describe the project, proposed use and operation thereof: Lot Line Revision		

TOWN OF CARMEL SUBDIVISION APPLICATION

PROJECT INFORMATION			
Size of existing parcel to be subdivided: <div style="display: flex; justify-content: space-between;"> Acre: 4.8191 Square Feet: 209,917 </div>			
Major Subdivision <input type="checkbox"/>		Minor Subdivision <input checked="" type="checkbox"/> Lot Line Revision	
Number of proposed lots: 2 Lots Existing		Size of proposed lots: Lot #1-3 .0026 Lot #2 1.8165	
Conventional Subdivision <input type="checkbox"/>		Cluster Subdivision <input type="checkbox"/>	
Will a 10% open space set aside be provided? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>		If no, will a payment in-lieu be provided? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	
Will all new lots have frontage on a mapped street? Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A		If not, how will this deficiency be addressed?	
Is the site served by the following public utility infrastructure:			
<div style="display: flex; justify-content: space-between;"> ▪ Sanitary Sewer Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			
If Yes: <div style="margin-left: 20px;"> ▶ Does approval exist to connect to sewer main? Yes: <input type="checkbox"/> No: <input type="checkbox"/> ▶ Is this an in-district connection? _____ Out-of district connection? _____ ▶ What is the total sewer capacity at time of application? _____ ▶ What is your anticipated average and maximum daily flow _____ </div>			
<i>For Town of Carmel Town Engineer</i> ▶ What is the sewer capacity <u>NA</u>			
<div style="display: flex; justify-content: space-between;"> ▪ Water Supply Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			
If Yes: <div style="margin-left: 20px;"> ▶ Does approval exist to connect to water main? Yes: <input type="checkbox"/> No: <input type="checkbox"/> ▶ What is the total water capacity at time of application? _____ ▶ What is your anticipated average and maximum daily demand _____ </div>			
<div style="text-align: right; font-size: 1.2em; font-family: cursive;">NA</div>			
<div style="display: flex; justify-content: space-between;"> ▪ Storm Sewer Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			
<div style="display: flex; justify-content: space-between;"> ▪ Electric Service Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> </div>			
<div style="display: flex; justify-content: space-between;"> ▪ Gas Service Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			
<div style="display: flex; justify-content: space-between;"> ▪ Telephone/Cable Lines Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> </div>			
Will any common areas be created outside of individual lots (road rights-of-way, recreation areas, stormwater management areas, etc.)? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Is a homeowners association proposed? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
What is the predominant soil type(s) on the site?		What is the approximate depth to water table?	
Site slope categories:		15-25% 50 % 25-35% 15 % >35% 35 %	
Estimated quantity of excavation: N/A		Cut (C.Y.) _____ Fill (C.Y.) _____	
Is Blasting Proposed Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> Unknown: <input type="checkbox"/>			
Is the site located ion a designated Critical Environmental Area? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>			
Does a curb cut exist on the site? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>		Are new curb cuts proposed? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	
What is the sight distance? Left 200' Right 200'			
Is the site located within 500' of:			
<div style="display: flex; justify-content: space-between;"> ▪ The boundary of an adjoining city, town or village Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			
<div style="display: flex; justify-content: space-between;"> ▪ The boundary of a state or county park, recreation area or road right-of-way Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			
<div style="display: flex; justify-content: space-between;"> ▪ A county drainage channel line. Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> </div>			

TOWN OF CARMEL SUBDIVISION APPLICATION

* The boundary of state or county owned land on which a building is located Yes: ☐ No: ☒

Is the site listed on the State or Federal Register of Historic Place (or substantially contiguous)
Yes: ☐ No: ☒

Is the site located in a designated floodplain?
Yes: ☐ No: ☒

Does the site contain freshwater wetlands?
Yes: ☒ No: ☐

Jurisdiction:

NYSDEC: ☐ Town of Carmel: ☒

If present, the wetlands must be delineated in the field by a Wetland Professional, and survey located on the Site Plan.

Are encroachments in regulated wetlands or wetland buffers proposed? Yes: ☐ No: ☒

Does this application require a referral to the Environmental Conservation Board? Yes: ☐ No: ☒

Does the site contain waterbodies, streams or watercourses? Yes: ☒ No: ☐

Are any encroachments, crossings or alterations proposed? Yes: ☐ No: ☒

Is the site located adjacent to New York City watershed lands? Yes: ☐ No: ☒

Will municipal or private solid waste disposal be utilized?

Public: ☒ Private: ☐

Has this application been referred to the Fire Department? Yes: ☐ No: ☒

What is the estimated time of construction for the project? N/A

ZONING COMPLIANCE INFORMATION

Zoning Provision	Required	Existing	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5
Lot Area	120,000 SF		130,792 SF	79,125 SF			
Lot Coverage	15%		0.01%	0.017%			
Lot Width	200 ft		224 ft	298.42 ft			
Front Yard	40 ft		50 ft	71.8 ft			
Side Yard (minimum of 1)	25 ft		56.5 ft	160 ft			
Side Yard (total of both)	50 ft		113 ft	232 ft			
Rear Yard	40 ft		370 ft	187 ft			
Habitable Floor Area	None		1,500 SF	1,350 SF			
Height	35 ft		24 ft	24 ft			

(If more than 5 lots are proposed, include additional zoning compliance information on a separate sheet)

Will variances be required? Yes: ☒ No: ☐ If yes, identify variances required for each lot:
See Site Data

APPLICANTS ACKNOWLEDGEMENT

I hereby depose and certify that all the above statements and information, and all statements and information contained in the supporting documents and drawings attached hereto are true and correct.

Joel Greenberg

Applicants Name

Applicants Signature

Sworn before me this

27

day of

September

2019

Notary Public

SUE CASALE

Notary Public State of New York

Qualified in Westchester County

Reg. No. 01CAG234199

My Commission expires Jan. 18, 2023



TOWN OF CARMEL SUBDIVISION COMPLETENESS CERTIFICATION FORM



All Subdivisions submitted to the Planning Board for review shall include the following information and details, as set forth in Section 131-11-14 of the Town of Carmel Subdivision Regulations.

This form shall be included with the subdivision submission

	Requirement Data	To Be Completed by the Applicant	Waived by the Town
General Requirements			
1	Key map at a scale of one inch equals 800 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Title block, including title of map; name of subdivision; name, address, seal and signature of professional engineer or land surveyor preparing the plat; written scale; date of original and all revisions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	A legend, including, names of all adjacent landowners and those within 500 feet of any property line; zoning district with the requirements of said zone; tax map, block and lot number; names and addresses of owner and subdivider; north point and graphic scale.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Location and identification of all zoning district boundaries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Identification of all maps filed in the County Clerk's office affecting properties within 500 feet of the lot to be subdivided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sketch Plan Requirements			
1	All General Requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Proposed subdivision layout at a scale of not less than one inch equals 100 feet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	All proposed lot lines, dimensions in feet and the areas of all lots in square feet and identifying numbers for each lot.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	The location of existing and proposed setback lines, streets within 200 feet of the subdivision, buildings, watercourses, railroads and bridges, culverts, drainpipes and any natural features, such as wooded areas and rock formations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Location and size of areas proposed to be reserved for recreation/open space.	N/A <input type="checkbox"/>	<input type="checkbox"/>



TOWN OF CARMEL SUBDIVISION COMPLETENESS CERTIFICATION FORM



Requirement Data		To Be Completed by the Applicant	Waived by the Town
Preliminary Plat Requirements			
1	All General and Sketch Plan Requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	The area included in the subdivision, by area of lots, roads, reservations if any, and total acreage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	The existing and proposed contours (at an interval of not more than two feet), suitably designated to differentiate, with proposed first-floor elevations of the buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Names of existing streets and proposed names of new streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Preliminary profiles of all proposed roads.	N/A <input type="checkbox"/>	<input type="checkbox"/>
6	Location, type and size of curbs, sidewalks and bikeways.	N/A <input type="checkbox"/>	<input type="checkbox"/>
7	For subdivisions of five or more lots, front building elevation sketches and distribution of dissimilar building types on the site to avoid excessive similarity of exterior design.	<input type="checkbox"/> N/A	<input type="checkbox"/>
8	Plans of proposed utility layouts and all facilities, unsized.	N/A <input type="checkbox"/>	<input type="checkbox"/>
9	The natural flow of surface drainage (indicated with arrows and the final disposal of surface waters); location of existing and proposed watercourses, culverts, bridges, drainpipes, lakes and ponds, detention or retention ponds; tentative location of storm drain inlets with the drainage areas tributary to each outlined and the area shown.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Existing or proposed covenants or deed restrictions applying to the site and a preliminary draft of homeowners' association documents, if applicable.	<input type="checkbox"/> N/A	<input type="checkbox"/>
11	A stormwater pollution prevention plan (SWPPP) consistent with the requirements of Article X of Chapter 156 of the Code of the Town of Carmel.	<input type="checkbox"/> N/A	<input type="checkbox"/>
Final Plat Requirements			
1	All General, Sketch and Preliminary Plat Requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>



TOWN OF CARMEL SUBDIVISION COMPLETENESS CERTIFICATION FORM



Requirement Data		To Be Completed by the Applicant	Waived by the Town
2	Dimensions exactly with reference to monuments, bearings, distances in feet, radii, points of curvature and tangency of property lines, lot widths and depths and square feet of each lot.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Location of all proposed setback lines on each lot, with corner and irregular-shaped lots identified as to front, side and rear yards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Location of all existing and proposed monuments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	All existing streets and streams within the subdivision and within 200 feet of the boundaries thereof, the width of the right-of-way of each street and existing public easements and municipal boundaries within 200 feet of the subdivision.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	All proposed public easements or rights-of-way and the purposes thereof and proposed streets, identifying right-of-way width and names.	<input type="checkbox"/> N/A	<input type="checkbox"/>
7	All parcels proposed for open space/recreation use, with a statement of the purpose of each.	<input type="checkbox"/> N/A	<input type="checkbox"/>
8	Construction plat, which shall include, in addition to the above: final first-floor elevations of dwellings and outside grades at their corner; proposed curb elevations at all lot corners; all existing structures, including a note indicating those to be removed and yard dimensions of those to remain; plans and profiles and proposed improvements and utility layouts; paving widths and locations, section and profiles; sidewalk widths and locations and sections; road alignment, complete with stations, center line curve data and existing and finished contours of the road and all regraded areas; details of manholes, catch basins, headwalls and any other required structure; locations of all street trees, lights and signs; maximum anticipated extent of the areas of cuts and fills where grade	<input checked="" type="checkbox"/>	<input type="checkbox"/>



TOWN OF CARMEL SUBDIVISION COMPLETENESS CERTIFICATION FORM



Requirement Data		To Be Completed by the Applicant	Waived by the Town
	changes are proposed; the natural flow of surface drainage and the final disposal of surface waters; slopes of banks of all watercourses, if defined, and boundaries of floodplains; specifications, locations, profiles and detailed cross sections of the proposed storm drains, including all inlets and size of the drainage area of the streets, including grades and all other improvements.		
9	Final copy of the homeowners' association documents, if applicable.	N/A <input type="checkbox"/>	<input type="checkbox"/>
10	Deeds for land to be dedicated for road widening, recreation or other purposes.	N/A <input type="checkbox"/>	<input type="checkbox"/>
11	Erosion control standards.	N/A <input type="checkbox"/>	<input type="checkbox"/>
12	A stormwater pollution prevention plan (SWPPP) consistent with the requirements of Article X of Chapter 156 of the Code of the Town of Carmel and with the terms of preliminary plan approval.	N/A <input type="checkbox"/>	<input type="checkbox"/>

Applicants Certification (to be completed by the licensed professional preparing the subdivision plan:

I Joel Greenberg, AIA, NCARB hereby certify that the site plan to which I have attached my seal and signature, meets all of the requirements of §156-61B of the Town of Carmel Zoning Ordinance:

Laura M. Miller 9/5/2019
Signature - Applicant OWNER Date
Joel Greenberg 9/5/2019
Signature - Owner Date
APPLICANT





TOWN OF CARMEL
SUBDIVISION COMPLETENESS
CERTIFICATION FORM



Town Certification (to be completed by the Town)

I _____ hereby confirm that the site plan meets all of the requirements of §156-61B of the Town of Carmel Zoning Ordinance:

Rose Yonkeluttu
Signature - Planning Board Secretary

10/2/19
Date

[Signature]
Signature - Town Engineer

10/2/19
Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

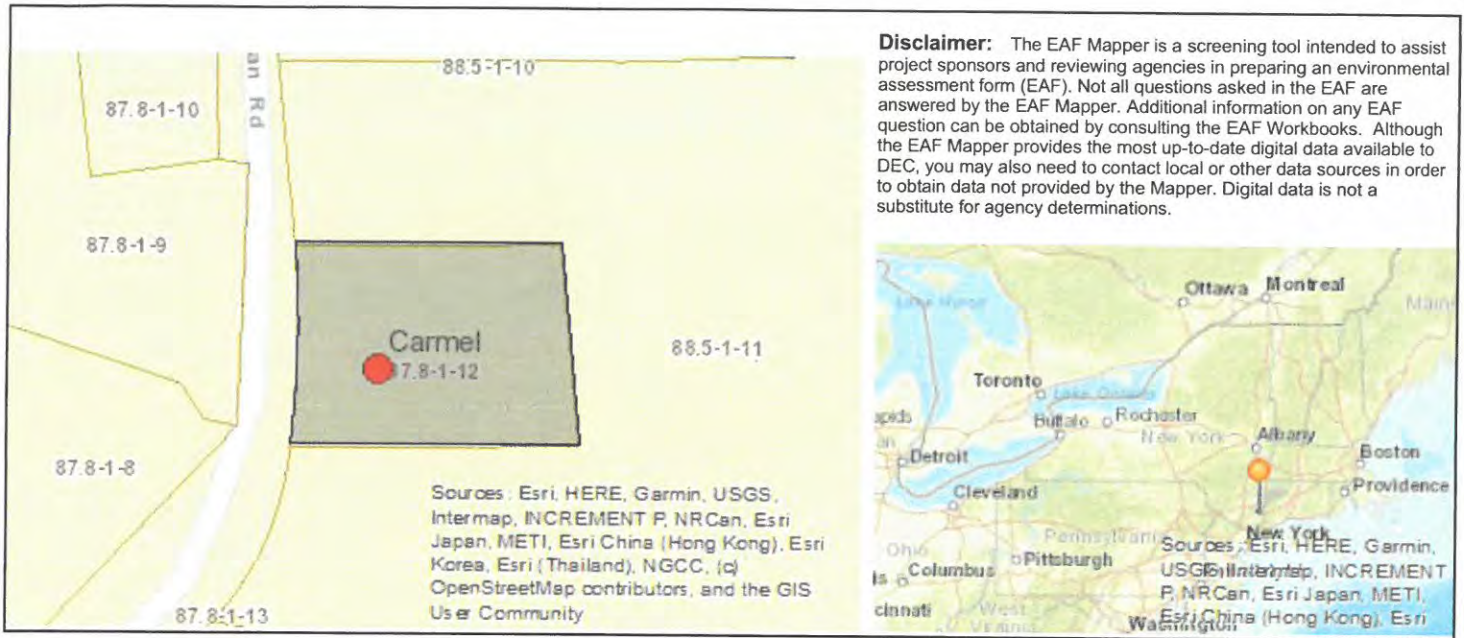
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Laurie Monteleone			
Project Location (describe, and attach a location map): 124 Shindagen Hill Rd, Carmel, NY 10512			
Brief Description of Proposed Action: Lot Line Revision			
Name of Applicant or Sponsor: Laurie Monteleone		Telephone: 845-225-6248	
		E-Mail:	
Address: 14 Pugsley Place			
City/PO: Carmel		State: NY	Zip Code: 10512
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Carmel ZBA & Putnam County Health Department		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		4.819 acres	
b. Total acreage to be physically disturbed?		0.057 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.819 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Laurie Monteleone</u> Date: <u>9/13/20109</u> Signature: <u><i>Jill Greenberg</i></u> Title: <u>Project Architect</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

now or formerly ~ PATRICIA BADE

(Lib 1911, Page 352)

N.

now or formerly ~ PATRICIA BADE
(Lib 1911, Page 352)

TAX LOT 88.5-1-11

(Inch divided to Beverly Bonnes in Lib 705, Page 1122)

AREA = 4.0550 ACRES
(176,036 SQ. FT.)

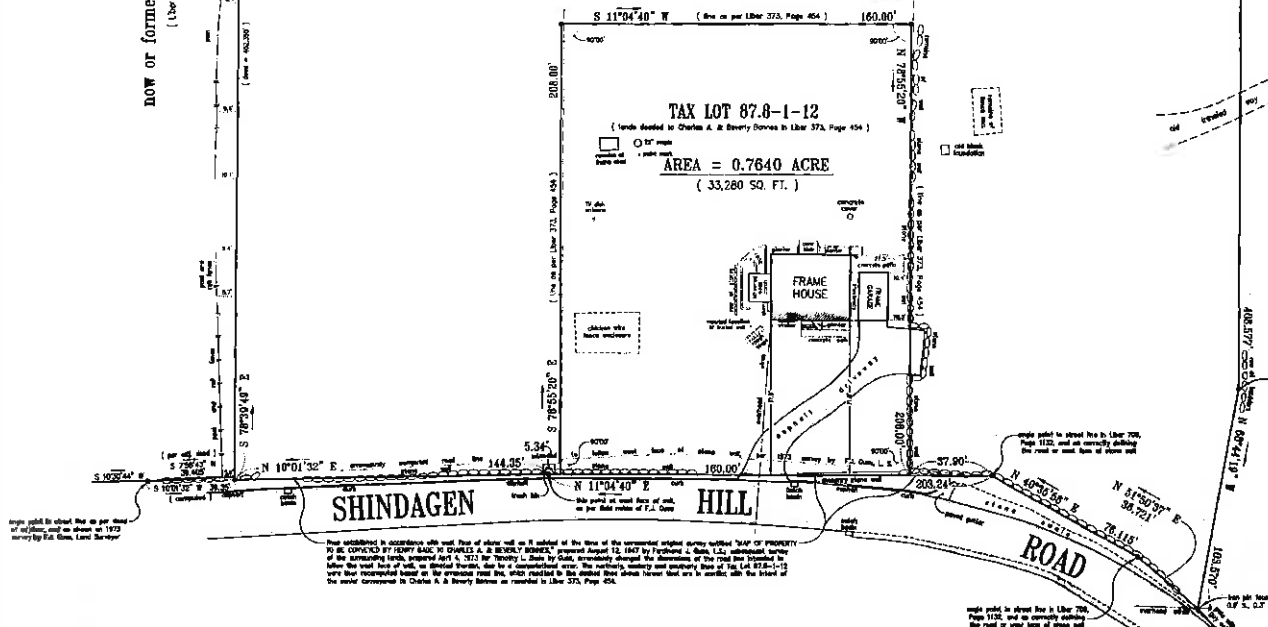
now or formerly ~ PATRICIA BADE
(Lib 1911, Page 352)

TAX LOT 87.8-1-12

(Inch divided to Charles A. & Beverly Bonnes in Lib 373, Page 454)

AREA = 0.7640 ACRE
(33,280 SQ. FT.)

now or formerly ~ STEVEN D. BADERIAN
(Lib 1955, Page 42)



SHINDAGEN HILL

ROAD

SURVEY OF PROPERTY
PREPARED FOR THE
ESTATE OF BEVERLY BONNES
PROPERTY SITUATE IN
TOWN OF CARMEL
COUNTY OF PUTNAM
STATE OF NEW YORK

SCALE: 1" = 30'

DATE: OCTOBER 1, 2015

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Prepared by:
Baxter Land Surveying, P.C.
855 Peekskill Hollow Road
Putnam Valley, New York 10579

Phone: (845) 621-8562 / (914) 902-2689

[Signature]
ROBERT E. BAXTER, P.L.S.
N.Y.S. No. 16434

The surveyor's seal, signature and any certification appearing hereon signify that, to the best of his knowledge and belief, this survey was prepared in accordance with the minimum standards for land surveys as set forth in the Code of Practice adopted by the New York State Association of Professional Land Surveyors, Inc.

Certifications shall run only to the parties for whom this survey was prepared, and in no event to the title company, lending institution and governmental agency stated herein; said certifications are not intended to run to additional third parties, including institutions, subsequent owners or future interest holders.

Only copies of the original of this survey map, marked with both the surveyor's professional seal and his signature in red ink, shall be considered as valid true copies.

Improvements, structures, utilities or encroachments, and any comments relative thereto, are not shown herein unless otherwise noted.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, Sub-Section 2 of the New York State Education Law.

Attention of this map by anyone other than the surveyor whose signature and seal appear hereon, including any licensee, addition, deletion or change for building department or survey instruction/official, recipient, is an unauthorized and prohibited use of the surveyor's map. The use of any such altered map, particularly for purposes of obtaining building permits, violations, certificates of occupancy or for any use related to purchasing property and obtaining title insurance, is at the user's own risk and is not covered under any certification appearing hereon.

Trombetta,Rose

From: mahopacmarina@gmail.com
Sent: Wednesday, September 18, 2019 12:31 PM
To: Trombetta,Rose
Subject: bond return

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

Chairman Craig Paeprrer, planning board
60 mc alpine ave
Mahopac NY 10541

9/18/19

I am requesting a bond return for 177 buckshollow rd mahopac ny tax map # 75.16-1-8 for the amt of \$20,000.00
please place me on the next available agenda.

Sincerely
Charles Melchner

Charlie Melchner
Mahopac Marina
(845) 628-6550
www.MahopacMarina.com

LAW OFFICES OF
SNYDER & SNYDER, LLP

94 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS

rgaudioso@snyderlaw.net

September 27, 2019

NEW YORK OFFICE
445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

LESLIE J. SNYDER
ROBERT D. GAUDIOSO

DAVID L. SNYDER
(1956-2012)

NEW JERSEY OFFICE
ONE GATEWAY CENTER, SUITE 2600
NEWARK, NEW JERSEY 07102
(973) 824-9772
FAX (973) 824-9774

REPLY TO:

TARRYTOWN OFFICE

Honorable Chairman Craig Paepfer
and Members of the Planning Board
Town of Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Re: Application for site plan and special permit approval for
Lake Casse: 254 Croton Falls Road, Mahopac, New York

Honorable Chairman Paepfer
and Members of the Planning Board:

We are the attorneys for Homeland Towers LLC and New York SMSA Limited Partnership d/b/a Verizon Wireless (collectively, the "Applicants") in connection with their site plan and special permit applications to locate a public utility wireless telecommunications facility ("Facility") at the above captioned property ("Property"). The proposed Facility consists of a 140-foot tower and a fenced 36' x 100' compound for related equipment.

In support of the foregoing and in response to the latest comments including those received on September 11, 2019, we are pleased to enclose five (5) copies of the following materials:

1. Letter from the New York State DEC, dated September 3, 2019, confirming that there are no freshwater wetland permits required.
2. Revised EAF with Visual EAF Addendum.
3. Response from Homeland Towers to DEP, dated September 16, 2019, regarding the permitted use of the right-of-way for access and utilities and the fact that no DEP permits are required for access or utilities. Please note "the use that may be made of land under a zoning ordinance and the use of the same land under an easement or restrictive covenant are, as a general rule, separate and distinct matters, the ordinance being a legislative enactment and the easement or covenant

a matter of private agreement.” *Friends of Shawangunks, Inc. v Knowlton*, 64 N.Y.2d 387, 392 (1985); *see also*, 4 Rathkopf, *The Law of Zoning and Planning* § 57.02 (4th ed). “Thus, if there is the existence of private easements or other restrictions on title... that is an entirely separate issue from whether the... Planning Board, may properly issue a permit...” *Pirrotti v Town of Greenburgh*, 25 Misc.3d 1226(A) (Westchester Cnty, 2009). In any event, the foregoing issue is irrelevant to the applications before the Town. Simply put, a municipality cannot enforce a private easement and cannot deny a zoning application because of a private easement. “In accordance with this premise, it is not the obligation of a municipality to enforce a private easement” *Pirrotti*; *see also*, *Vandoros v. Hatzimichalis*, 517 N.Y.S.2d 51 (2d Dep’t, 1987). Furthermore, “[t]he issuance of a permit for a use allowed by a zoning ordinance may not be denied because the proposed use would be in violation of a restrictive covenant” *Friends of Shawangunks, Inc.* at 392. In addition it is well-settled law in the State of New York that allegations regarding any use of the right-of-way are not to be part of a land use board’s determination, as “[the] sole remedy for an alleged violation of the easement is a private action against [the private party] and not the denial of a use allowed by the Zoning Ordinance.” *Gersten v Cullen*, 610 N.Y.S.2d 675, 676 (3d Dep’t, 1994) citing, *Friends of Shawangunks, Inc.* at 392.

4. Letter from Raymond Vergati, dated September 11, 2019, confirming that the alternative location suggested by the residents’ counsel is not available for the installation of the Facility.
5. Lane Appraisal letter, dated September 19, 2019, in response to unsupported broker letters. It is important to note that the Lane Appraisal Report previously submitted concludes that “the installation, presence, and/or operation of the proposed Facility will not result in the diminution of property values or reduce the marketability of properties in the immediate area,” based on numerous paired sales analyses throughout Orange, Putnam, Westchester and Rockland counties over an extended time period. Numerous state and federal courts have relied on paired sales analyses performed by Lane Appraisals, similar to the Lane Appraisal Report submitted to this Honorable Board. In *T-Mobile v. Town of Ramapo*, 701 F. Supp. 2d 446 (S.D.N.Y. 2009), the Southern District Court of New York found that the Planning Board’s conclusion that the tower would lower property values was almost entirely conclusory in contrast to the comparative sales analysis submitted by T-Mobile that concluded the tower would not adversely affect property values. Similarly, in *Sprint v. Cestone*, 00 Civ. 4828 (S.D.N.Y. 2001), the Southern District Court held that “[g]eneralized concerns about a potential decrease in property values stemming from the construction of the proposed

communications antenna, especially in light of the expert reports contained in this record before the Court, are not adequate to support the conclusion that a special use permit be denied.” *Cestone*, 00 Civ. 4828 at 11 (citing e.g. *Cellular Telephone Co. v. Town of Oyster Bay*, 166 F.3d 490, 497 (2d Cir. 1999)). In reversing the ZBA’s denial of the cell site application, the *Cestone* court pointed to the carrier’s compelling paired sales analysis, like the Lane Appraisal Report prepared for the instant case, to support a conclusion that the antennas would not reduce nearby property values. *Cestone*, 00 Civ. 4828 at 9-10. See also, *Orange County-Poughkeepsie Ltd. Partnership d/b/a Verizon Wireless & Homeland Towers, LLC v. Town of E. Fishkill*, 84 F. Supp.3d 274 (SDNY 2015), *aff’d sub nom Orange County—County Poughkeepsie Ltd. Partnership v Town of E. Fishkill*, 632 Fed.Appx. 1 (2d Cir. 2015).

Likewise, the Supreme Courts of the State of New York for the Counties of Putnam and Westchester have also relied on similar Lane Appraisal Reports to uphold the approval of wireless towers in Kent and New Castle. See *Bruenn et al. v. Town of Kent and Homeland Towers* (Index No. 1023/2013) and *Lindenthal et al. v. Town of New Castle, Homeland Towers, LLC and New York SMSA Limited Partnership d/b/a Verizon Wireless* (Index No. 14/3069). The residents’ counsel unsuccessfully represented the neighbors in both of the foregoing matters.

6. Response from PierCon Solutions, dated September 24, 2019, regarding Verizon Wireless’ significant gap in service, online marketing maps, and details related to the propagation maps, drive test maps and KPI data.
7. Letter from APT, dated September 19, 2019 detailing that there will be no significant adverse impacts related to fire dangers from the Facility.
8. Please note that the facility meets all of the Zoning Code setback requirements and there are no publically accessible locations within close proximity to the facility. The Memorandum in Opposition from the residents’ counsel includes a letter from Dennis Rogers, dated March 28, 2013. This letter was originally submitted to the Town of Kent on behalf of an opposition group represented by Mr. Campanelli. Submitted herewith is the response from Tectonic Engineering, dated April 8, 2013, detailing the false assumptions contained in the Rogers letter.
9. Letter from EBI Consulting, dated September 17, 2019, confirming that there are no adverse effects to any historic resources that are listed or eligible for listing on the National Register.

10. Letter from Saratoga Associates, dated September 27, 2019, with an additional visual rendering and sight lines from nearby properties.
11. Response letter from Snyder & Snyder, LLP, dated September 27, 2019, to the ECB.
12. Response letter from APT Engineering dated September 17, 2019, detailing the requested Site Plan changes by the ECB.
13. Revised Site Plan.

Please note that as requested by the Town Engineer, the Applicants acknowledge that the Town Code has removal bond and performance bond provisions. In addition, the application was previously referred to the DEC, DEP and the Mahopac Falls Fire Department. In response to the incorrect comments of the residents' counsel, please note that the correct separation distance between antenna arrays is 10 feet from the centerline of the antennas and not from the tip to the tail of the antennas. See Site Plan. Please also note, that despite the incorrect and unsupported comments by the residents' counsel, and as testified to by the President of Homeland Towers Manuel Vicente, Homeland Towers did not seek to construct the Facility on speculation and the Facility is expressly required by Verizon Wireless to provide personal wireless services.

We thank you for your consideration, and look forward to discussing this matter at the Planning Board hearing on October 9, 2019.

If you have any questions or require any additional documentation, please do not hesitate to contact me at 914-333-0700.

Snyder & Snyder, LLP

By: 

Robert D. Gaudio

RDG:cae

Enclosures

cc: Homeland Towers

Verizon Wireless

Zoning Board (1 full size and 11 copies)

z:\ssdata\wpdata\ss3\rdg\homelandtowers\carmel\056 (casse)\pb letter 9.11.2019.rtf

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Platt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



Department of
Environmental
Conservation

September 3, 2019

Raymond Vergati
9 Harmony St, 2nd Floor
Danbury, CT 06810

RE: RESOURCE SCREENING
Lake Casse, NY056 - 254 Croton Falls Rd
Town of Carmel, Putnam County

CHID: 8411

Dear Mr. Vergati:

The Department of Environmental Conservation (DEC) has reviewed your letter dated August 13, 2019 requesting an Article 24 Freshwater Wetland determination for the above noted project; and the attached plans prepared by APT Engineering titled "Wireless Telecommunications Facility", dated July 5, 2018 and last revised August 6, 2019. According to the information provided, the proposed project includes the construction of a 140 foot "monopine" tower.

FRESHWATER WETLANDS

The proposed construction will be located in proximity to a DEC regulated Freshwater Wetland LC-42 (Class II). However, since there is no physical disturbance proposed within the wetland or its state-regulated 100 feet adjacent area (as verified by Josh Fisher, DEC Bureau of Ecosystem Health), an Article 24 Freshwater Wetlands permit is not required from the DEC for the project as currently proposed. Other jurisdictions of the DEC over the proposed action include the following:

PROTECTION OF WATERS

The following waterbody is located near the site you indicated:

Name	Class	DEC Water Index Number	Status
Tributary to Mud Pond Brook	C[TS]	H-31-P44-23-P59-2-3A	Protected

A Protection of Waters permit is required to physically disturb the bed or banks of any streams identified above as "protected." In waters classified as T(S), in-stream work may be prohibited from October 1st to April 30th.



Department of
Environmental
Conservation

-OVER PLEASE-

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

STATE-LISTED SPECIES

According to Department records, the following state-listed species have been recorded within or near the project site: Northern long-eared bat (NYS Threatened). A permit may be required from DEC for the incidental taking of any species identified as "endangered" or "threatened", which can include the removal of habitat.

To avoid impacts to Northern long-eared bats and the need for an Incidental Take Permit pursuant to 6 NYCRR Part 182, the Department recommends that all tree removal take place from November 1st to March 31st. This timing restriction shall be documented in the notes of any plans regarding this project. However, please note a project sponsor may not commence site preparation, including tree clearing, until the provisions of SEQRA are complied with and all necessary permits issued for the proposed project.

Please note that if the above conservation measure (i.e. time of year restriction) cannot be incorporated within project plans, then additional study and review of impacts to this species by a qualified individual may be required by the Department.

The absence of other species data does not necessarily mean that additional rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

SPDES STORMWATER (CONSTRUCTION)

If project activities will disturb over 5000 Square feet of the NYC Department of Environmental Protection East of the Hudson Watershed, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-15-002) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. As the Town of Carmel is an MS4 community (Municipal Separate Storm Sewer System), the Town is responsible for review and acceptance of the SWPPP. [The MS-4 Acceptance Form must be submitted to the Department.] Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at www.dec.ny.gov, click on the top bar icon labeled "Regulatory" then "Permits and Licenses."

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Michael Grosso
Division of Environmental Permits
Region 3, Telephone No. 845/256-3165

cc: Josh Fisher, R3 Ecosystem Health

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

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

A. Project and Sponsor Information.

Name of Action or Project: Lake Casse / NY056		
Project Location (describe, and attach a general location map): 254 Croton Falls Road, Mahopac, Putnam County, NY 10541		
Brief Description of Proposed Action (include purpose or need): Homeland Towers, LLC proposes to construct a new telecommunications facility at the Subject Property. The proposed facility will consist of a 140-foot tall monopole and support equipment placed within a 36-foot by 100-foot fenced compound within a wider 56-foot by 100-foot lease area. Access will be gained via an existing access road extending northeast from Croton Falls Road to the proposed tower compound. Utilities are proposed to be sourced from an existing utility pole located across Croton Falls Road and be routed underground to the northeast along the existing access road for approximately 1,198 feet to the proposed tower compound.		
Name of Applicant/Sponsor: Homeland Towers, LLC		Telephone: (914) 490-0124
		E-Mail: rv@homelandtowers.us
Address: 9 Harmony Street, 2nd Floor		
City/PO: Danbury	State: CT	Zip Code: 06810
Project Contact (if not same as sponsor; give name and title/role): Mr. Ray Vergati		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Richard and Rosemarie Diehl		Telephone:
		E-Mail:
Address: 254 Croton Falls Road		
City/PO: Mahopac	State: NY	Zip Code: 10541

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site plan and Special permit approval	
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Area Variances	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Potential ECB approval	
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEC GP-0-15-002	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- 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? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ 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?) ☒ Yes ☐ No

If Yes, identify the plan(s):
NYC Watershed Boundary

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? ☐ Yes ☒ 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?
Residential

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? Mahopac Central School District

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

c. Which fire protection and emergency medical services serve the project site?
Mahopac Volunteer Fire Department

d. What parks serve the project site?
Mahopac Airport Park, located approximately 3 miles west of the Subject Property.

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)? Commercial / Public utility

b. a. Total acreage of the site of the proposed action? 0.35 acres

b. Total acreage to be physically disturbed? 0.35 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.35 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)? % _____ 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 proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: +/- 3 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 uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures <u>1</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>140</u> height; <u>N/A</u> width; and <u>N/A</u> length	
iii. Approximate extent of building space to be heated or cooled: _____ N/A 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

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

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will 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: _____
- 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), 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): _____

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: _____
- 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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? If Yes: <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: <ul style="list-style-type: none"> • 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? _____ If Yes: <ul style="list-style-type: none"> 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)? _____ _____ <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____ 	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
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? _____ If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) Temporary construction vehicles. _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) N/A _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) Emergency propane-fired emergency generator on concrete slab inside shelter _____ 	
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? _____ If Yes: <ul style="list-style-type: none"> 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ 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 semi-trailer truck trips/day: _____

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

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

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

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action:
 Minimal increase for telecommunications equipment for approximately 800 amps to a maximum of 1200 amps _____

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

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:

- Monday - Friday: _____ Normal business hours
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____ Unmanned facility operates 24/7
- Saturday: _____
- Sunday: _____
- Holidays: _____

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 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: _____

Timed lighting sources inside compound. _____

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

Describe: No, trees surrounding compound and access road are to remain, blocking light. _____

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 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: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (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 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: _____

Surrounding area generally forested with residential development to the north, west, and south.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested	0.35	0	- 0.35
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Telecommunications Facility and existing access road	0	0.35	+ 0.35

<p>c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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? If Yes, i. Identify Facilities: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>e. Does the project site contain an existing dam? 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: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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? If Yes: i. Has the facility been formally closed? • 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: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>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? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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? 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: <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ 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? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

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? _____ > 6 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 100 %

c. Predominant soil type(s) present on project site:

Chatfield-Charlton complex	41 %
Charlton-Chatfield complex	25 %
Sutton loam & Charlton loam	34 %

d. What is the average depth to the water table on the project site? Average: _____ > 6 feet

e. Drainage status of project site soils: ☒ Well Drained: _____ 75 % of site
☒ Moderately Well Drained: _____ 25 % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 75 % of site
☒ 10-15%: _____ 25 % of site
☐ 15% or greater: _____ % 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 Riverine (R3UBH) (located 550' E and NE)	Approximate Size 8.35
• 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:
Note: Project located in NYSDEC Wetland Checkzone, however, site is wooded, no hydric indicators and no hydric soils within 300 feet

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

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

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

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

<p>m. Identify the predominant wildlife species that occupy or use the project site: The Project Site is consists of _____ the Project Site is located in the vicinity _____ _____ of the Indiana Bat and the Northern _____ Based upon a review of available data _____ Long-eared Bat. (see "o" below)</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. 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</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Project Site is in the vicinity of the Indiana Bat (Endangered) and the Northern Long-eared Bat (Threatened). It should be noted, no critical habitat was identified, however, as the area is wooded it is recommended that tree clearing be restricted from April 1 to September 30 to avoid potential roosting bats. Additionally, the Bog Turtle (Threatened) was identified within the vicinity of the Project Site, however suitable habitat was not identified. No mapped wetlands were identified at the Project Site.</p> </div>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☒ Yes ☐ No

If Yes:

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

ii. Name: Well House and Babaril-Richard Yates Cottage (on an adjacent property, not SP) Listed Eligible

iii. Brief description of attributes on which listing is based:
Richard Yates wrote much of his book, Revolutionary Road. Additionally, the Yates family reside in the Babaril-Richard Yates Cottage

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 Homeland Towers LLC Date March 13, 2019

Signature Tama Troutman Title Consultant for Applicant

PRINT FORM

Ecological Solutions, LLC

Connecticut
1248 Southford Road
Southbury, CT 06488
Phone (203) 910-4716
ecolsol@aol.com

June 8, 2018

Ray Vergati
Homeland Towers, LLC
9 Harmony Street, 2nd Floor
Danbury, CT 06810

*Re: Wetland Delineation
254 Croton Falls Road Site
Town of Carmel, Putnam County, New York*

Dear Ray:

Ecological Solutions, LLC completed a wetland assessment at the proposed cell tower site located at 254 Croton Falls Road in accordance with the Army Corps of Engineers (USACE) Wetlands Delineation Manual (January 1987), Routine Determination Method and Northcentral/Northeast supplement and Town of Carmel Code Chapter 89 on May 26, 2018. There is no New York State Department of Environmental Conservation (NYSDEC) regulated wetland in the project area.

The detailed field investigation included:

1. Identification of vegetation species to determine whether there was a dominance of hydrophytic plants and areas containing transitional but primarily wetland-oriented species.
2. Determination of soil features for hydric (poorly and very poorly drained) natural soils.
3. Observation of site features displaying evidence of wetland hydrology based on the presence of inundated areas, apparent high seasonal water tables, and evidence of saturation within 12 inches of the surface (considered the root zone) during sufficient periods during the growing season to provide for anaerobic/hydric soil conditions.

No wetlands were observed on the project site. A wetland area is located on an adjacent property to the east at the driveway entrance from Croton Falls Road which appears greater than 100 feet away. Also a watercourse exists on the south side of Croton Falls Road and is estimated to be greater than 100 feet from the driveway entrance from Croton Falls Road.

If you need any additional information, please contact me.

Sincerely,
ECOLOGICAL SOLUTIONS, LLC

A handwritten signature in black ink, appearing to read "Michael Nowicki".

Michael Nowicki
Biologist

Suzanne Derrick

From: towernotifyinfo@fcc.gov
Sent: Friday, October 26, 2018 3:15 PM
To: Alexis Green
Subject: Section 106 Notification of SHPO/THPO Concurrence- Email ID #3259318

This is to notify you that the Lead SHPO/THPO has concurred with the following filing:

Date of Action: 10/26/2018

Direct Effect: No Historic Properties in Area of Potential Effects (APE)

Visual Effect: No Historic Properties in Area of Potential Effects (APE)

Comment Text: Reviewed by Daniel Bagrow, NY SHPO, dan.bagrow@parks.ny.gov

File Number: 0008397071

TCNS Number: 175453

Purpose: New Tower Submission Packet

Notification Date: 7AM EST 10/11/2018

Applicant: Homeland Towers, LLC

Consultant: EnviroBusiness, Inc. d/b/a EBI Consulting (EBI #6118002744)

Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No

Site Name: Lake Casse / NY056

Site Address: 254 Croton Falls Road

Detailed Description of Project: 6118002744 Proposed construction of a new telecommunications monopole and compound resulting in ground disturbance

Site Coordinates: 41-22-40.5 N, 73-42-14.1 W

City: Mahopac

County: PUTNAM

State: NY

Lead SHPO/THPO: New York State Historic Preservation Office

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Corland, New York 13045



June 8, 2018

Ms. Tama Troutman
Mr. Bill Arnerich
EBI Consulting
21 B Street
Burlington, MA 01803

Dear Ms. Troutman and Mr. Arnerich:

This responds to your May 31, 2018, letter regarding a telecommunications facility proposed at 254 Croton Falls Road, Hamlet of Mahopac, Putnam County, New York. As you are aware, federal agencies, such as the Federal Communications Commission (FCC), have responsibilities under section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to consult with the U.S. Fish and Wildlife Service (Service) regarding projects that may affect federally listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally proposed species or adversely modify proposed critical habitat. We understand that all FCC licensees, applicants, tower companies, and their representatives have been designated the FCC's non-federal representative for the purposes of completing informal consultation pursuant to Section 7(a)(2) of the ESA.

On behalf of the FCC, EBI Consulting determined that the proposed project "may affect, but is not likely to adversely affect," the federally listed Indiana bat (*Myotis sodalis*; Endangered). The Service concurs with your determination given the location (no known summer or winter habitat nearby), a small amount of trees (approximately 0.129 acre) containing potential suitable roosting habitat are proposed for removal, and tree removal will occur between October 1 and March 31 when bats are in hibernation.

EBI Consulting made a "may affect" determination for the federally listed northern long-eared bat (*Myotis septentrionalis*; Threatened). Given the project description and location (no known roosts within 150 feet or hibernacula within 0.25 mile) of the proposed project, any taking that may occur incidental to the proposed project is not prohibited under the ESA Section 4(d) rule¹ for this species (50 CFR § 17.40(o)).

¹ For more information about the 4(d) rule, please see:
<http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>.

EBI Consulting also determined that the proposed project will have no impact on the federally listed bog turtle (*Clemmys* [= *Glyptemys*] *muhlenbergii*; Threatened) as no suitable habitat was present for this species. The Service acknowledges this determination.

Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally-listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you check our website regularly from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.*

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for your time. If you require additional information or assistance please contact Noelle Rayman-Metcalf at (607) 753-9334. Future correspondence with us on this project should reference project file 18I2123.

Sincerely,

Anne d. Secord
for David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

cc: NYSDEC, New Paltz, NY (Env. Permits)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

June 19, 2018

Tama Troutman
EBI Consulting
21 B Street
Burlington, MA 01803

Re: NY056 / Lake Casse Proposed Communications Facility, 254 Croton Falls Road,
Mahopac (EBI 6118002744)
County: Putnam Town/City: Carmel

Dear Tama Troutman:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities directly at the project site.

Within three miles of the project site is a documented winter hibernaculum of **Northern long-eared bat** (*Myotis septentrionalis*, state and federally listed as Threatened). These bats may travel five miles or more from documented locations. The main impact of concern for bats is the cutting or removal of potential roost trees. For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 3 Office at dep.r3@dec.ny.gov, (845) 256-3054. For information about potential impacts of your project on this species and how to avoid, minimize, or mitigate any impacts, contact the Region 3 Wildlife staff at Wildlife.R3@dec.ny.gov, (845) 256-3098.

For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 3 Office, Division of Environmental Permits, as described above.

Sincerely,



Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program



Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:

	YES	NO
1. Does the project occur wholly outside of the WNS Zone ¹ ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant³ (Name, Email, Phone No.): EBI Consulting, Tama Troutman, ttroutman@ebiconsulting.com, (717) 991-9541

Project Name: Lake Casse / NY056

Project Location (include coordinates if known): 254 Croton Falls Road, Mahopac, Putnam County, NY 10541 (41-22-40.74 N / 73-42-13.46 W)

Basic Project Description (provide narrative below or attach additional information): Homeland Towers LLC proposes to construct a new communications facility. The proposed facility will consist of a 180-foot tall monopole and support equipment placed within a 36-foot by 100-foot fenced compound within a wider 56-foot by 100-foot lease area. Access will be gained via an existing access road extending northeast from Croton Falls Road to the proposed tower compound. Utilities are proposed to be sourced from an existing utility pole located across Croton Falls Road and be routed underground to the northeast along the existing access road for approximately 1,198 feet to the proposed tower compound.

¹ <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

² See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.


General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	0.129	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31		
If known, estimated acres of forest conversion from June 1 to July 31 ⁶		
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: Tama Troutman  Date Submitted: May 21, 2018

⁴ Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.



**Key to the Northern Long-Eared Bat 4(d) Rule
for Federal Actions that May Affect Northern Long-Eared Bats**
A separate key is available for non-Federal Activities

Federal agency actions that involve incidental take not prohibited under the final 4(d) rule may result in effects to individual northern long-eared bats. Per section 7 of the Act, if a federal agency's action may affect a listed species, consultation with the Service is required. This requirement does not change when a 4(d) rule is implemented. However, for this 4(d) rule, the Service proposed a framework to streamline section 7 consultations when federal actions may affect the northern long-eared bat but will not cause prohibited take. Federal agencies have the option to rely upon the finding of the programmatic biological opinion for the final 4(d) rule to fulfill their project-specific section 7 responsibilities by using the framework. This key will help federal agencies determine if their actions may cause prohibited incidental take of northern long-eared bats as defined in the 4(d) rule under the Endangered Species Act and if separate section 7 consultation may be necessary. Also, the framework for streamlining northern long-eared bat section 7 consultation is provided.

1. Is the action area (i.e., the area affected by all direct and indirect project effects) located wholly **outside the White-nose Syndrome Zone**? For the most current version of the White-nose Syndrome Zone map, please see

www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf

Yes, the action area is located wholly outside the white-nose syndrome zone.

Incidental take (see Definitions below) of northern long-eared bats is not prohibited in areas outside the White-nose Syndrome Zone. The federal agency can rely upon the finding of the programmatic biological opinion for the final 4(d) rule to fulfill their project-specific section 7 responsibilities if they use the framework described below. This framework is optional, if the federal agency chooses not to follow the framework, standard section 7 consultation procedures apply.

No, the action area is located partially or wholly inside the white-nose syndrome zone.

Continue to #2

2. Will the action take place **within a cave or mine where northern long-eared bats hibernate** (i.e., hibernaculum) **or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum**?

Yes, the action will take place within a northern long-eared bat hibernaculum or it could alter the entrance or the environment (physical or other alteration) of a hibernaculum.

Take (see Definitions below) of northern long-eared bats within hibernacula is prohibited, including actions that may change the nature of the hibernaculum's environment or entrance to it, even when the bats are not present. If your activity includes work in a hibernaculum or it could alter its entrance or environment, please contact the Service's

Ecological Services Field Office located nearest to the project area. To find contact information for the Ecological Services Field Offices, please see www.fws.gov/offices.

No, the action will not take place within a northern long-eared bat hibernaculum or alter its entrance or environment.

Continue to #3

3. Will the action involve **tree removal** (see definition below)?

No, the action does not include tree removal.

Incidental take (see Definitions below) from activities that do not involve tree removal and do not take place within hibernacula or would not alter the hibernaculum's entrance or environment (see Question #3), is not prohibited. The federal agency can rely upon the finding of the programmatic biological opinion for the final 4(d) rule to fulfill their project-specific section 7 responsibilities if they use the framework described below. This framework is optional, if the federal agency chooses not to follow the framework, standard section 7 consultation procedures apply.

Yes - continue to #4

4. Is the action the **removal of hazardous trees** for protection of human life or property?

Yes, the action is removing hazardous trees.

Incidental take (see Definitions below) of northern long-eared bats as a result of hazardous tree removal is not prohibited. The federal agency can rely upon the finding of the programmatic biological opinion for the final 4(d) rule to fulfill their project-specific section 7 responsibilities if they use the framework described below. This framework is optional, if the federal agency chooses not to follow the framework, standard section 7 consultation procedures apply.

No, the action is not removing hazardous trees.

Continue to #5

5. Will the action include one or both of the following: 1) **removing a northern long-eared bat known occupied maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31; or 2) removing any trees within 0.25 miles of a northern long-eared bat hibernaculum at any time of year?**

No

Incidental take (see Definitions below) from tree removal activities is not prohibited unless it results from removing a known occupied maternity roost tree or from tree removal activities within 150 feet of a known occupied maternity roost tree from June 1 through July 31 or results from tree removal activities within 0.25 mile of a hibernaculum at any time. The federal agency can rely upon the finding of the programmatic biological opinion for the final 4(d) rule to fulfill their project-specific section 7 responsibilities if they use the framework described below. This framework is optional, if the federal

agency chooses not to follow the framework, standard section 7 consultation procedures apply.

Yes

Incidental take (see Definitions below) of northern long-eared bats is prohibited if it occurs as a result of removing a known occupied maternity roost tree or removing trees within 150 feet of a known occupied maternity roost tree during the pup season from June 1 through July 31 or as a result of removing trees from within 0.25 mile of a hibernaculum at any time of year. This does not mean that you cannot conduct your action; however, standard section 7 consultation procedures apply. Please contact your nearest Ecological Services Field Office. To find contact information for the Ecological Services Field Offices, please see www.fws.gov/offices

How do I know if there is a maternity roost tree or hibernacula in the action area?

We acknowledge that it can be difficult to determine if a maternity roost tree or a hibernaculum is in your project area. Location information for both resources is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases is available at www.fws.gov/midwest/endangered/mammals/nleb/nhsites.html.

When looking for information on the presence of maternity roost trees or hibernacula within your project area, our expectation is that the federal action agency will complete due diligence to determine if data is available. If information is not available, document your attempt to find the information and send it with your determination under step 1 of the framework (see below).

We do not require federal agencies to conduct surveys; however, we recommend that surveys be conducted whenever possible. Surveys will help federal agencies meet their responsibilities under section 7(a)(1) of the Act. Active participation of federal agencies in survey efforts will lead to a more effective conservation strategy for the northern long-eared bat. In addition, should the Service reclassify the species as endangered in the future, an agency with a good understanding of how the species uses habitat based on surveys within its action areas could have greater flexibility under section 7(a)(2) of the Act. Recommended survey methods are available at www.fws.gov/midwest/endangered/mammals/nleb.

**Optional Framework to Streamline Section 7 Consultation
for the Northern Long-Eared Bat:**

The primary objective of the framework is to provide an efficient means for U.S. Fish and Wildlife Service verification of federal agency determinations that their proposed actions are consistent with those evaluated in the programmatic intra-Service consultation for the final 4(d) rule and do not require separate consultation. Such verification is necessary because incidental take is prohibited in the vicinity of known hibernacula and known roosts, and these locations are continuously updated. Federal agencies may rely on this Biological Opinion to fulfill their project-specific section 7(a)(2) responsibilities under the following framework:

1. For all federal activities that may affect the northern long-eared bat, the action agency will provide project-level documentation describing the activities that are excepted from incidental take prohibitions and addressed in this consultation. The federal agency must provide written documentation to the appropriate Service Field Office when it is determined their action may affect (i.e., not likely to adversely affect or likely to adversely affect) the northern long-eared bat, but would not cause prohibited incidental take. This documentation must follow these procedures:
 - a. In coordination with the appropriate Service Field Office, each action agency must make a determination as to whether their activity is excepted from incidental taking prohibitions in the final 4(d) rule. Activities that will occur within 0.25 mile of a known hibernacula or within 150 feet of known, occupied maternity roost trees during the pup season (June 1 to July 31) are not excepted pursuant to the final 4(d) rule. This determination must be updated annually for multi-year activities.
 - b. At least 30 days in advance of funding, authorizing, or carrying out an action, the federal agency must provide written notification of their determination to the appropriate Service Field Office.
 - c. For this determination, the action agency will rely on the definitions of prohibited activities provided in the final 4(d) rule and the activities considered in this consultation.
 - d. The determination must include a description of the proposed project and the action area (the area affected by all direct and indirect project effects) with sufficient detail to support the determination.
 - e. The action agency must provide its determination as part of a request for coordination or consultation for other listed species or separately if no other species may be affected.
 - f. Service concurrence with the action agency determination is not required, but the Service may advise the action agency whether additional information indicates consultation for the northern long-eared bat is required; i.e., where the proposed project includes an activity not covered by the 4(d) rule and thus not addressed in the Biological Opinion and is subject to additional consultation.
 - g. If the Service does not respond within 30 days under (f) above, the action agency may presume its determination is informed by best available information and consider its project responsibilities under section 7(a)(2) with respect to the northern long-eared bat fulfilled through this programmatic Biological Opinion.

2. Reporting

- a. For monitoring purposes, the Service will assume all activities are conducted as described. If an agency does not conduct an activity as described, it must promptly report and describe such departures to the appropriate Service Field Office.
- b. The action agency must provide the results of any surveys for the northern long-eared bat to the appropriate Service Field Office within their jurisdiction.
- c. Parties finding a dead, injured, or sick northern long-eared bat must promptly notify the appropriate Service Field Office.

If a Federal action agency chooses not to follow this framework, standard section 7 consultation procedures will apply.

Section 7(a)(1) of the Act directs Federal agencies, in consultation with and with the assistance of the Secretary (a function delegated to the Service), to utilize their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Service Headquarters provides to federal action agencies who choose to implement the framework described above several conservation recommendations for exercising their 7(a)(1) responsibility in this context. Conservation recommendations are discretionary federal agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information. Service Headquarters recommends that the following conservation measures to all Federal agencies whose actions may affect the northern long-eared bat:

1. Perform northern long-eared bat surveys according to the most recent Range-wide Indiana Bat/ northern long-eared bat Summer Survey Guidelines. Benefits from agencies voluntarily performing northern long-eared bat surveys include:
 - a. Surveys will help federal agencies meet their responsibilities under section 7(a)(1) of the Act. The Service and partners will use the survey data to better understand habitat use and distribution of northern long-eared bats, track the status of the species, evaluate threats and impacts, and develop effective conservation and recovery actions. Active participation of federal agencies in survey efforts will lead to a more effective conservation strategy for the northern long-eared bat.
 - b. Should the Service reclassify the species as endangered in the future, an agency with a good understanding of how the species uses habitat based on surveys within its action areas could inform greater flexibility under section 7(a)(2) of the Act. Such information could facilitate an expedited consultation and incidental take statement that may, for example, exempt taking associated with tree removal during the active season, but outside of the pup season, in known occupied habitat.
2. Apply additional voluntary conservation measures, where appropriate, to reduce the impacts of activities on northern long-eared bats. Conservation measures include:
 - a. Conduct tree removal activities outside of the northern long-eared bat pup season (June 1 to July 31) and/or the active season (April 1 to October 31). This will minimize impacts to pups at roosts not yet identified.

- b. Avoid clearing suitable spring staging and fall swarming habitat within a 5-mile radius of known or assumed northern long-eared bat hibernacula during the staging and swarming seasons (April 1 to May 15 and August 15 to November 14, respectively).
- c. Manage forests to ensure a continual supply of snags and other suitable maternity roost trees.
- d. Conduct prescribed burns outside of the pup season (June 1 to July 31) and/or the active season (April 1 to October 31). Avoid high-intensity burns (causing tree scorch higher than northern long-eared bat roosting heights) during the summer maternity season to minimize direct impacts to northern long-eared bat.
- e. Perform any bridge repair, retrofit, maintenance, and/or rehabilitation work outside of the northern long-eared bat active season (April 1 to October 31) in areas where northern long-eared bats are known to roost on bridges or where such use is likely.
- f. Do not use military smoke and obscurants within forested suitable northern long-eared bat habitat during the pup season (June 1 to July 31) and/or the active season (April 1 to October 31).
- g. Minimize use of herbicides and pesticides. If necessary, spot treatment is preferred over aerial application.
- h. Evaluate the use of outdoor lighting during the active season and seek to minimize light pollution by angling lights downward or via other light minimization measures.
- i. Participate in actions to manage and reduce the impacts of white-nose syndrome on northern long-eared bat. Actions needed to investigate and manage white-nose syndrome are described in a national plan the Service developed in coordination with other state and federal.

Definitions

“Incidental take” is defined by the Endangered Species Act as take that is "incidental to, and not the purpose of, the carrying out of an otherwise lawful activity." For example, harvesting trees can kill bats that are roosting in the trees, but the purpose of the activity is not to kill bats.

“Known hibernacula” are defined as locations where one or more northern long-eared bats have been detected during hibernation or at the entrance during fall swarming or spring emergence. Given the challenges of surveying for northern long-eared bats in the winter, any hibernacula with northern long-eared bats observed at least once, will continue to be considered “known hibernacula” as long as the hibernacula remains suitable for northern long-eared bat.

“Known occupied maternity roost trees” is defined in the 4(d) rule as trees that have had female northern long-eared bats or juvenile bats tracked to them or the presence of female or juvenile bats is known as a result of other methods. Once documented, northern-long eared bats are known to continue to use the same roosting areas. Therefore, a tree will be considered to be a “known occupied maternity roost” as long as the tree and surrounding habitat remain suitable for northern long-eared bat. The incidental take prohibition for known occupied maternity roosts trees applies only during the pup season (June 1 through July 31).

“Take” is defined by the ESA as ‘to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect’ any endangered species. Purposeful take is when the reason for the activity or action is to conduct some form of take. For instance, conducting a research project that includes collecting and putting bands on bats is a form of purposeful take.

“Tree removal” is defined in the 4(d) rule as cutting down, harvesting, destroying, trimming, or manipulating in any other way the trees, saplings, snags, or any other form of woody vegetation likely to be used by northern long-eared bats.

617.20
Appendix B
State Environmental Quality Review
VISUAL EAF ADDENDUM

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility

**Distance Between
Project and Resource (in Miles)**

1. Would the project be visible from:	0 - ¼	¼ - ½	½ - 3	3 - 5	5+
! A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities? Lake Casse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities? Lake Casse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! A site or structure listed on the National or State Registers of Historic Places? Well house	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! State Parks? Donald J. Trump State Park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
! The State Forest Preserve? Centennial Watershed State Forest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
! National Wildlife Refuges and State Game Refuges? Woods-Trout Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
! National Natural Landmarks and other outstanding natural features? US Route 6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! National Park Service lands? Weir Farm National Historic Site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
! Rivers designated as National or State Wild, Scenic or Recreational? Delaware Wild and Scenic River	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
! Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak? US Route 6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation? Tactonic State Parkway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
! A site, area, lake, reservoir or highway designated as scenic? Tactonic State Parkway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
! Municipal park, or designated open space? Mahopac Airport Park	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! County road? CR 34 - Croton Falls Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! State road? US Route 6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
! Local road? Croton Falls Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)

☒ Yes ☐ No

3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?

☒ Yes ☐ No

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	Within *1/4 mile	Within *1 mile
Essentially undeveloped	<input type="checkbox"/>	<input type="checkbox"/>
Forested	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Suburban Residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commerical	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input type="checkbox"/>	<input type="checkbox"/>
Hilly	<input type="checkbox"/>	<input type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

*1/2 mile ☐ Yes ☒ No 1 mile ☐ Yes ☒ No 2 miles ☒ Yes ☐ No 3 miles ☒ Yes ☐ No

*Distance from project site is provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is 34305?

NOTE: When user data is unavailable or unknown, use best estimate.

Population of the Town of Carmel, New York (available online at <http://www.putnamcountyny.com/wordpress/wp-content/uploads/2013/02/Section-9.3-Town-of-Carmel-040915.pdf>)

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is:

FREQUENCY

Activity	Daily	Weekly	Holidays/ Weekends	Seasonally
Travel to and from work	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Involved in recreational activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine travel by residents	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At a residence	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
At worksite	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Reset



HOMELAND TOWERS

September 16, 2019

New York City, Department of Environmental Protection
Attn: Matt Castro, Land Use Permit Administrator
465 Columbus Avenue
Valhalla, NY 10595

Re: Homeland Towers – Lake Casse, NY
254 Croton Falls Road
Town of Carmel, Putnam, NY
Tax Map #: 65.19-1-43
DEP Log#: 2015-CF-0415

Dear Mr. Castro:

In response to The New York City Department of Environmental Protection (DEP)'s correspondence dated September 10, 2019 requesting further documentation regarding DEP approval for the above referenced project, please find the enclosed vesting deeds for the subject parcel and the two (2) access parcels.

The perpetual right to use the New York City water supply land was granted within the Supreme Court Orders recorded on August 31, 1900 in Liber 9, Page 393 and as recorded on September 18, 1900 in Liber 9, page 427 (included within said enclosed vesting deeds) as well as reiterated in the vesting releases recorded in 1902 in Liber 89, pages 268, 271, 276, 335 and 498 (also included within said enclosed vesting deeds).

Per the surveyor, the location of said perpetual use rights are located within the existing right-of-way (ROW) over the New York City water supply land. These rights were reserved by the prior landowners of the subject parcel as well as the other access parcel (65.19-1-43 and 65.19-1-42) within the said Supreme Court Orders. The rights that were granted/reserved were for the perpetual right to use the land. These rights were not limited to ingress/egress and such rights do allow for the installation of utilities. No permit regarding utilities from the DEP is necessary or required as perpetual rights to use the land were granted/reserved.

Also enclosed for your use are two easements between the subject parcel and the other access parcel owners (65.19-1-43 and 65.19-1-42) granting access as well as utility rights across the adjacent parcel (65.19-1-42).



HOMELAND TOWERS

If you need any further information, please contact Laura Wakefield, Senior Counsel, at Laura.Wakefield@insitewireless.com.

Sincerely,

Raymond Vergati, Regional Manager
Homeland Towers

cc: Town of Carmel Planning Board



Commitment for Title Insurance

ALTA PLAIN LANGUAGE COMMITMENT

INFORMATION

The Title Insurance Commitment is a legal contract between you and the Company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Policy contains an arbitration clause. 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 you as the exclusive remedy of parties. You may review a copy of the arbitration rules at <http://www.alta.org/>.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to as Requirements, Exceptions, and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT. YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, contact (888) 406-5166.

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4. Description of the land	
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SCHEDULE A

Commitment 01-18012215-01T

1. Commitment Effective Date: 03/01/2018 at 7:00 AM
2. Policy (or Policies) to be issued:

(a) ALTA OWNER'S POLICY 06-17-06

Policy Amount: \$250,000.00

Proposed Insured: INSITE TOWERS, LLC A DELAWARE LIMITED LIABILITY COMPANY

(b)

Policy Amount:

Proposed Insured:

(c)

Policy Amount:

Proposed Insured:

(d)

Policy Amount

Proposed Insured:

3. Fee Simple Interest in the land described in this Commitment is owned, at the Commitment Date by:

RICHARD J. DIEHL AND ROSEMARIE DIEHL, HUSBAND AND WIFE, AS TO PARENT PARCEL

MICHAEL BARILE AND EMILY BARILE AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP, AS TO ACCESS PARCEL

THE CITY OF NEW YORK, AS TO ACCESS PARCEL II

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

SEE ATTACHED EXHIBIT "A"

SITE ID: NY056

EXHIBIT "A"

PARCEL I:

PARENT PARCEL:

ALL THAT CERTAIN PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWN OF CARMEL, PUTNAM COUNTY, STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF THE PREMISES HEREIN DESCRIBED AT THE JUNCTION OF THE LANDS OF M. CAMPBELL LORINI AND MARGARET R. LORINI, HIS WIFE, AND LANDS NOW OR FORMERLY OF EDWARD DWYER AND LANDS NOW OR FORMERLY OF ARCHIE SWANSON;

RUNNING THENCE ALONG SAID LANDS NOW OR FORMERLY OF ARCHIE SWANSON AND ALONG STONE WALLS THE FOLLOWING COURSES AND DISTANCES:

SOUTH 86° 19' 50" EAST 115.64 FEET
SOUTH 73° 57' 20" EAST 40.16 FEET
SOUTH 88° 50' 30" EAST 84.12 FEET
SOUTH 84° 03' 40" EAST 69.57 FEET
NORTH 89° 26' 00" EAST 60.80 FEET
NORTH 78° 47' 40" EAST 54.03 FEET
NORTH 79° 02' 20" EAST 203.51 FEET
NORTH 82° 16' 20" EAST 104.85 FEET
SOUTH 77° 00' 20" EAST 141.42 FEET
SOUTH 44° 29' 50" EAST 56.36 FEET
SOUTH 44° 15' 50" EAST 225.24 FEET
SOUTH 56° 50' 40" EAST 92.33 FEET
SOUTH 56° 35' 50" EAST 88.64 FEET AND
SOUTH 62° 49' 40" EAST 16.86 FEET TO LANDS NOW OR FORMERLY OF WILLIAMS ESTATE;

RUNNING THENCE ALONG SAID LANDS NOW OR FORMERLY OF WILLIAMS ESTATE AND ALONG A STONE WALL THE FOLLOWING COURSES AND DISTANCES;

SOUTH 12° 46' 30" WEST 85.93 FEET;
SOUTH 37° 18' 30" WEST 49.66 FEET;
SOUTH 44° 24' 30" WEST 232.93 FEET;
SOUTH 40° 00' 00" WEST 94.12 FEET;
SOUTH 43° 10' 40" WEST 169.08 FEET TO A CORNER;

ALONG SAID LANDS OF WILLIAMS ESTATE AND ALONG STONE WALLS ALONG SAID LANDS OF WILLIAMS ESTATE AND ALONG STONE WALLS SOUTH 47° 35' 10" EAST 57.97 FEET;

SOUTH 69° 30' 40" EAST 198.56 FEET AND SOUTH 70° 15' 10" EAST 29.01 FEET;

CONTINUING THENCE ALONG SAID LAND OF WILLIAMS ESTATE AND ALONG A RAIL FENCE SUTH 69° 01' 30" EAST 139.12 FEET AND SOUTH 68° 36' 50" EAST 35.98 FEET TO A CORNER;

NORTH 56° 00' 30" WEST 37.03 FEET;
SOUTH 41° 00' 30" WEST 30.48 FEET;
SOUTH 28° 59' 50" WEST 29.50 FEET AND
SOUTH 30° 22' 10" WEST 153.69 FEET TO LAND NOW ORFORMERLY OF PAULINE BULMAR;

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE A

RUNNING THENCE ALONG SAID LAND OF BULMAR AND ALONG STONE WALLS THE FOLLOWING COURSES AND DISTANCES;

NORTH 74° 01' 00" WEST 124.93 FEET;
NORTH 78° 45' 50" WEST 45.17 FEET
NORTH 75° 50' 50" WEST 189.76 FEET TO A CORNER;

CONTINUING THENCE ALONG SAID LAND OF BULMAR AND ALONG STONE WALLS THE FOLLOWING COURSES AND DISTANCES;

SOUTH 2° 41' 00" WEST 12.81 FEET;
SOUTH 16° 43' 50" WEST 84.06 FEET;
SOUTH 20° 20' 30" WEST 94.07 FEET TO LAND NOW OR FORMERLY OF E. WELCH;

RUNNING THENCE ALONG SAID LAND OF E. WELCH AND ALONG STONE WALLS THE FOLLOWING COURSES AND DISTANCES;

NORTH 75° 21' 00" WEST 88.17 FEET;
NORTH 77° 48' 50" WEST 21.79 FEET;
NORTH 74° 43' 40" WEST 111.23 FEET;
NORTH 62° 55' 40" WEST 15.16 FEET
NORTH 42° 45' 00" WEST 16.21 FEET AND
NORTH 76° 14' 20" WEST 121.49 FEET TO LAND NOW OR FORMERLY OF VREDENBURGH;

RUNNING THENCE ALONG SAID LAND NOW OR FORMERLY OF VREDENBURGH AND ALONG STONE WALLS THE FOLLOWING COURSES AND DISTANCES;

NORTH 76° 54' 10" WEST 186.24 FEET;
NORTH 76° 44' 10" WEST 70.17 FEET AND
NORTH 76° 00' 30" WEST 100 FEET MORE OR LESS TO OTHER LANDS NOW OR FORMERLY OF LORINI THE FOLLOWING COURSES AND DISTANCES;

NORTH 18° EAST 652 FEET;
WOUTH 89° WEST 40 FEET;
NORTH 2° EAST 200 FEET;
NORTH 86° WEST 70 FEET;
NORTH 2° WEST 335 FEET TO LAND NOW OR FORMERLY OF DWYER;

RUNING THENCE ALONG LAND NOW OR FORMERLY OF DWYER AND ALONG A STONE WALL DUE NORTH 15.60 FEET TO THE POINT OR PLACE OF BEGINNING.

TAX I.D. NUMBER: 65.19-1-43

BEING THE SAME PROPERTY CONVEYED TO RICHARD J. DIEHL AND ROSEMARIE DIEHL, HUSBAND AND WIFE, GRANTEE, FROM RICHARD J. DIEHL, GRANTOR, BY DEED RECORDED 10/20/2015, IN BOOK 1993, PAGE 444 OF THE COUNTY RECORDS.

PARCEL II:

ACCESS PARCEL:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF CARMEL, COUNTY OF PUTNAM AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF THE LANDS OF THE CITY OF NEW YORK, AT THE INTERSECTION OF THE PREMISES HEREIN DESCRIBED, AND THE SOUTHWESTERLY CORNER OF THE LANDS OF VREDENBURGH, SAID POINT OF BEGINNING BEING INDICATED BY A CROSS ON A STONE WALL;

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE A

THENCE ALONG THE LAND OF THE CITY OF NEW YORK AND THE FACE OF A STONE WALL THE FOLLOWING COURSES AND DISTANCES:

NORTH 44° 28' 00" WEST 265.81 FEET; NORTH 43° 32' 50" WEST 13.93 FEET; NORTH 44° 25' 10" WEST 97.87 FEET NORTH 34° 21' 30" WEST 88.07 FEET NORTH 34° 33' 00" WEST 140.35 FEET TO THE EAST SIDE OF THE LAND OF BUTIRONI AND A WIRE FENCE; THENCE ALONG SAID LAND AND ALONG WIRE FENCE NORTH 12° 44' 20" EAST 184.13 FEET; NORTH 11° 46' 30" EAST 220.54 FEET; NORTH 12° 07' 10" EAST 66.69 FEET; THENCE STILL ALONG SAID LAND AND ALONG A STONE WALL NORTH 11° 50' 40" EAST 58.96 FEET, TO A CORNER AND A STONE WALL;

THENCE STILL ALONG THE LAND OF BUTIRONI AND A STONE WALL NORTH 75° 41' 20" WEST 167.09 FEET TO A CORNER;

THENCE STILL ALONG THE LAND OF BUTIRONI AND A STONE WALL NORTH 13° 32' 30" EAST 47.83 FEET; NORTH 6° 36' 30" EAST 143.35 FEET; NORTH 00° 54' 20" EAST 101.11 FEET TO THE SOUTH SIDE OF THE LAND OF EDWARD DWYER AND A STONE WALL;

THENCE ALONG THE LANDS OF EDWARD DWYER AND A STONE WALL NORTH 64° 46' 40" EAST 30.51 FEET; NORTH 73° 58' 30" EAST 19.56 FEET; NORTH 84° 32' 00" EAST 330.70 FEET; NORTH 84° 18' 30" EAST 228.93 FEET;

THENCE ALONG LANDS HERETOFORE CONVEYED BY LORINI TO BRUEN BY DEED RECORDED IN THE PUTNAM COUNTY CLERK'S OFFICE IN LIBER 227 CP 448, ALONG A STONE WALL, SOUTH 4° 20' EAST 114.91 FEET; SOUTH 00° 9' EAST 66.96 FEET; SOUTH 7° 06' EAST 51.69 FEET; SOUTH 4° 41' WEST 104.21 FEET; SOUTH 84° 42' EAST 71.34 FEET; SOUTH 13° 38' WEST 30.09 FEET; SOUTH 8° 11' EAST 20.60 FEET; SOUTH 6° 56' WEST 34.31 FEET; SOUTH 3° 56' WEST 27.50 FEET; SOUTH 00° 17' WEST 14.20 FEET; SOUTH 6° 50' WEST 68.67 FEET; SOUTH 77° 07' EAST 49.93 FEET; SOUTH 18° 29' WEST 146.64 FEET; SOUTH 17° 27' WEST 145.06 FEET; SOUTH 18° 16' WEST 208.95 FEET; AND SOUTH 15° 36' WEST 146.17 FEET TO A POINT IN THE LINE OF LAND NOW OR FORMERLY OF VREDENBURGH;

THENCE ALONG SAID LINE OF LANDS NOW OR FORMERLY OF VREDENBURGH NORTH 76° 00' 30" WEST 23.48 FEET TO A NAIL IN THE ROOT OF AN 18 INCH ELM;

THENCE STILL ALONG SAID LANDS NOW OR FORMERLY OF VREDENBURGH SOUTH 19° 45' 10" WEST 235.24 FEET TO A CROSS CUT IN A STONE WALL MARKING THE NORTHEASTERLY LINE OF LANDS OF THE CITY OF NEW YORK AND THE POINT OF BEGINNING.

TAX I.D. NUMBER: 65.19-1-42

BEING THE SAME PROPERTY CONVEYED TO MICHAEL BARILE AND EMILY BARILE AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP, GRANTEE, FROM RICHARD DIEHL AND ROSEMARIE DIEHL, GRANTOR, BY DEED RECORDED 10/26/2016, IN BOOK 2027, PAGE 1 OF THE COUNTY RECORDS.

ACCESS PARCEL II:

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CARMEL, PUTNAM COUNTY NEW YORK DESIGNATED AND DESCRIBED IN THE PETITION IN SAID PROCEEDING IN SAID REPORT AND ORDER CONFIRMING SAID REPORT AS PARCEL NO. 24.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM HENRY VREDENBURGH, GRANTOR, BY RELEASE RECORDED 09/27/1902 IN BOOK 89, PAGE 498 OF THE COUNTY RECORDS.

ALSO, ALL THAT TRACT OR PARCEL OF LAND SITUATED IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK DESIGNATED AND DESCRIBED IN THE PETITION IN SAID PROCEEDINGS IN THE SAID REPORT ORDER CONFIRMING SAID REPORT AS PARCEL NO. 23.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM LUCILIA I. GREEN, GRANTOR, BY RELEASE RECORDED 05/02/1902 IN BOOK 89, PAGE 276 OF THE COUNTY RECORDS.

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE A

ALSO, ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CARMEL, PUTNAM CUNTY, NEW YORK DESIGNATED AND DESCRIBED IN THE PETITION IN SAID PROCEEDING AND IN THE SAID REPORT AND ORDER CONFIR4MING SAID REPORT AS PARCEL NO. 22.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM MARY E. WRIGHT WIFE OF OSCAR WRIGHT, GRANTOR, BY RELEASE RECORDED 05/02/1902 IN BOOK 89, PAGE 271 OF THE COUNTY RECORDS.

ALSO, ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, DESIGNATED AND DESCRIBED IN THE PEITION IN SAID PROCEEDING AND IN THE SAID REPORT AND ORDER CONFIRMING SAID REPORT AS PARCEL NO. 21.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM ELIZABETH O'NEIL AND LUCILIA F. GREEN, GRANTOR, BY RELEASE RECORDED 05/02/1902 IN BOOK 89, PAGE 268 OF THE COUNTY RECORDS.

ALSO, ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, DESIGNATED AND DESCRIBED IN THE PETITION IN SAID PROCEEDING AND IN THE SAID REPORT AND ORDER CONFIRMING SAID REPORT AS PARCEL NO. 19.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM ELLA E. WRIGHT, GRANTOR, BY RELEASE RECORDED 04/26/1902 IN BOOK 89, PAGE 335 OF THE COUNTY RECORDS.

ALSO, SPECIFICALLY DESCRIBED AS PARCEL NUMBERS 19 AND 23, WHICH SAID PETITION WAS FILED IN THE OFFICE OF THE COUNTY CLERK OF THE COUNRTY OF PUTNAM ON THE 13TH DAY OF NOVEMBER 1897.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM CHARLES H. T. COLLIS COMMISSIONER, GRANTOR, BY ORDER RECORDED 09/18/1900 IN BOOK 9, PAGE 427 OF THE COUNTY RECORDS.

ALSO, SPECIFICALLY DESCRIBED AS PARCEL NUMBER 21, 22, AND 24 WHICH SAID PETITION WAS FILED IN THE OFFICE OF THE COUNTY CLERK OF THE COUTNY OF PUTNAM ON THE 13TH DAY OF NOVEMBER 1897.

BEING THE SAME PROPERTY CONVEYED TO THE CITY OF NEW YORK, GRANTEE, FROM CHARLES H. COLLIS COMMISSIONER, GRANTOR BY ORDER RECORDED 08/31/1900 IN BOOK 9, PAGE 393 OF THE COUNTY RECORDS.

TAX I.D. NUMBER: 76.7-1-7

END OF SCHEDULE A

SCHEDULE B – SECTION I REQUIREMENTS

THE FOLLOWING REQUIREMENTS MUST BE MET:

- (1) PAY THE AGREED AMOUNTS FOR THE INTEREST IN THE LAND AND/OR THE MORTGAGE TO BE INSURED.
- (2) PAY US THE PREMIUMS, FEES AND CHARGES FOR THE POLICY.
- (3) DOCUMENTS SATISFACTORY TO US CREATING THE INTEREST IN THE LAND AND/OR THE MORTGAGE TO BE INSURED MUST BE SIGNED, DELIVERED AND RECORDED.
- (4) YOU MUST TELL US IN WRITING THE NAME OF ANYONE NOT REFERRED TO IN THIS COMMITMENT WHO WILL GET AN INTEREST IN THE LAND OR WHO WILL MAKE A LOAN ON THE LAND. WE MAY THEN MAKE ADDITIONAL REQUIREMENTS OR EXCEPTIONS.
- (5) PAY ALL TAXES, CHARGES AND ASSESSMENTS WHICH ARE DUE AND PAYABLE.
TAX I.D. NUMBER: 65.19-1-43 (PARENT PARCEL)

TAX YEAR: 2017 – ANNUAL (TOWN)
AMOUNT: \$8,076.64 – PAID – 12/29/2017

TAX YEAR: 2017 – ANNUAL (SCHOOL)
AMOUNT: \$21,166.57 – PAID – 09/05/2017

TAX I.D. NUMBER: 65.19-1-42 (ACCESS PARCEL)

TAX YEAR: 2018 – ANNUAL (TOWN)
AMOUNT: \$9,260.86 – PAID – 12/27/2017

TAX YEAR: 2017 – ANNUAL (SCHOOL)
AMOUNT: \$22,788.55 – PAID – 09/29/2017

TAX I.D. NUMBER: 76.7-1-7 (ACCESS PARCEL II)

TAX YEAR: 2018 – ANNUAL (TOWN)
AMOUNT: \$1,381.70 – PAID – 01/30/18

TAX YEAR: 2017/2018 – ANNUAL (SCHOOL)
AMOUNT: \$3,733.88 – PAID – 09/27/2017

TAX AUTHORITY INFORMATION:

CARMEL TOWN
60 MCALPIN AVENUE PO BOX 887
MAHOPAC, NY 10541
(845) 628-1500

NOTE: THE ABOVE REAL ESTATE TAX INFORMATION IS A REFLECTION OF THE TAX AUTHORITY RECORDS AVAILABLE AS OF THE DATE HEREOF. PLEASE NOTE THAT PRIOR TO CLOSING, SETTLEMENT AGENT IS ADVISED TO CONTACT TAXING AUTHORITY TO VERIFY ANY CHANGES TO THE RECORD.

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE B-I

(6) ANY ACKNOWLEDGEMENT OF DOCUMENT(S) EXECUTED OUTSIDE THE STATE OF NEW YORK, THAT IS INTENDED TO BE RECORDED IN A RECORDING OFFICE WITHIN THE STATE OF NEW YORK, WILL REQUIRE A CERTIFICATE OF CONFORMITY PURSUANT TO SECTION 299-A OF THE REAL PROPERTY LAWS OF THE STATE OF NEW YORK.

(7) A CURRENT SURVEY OF THE PREMISES REFLECTING IMPROVEMENTS MADE ON THE LAND, MADE IN ACCORDANCE WITH MINIMUM STANDARDS FOR PROPERTY LAND SURVEYS IN THE STATE OF THE SUBJECT PREMISES OR THE ALTA/ACSM AND CONTAINING A PROPER SIGNATURE AND CERTIFICATION TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, OR AN EQUIVALENT ACCEPTABLE TO THE COMPANY.

END OF SCHEDULE B-I

SCHEDULE B – SECTION II EXCEPTIONS

ANY POLICY WE ISSUE WILL HAVE THE FOLLOWING EXCEPTIONS UNLESS THEY ARE TAKEN CARE OF TO OUR SATISFACTION.

(1) FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED.

(2) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES.

(3) MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD.

(4) ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY.

(5) TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS.

(6) DELETING FROM ANY INSTRUMENT IN THE PUBLIC RECORDS REFLECTED HEREIN, ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c).

(7) SUBJECT TO RIGHT OF WAY AS SET FORTH IN DEED, RECORDED 09/06/1930, IN BOOK 158, PAGE 440 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL

(8) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 04/03/1986, AS BOOK 889, PAGE 66 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL

(9) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 04/03/1986, AS BOOK 889, PAGE 96 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL

(10) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 04/15/1988, AS BOOK 1004, PAGE 275 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL

(11) SUBJECT TO RESTRICTIONS AS SET FORTH IN DEED, RECORDED 07/19/1993, IN BOOK 1204, PAGE 318 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL

(12) DECLARATION OF GRANT OF USE AND ACCESS EASEMENT AND MAINTENANCE AGREEMENT, BY AND BETWEEN RICHARD DIEHL AND ROSEMARIE DIEHL A/K/A ROSE DIEHL, AND RICHARD J. DIEHL, RECORDED 09/21/2015, IN BOOK 1990, PAGE 488 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL AND ACCESS PARCEL

CONTINUED ON NEXT PAGE

CONTINUATION OF SCHEDULE B-II

(13) EASEMENT (PRIVATE UNDERGROUND LINE) IN FAVOR OF RICHARD DIEHL, RECORDED 10/10/2015, AS BOOK 1995, PAGE 157 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL AND ACCESS PARCEL

(14) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 11/13/2016, AS BOOK 2001, PAGE 27 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO PARENT PARCEL

(15) A MORTGAGE TO SECURE AN INDEBTEDNESS OF THE AMOUNT STATED AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF:

AMOUNT:	\$250,000.00
MORTGAGOR:	RICHARD J. DIEHL AND ROSEMARIE DIEHL
MORTGAGEE:	MAHOPAC BANK
DATED:	09/07/2017
RECORDED	10/26/2017
DOC#/BOOK-PAGE:	6767-316

(16) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 10/07/1964, AS BOOK 600, PAGE 343 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL

(17) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 08/05/1992, AS BOOK 1164, PAGE 280 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL

(18) EASEMENT IN FAVOR OF NEW YORK STATE ELECTRIC & GAS CORPORATION, RECORDED 08/05/1992, AS BOOK 1164, PAGE 282 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL

(19) SUBJECT TO RESERVATION OF RIGHT OF WAY AS SET FORTH IN SUPREME COURT ORDER RECORDED 08/31/1900 IN BOOK 89, PAGE 393 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL II

(20) SUBJECT TO THE RESERVATION OF MINES, MINERALS AND RIGHT OF WAY AS SET FORTH IN THE SUPREME COURT ORDER RECORDED 09/18/1900 IN BOOK 89, PAGE 427 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL II

(21) SUBJECT TO RESERVATION OF RIGHT OF WAY AS SET FORTH IN THE RELEASE RECORDED 04/26/1902 IN BOOK 89, PAGE 335 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL II

(22) SUBJECT TO RESERVATION OF RIGHT OF WAY AS SET FORTH IN THE RELEASE RECORDED 05/02/1902 IN BOOK 89, PAGE 276 OF THE PUTNAM COUNTY RECORDS.

NOTE: THE ABOVE ITEM AS TO ACCESS PARCEL II

END OF SCHEDULE B-II

Commitment to Insure



ALTA PLAIN LANGUAGE COMMITMENT

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six (6) months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-I.
- The Exceptions in Schedule B-II.
- The Conditions below.

This Commitment is not valid without SCHEDULE A and Sections I and II of SCHEDULE B.

CONDITIONS

1. Definitions. (a) "Mortgage" means mortgage, deed of trust or other security instrument.
(b) "Public Records" means title records that give constructive notice of matters affecting your title – according to the state statutes where your land is located.
2. Later Defects. The Exceptions in Schedule B – Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attach between the Commitment Date and the date of which all of the Requirements (a) and (c) of the Schedule B – Sections I are met. We shall have no liability to you because of this amendment.
3. Existing Defects. If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.
4. Limitation Of Our Liability. Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

Comply with the Requirements in Schedule B – Section I
or
Eliminate with our written consent any Exceptions shown in Schedule B – Section II.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. Claims Must Be Based On This Commitment. Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms.

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A, to be valid when countersigned by a validating officer or other authorized signatory.

Issued through the Office of:

Old Republic National Title Ins. Co.
530 South Main St., Suite 1031
Akron, OH 44311
1-888-406-5166

Authorized Officer or Agent

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111



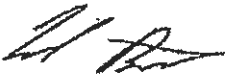
By

President

Attest

Secretary

VESTING DEEDS

 <p>Michael C Bartolotti, County Clerk Putnam County Office Building 40 Glenside Avenue Room 190 Carmel, New York 10512</p>		 ACS-000000000369356-000000000742787-006	
Endorsement Page			
Document # 1502428		Drawer # 04	Recorded Date: 10/20/2015
Document Type: DEED COM OR VACANT		Book 1993	Page 444
Document Page Count: 6		Receipt # 16825	Recorded Time: 3:28:31 PM
PRESENTER: SPAIN & SPAIN PC 671 ROUTE 6 MAHOPAC, NY 10541		RETURN TO: SPAIN & SPAIN PC 671 ROUTE 6 MAHOPAC, NY 10541	
PARTIES			
GRANTOR RICHARD J DIEHL		GRANTEE RICHARD J DIEHL	
FEE DETAILS 1502428 DEED COM OR VACANT 6 50.00 TP-584 1 5.00 CULTURAL EDUCATION 15.00 RP-5217 COMMERCIAL 250.00 RECORD MANAGEMENT 5.00 PROCESSING FEE 1 1.00 AMOUNT FOR THIS DOCUMENT: 326.00 RETT # 000000529		RESERVED FOR CERTIFICATION	
THIS DOCUMENT WAS EXAMINED PURSUANT TO §315 REAL PROPERTY LAW		EXEMPTIONS	
 Michael C. Bartolotti Putnam County Clerk		RESERVED FOR CLERKS NOTES	

**BARGAIN AND SALE DEED, WITH COVENANT AGAINST GRANTOR'S
ACTS — INDIVIDUAL OR CORPORATION (SINGLE SHEET)**

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

THIS INDENTURE, made the 5th day of February, in the year 2015

BETWEEN

RICHARD J. DIEHL
residing at 250 Croton Falls Road, Mahopac, NY 10541
party of the first part, and

RICHARD J. DIEHL AND ROSEMARIE DIEHL, Husband & Wife
residing at 250 Croton Falls Road, Mahopac, NY 10541
party of the second part,

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF

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:



RICHARD J. DIEHL

SCHEDULE "A"

ALL that certain parcel of land situate, lying and being in the Town of Carmel, Putnam County, State of New York, bounded and described as follows:

BEGINNING at the northwesterly corner of the premises herein described at the junction of the lands of M. Campbell Lorini and Margaret R. Lorini, his wife, and lands now or formerly of Edward Dwyer and lands now or formerly of Archie Swanson;

running thence along said lands now or formerly of Archie Swanson and along stone walls the following courses and distances:

South 86° 19' 50" East 115.64 feet;
South 73° 57' 20" East 40.16 feet;
South 88° 50' 30" East 84.12 feet;
South 84° 03' 40" East 69.57 feet;
North 89° 26' 00" East 60.80 feet;
North 78° 47' 40" East 54.03 feet;
North 79° 02' 20" East 203.51 feet;
North 82° 16' 20" East 104.85 feet;
South 77° 00' 20" East 141.42 feet;
South 44° 29' 50" East 56.36 feet;
South 44° 15' 50" East 225.24 feet;
South 56° 50' 40" East 92.33 feet;
South 56° 35' 50" East 88.64 feet and
South 62° 49' 40" East 16.86 feet to lands now or formerly of Williams Estate;

running thence along said lands now or formerly of Williams Estate and along a stone wall the following courses and distances:

South 12° 46' 30" West 85.93 feet;
South 37° 18' 30" West 49.66 feet;
South 44° 24' 30" West 232.93 feet;
South 40° 00' 00" West 94.12 feet;
South 43° 10' 40" West 169.08 feet to a corner;

SCHEDULE "A"

1204 1322
along said lands of Williams Estate and along
stone walls along said lands of Williams Estate and along stone
walls South 47° 35' 10" East 57.97 feet;
South 69° 30' 40" East 198.56 feet and South 70° 15' 10"
East 29.01 feet;

continuing thence along said land of Williams Estate and
along a rail fence South 69° 01' 30" East 139.12 feet and South
68° 36' 50" East 35.98 feet to a corner;

continuing thence along said lands of Williams Estate and
along stone walls south 33° 15' 30" West 171.23 feet;

North 56° 00' 30" West 37.03 feet;
South 41° 00' 30" West 30.48 feet;
South 28° 59' 50" West 29.50 feet and
South 30° 22' 10" West 153.69 feet to land now or formerly
of Pauline Bulmar;

running thence along said land of Bulmar and along stone
walls the following courses and distances:

North 74° 01' 00" West 124.93 feet;
North 78° 45' 50" West 45.17 feet;
North 75° 50' 58" West 189.76 feet to a corner;

continuing thence along said land of Bulmar and along stone
walls the following courses and distances:

South 2° 41' 00" West 12.81 feet;
South 16° 43' 50" West 84.06 feet;
South 20° 20' 30" West 94.07 feet to land now or formerly of
E. Welch;

running thence along said land of E. Welch and along stone
walls the following courses and distances:

North 75° 21' 00" West 88.17 feet;
North 77° 48' 50" West 21.79 feet;
North 74° 43' 40" West 111.23 feet;
North 62° 55' 40" West 15.16 feet;
North 42° 45' 00" West 16.21 feet and
North 76° 14' 20" West 121.49 feet to land now or formerly
of Vredanburgh;

SCHEDULE "A"

running thence along said land now or formerly of Vredenburg and along stone walls the following courses and distances:

North 76° 54' 10" West 186.24 feet;
North 76° 44' 10" West 70.17 feet and
North 76° 00' 30" West 100 feet more or less to other lands now or formerly of Lorini at the intersection of a stone wall;

running thence along said stone wall and along other lands now or formerly of Lorini the following courses and distances:

North 18° East 652 feet;
South 89° West 40 feet;
North 2° East 200 feet;
North 85° West 70 feet;
North 2° West 335 feet to land now or formerly of Dwyer;

running thence along land now or formerly of Dwyer and along a stone wall due North 15.60 feet to the point or place of BEGINNING.

BEING the same premises conveyed to the parties of the first part by deed dated September 19, 1985, and recorded on October 11, 1985 in the Putnam County Clerk's Office in Liber 868 page 227; and by deed to DIXRAN V. SIMIDIAN dated July 11, 1988 and recorded on August 5, 1988 in the Putnam County Clerk's Office in Liber 1022 page 40. Said premises is known and designated as Town of Carmel Tax Map Number (Old) - Section 159, Block 1, Lot 27.1; and Town of Carmel Tax Map Number (New) - Section 65.19, Block 1, Lot 43.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York County of Putnam, ss:

On the 5th day of February, in the year 2015, before me the undersigned, personally appeared Richard J. Diehl 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.

Bonnie M. Trazzle

BONNIE M. TRAZZLE
NOTARY PUBLIC, State of New York
No. 4585780

Qualified in Putnam County
Commission Expires 8/26/17

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of _____ 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 BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of _____ County of _____, ss:

On the _____ day of _____, in the year 20____, before me the undersigned, 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 _____; 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.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

* State of _____ County of _____, ss:

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

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, and that such individual(s) made such appearance before the undersigned in the _____ (add the city or political subdivision and the state or country or other place the acknowledgment was taken).

BARGAIN AND SALE DEED WITH COVENANT

Title No.

DIEHL To DIEHL

Section: 65.19

Block: 1

Lot: 43

County or Town: Putnam/Camel

RETURN BY MAIL TO

Spain & Spain, P.C.

671 Route Six, Mahopac, NY 10541

INSTRUCTIONS (RP-5217-PDF-INS): www.orps.state.ny.us

FOR COUNTY USE ONLY

C1. SWIS Code 372000
 C2. Date Book Recorded 10/20/15
 C3. Book 1993 Cl. Page 454



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

PROPERTY INFORMATION

1. Property Location Croton Falls Road
 *STREET NUMBER Camel *STREET NAME 10541
 *CITY OR TOWN Diehl *VILLAGE 10541
 *LAST NAME/COMPANY Diehl *FIRST NAME Rosemarie
 2. Buyer Name Richard J. & Rosemarie
 *LAST NAME/COMPANY Diehl *FIRST NAME Richard J. & Rosemarie
 3. Tax Rating Address P.O. Box 865 Baldwin Place NY 10505
 *STREET NUMBER AND NAME *CITY OR TOWN *STATE *ZIP CODE
 4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:
 4A. Planning Board with Subdivision Authority Exists ☐
 4B. Subdivision Approval was Requested for Transfer ☐
 4C. Parcel Approved for Subdivision with Map Provided ☐
 5. Deed Property Size X *FRONT FEET OR 26.57 *DEPTH *ACRES
 6. Seller Name Diehl Richard, J.
 *LAST NAME/COMPANY *FIRST NAME
 *LAST NAME/COMPANY *FIRST NAME
 7. Select the description which most accurately describes the use of the property at the time of sale:
 C. Residential Vacant Land ☐
 Check the boxes below as they apply:
 8. Ownership Type is Condominium ☐
 9. New Construction on a Vacant Land ☐
 10A. Property Located within an Agricultural District ☐
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date 02/05/2015
 *12. Date of Sale/Transfer 02/05/2015
 *13. Full Sale Price 0.00
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.
 14. Indicate the value of personal property included in the sale 0.00
 15. Check one or more of these conditions as applicable to transfer:
☒ A. Sale Between Relatives or Former Relatives
☒ B. Sale Between Related Companies or Partners in Business
☐ C. One of the Buyers is also a Seller
☐ D. Buyer or Seller is Government Agency or Lending Institution
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
☐ G. Significant Change in Property Between Transferable Status and Sale Dates
☐ H. Sale of Business is Included in Sale Price
☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
☐ J. None
 Delineate(s) on Condition:

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

16. Year of Assessment Roll from which information taken (YY) 14 *17. Total Assessed Value 50,000
 *18. Property Class 311 *19. School District Name Mahopac
 *20. Tax Map Identifier(s) (Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
65.19-1-43

CERTIFICATION



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

SELLER SIGNATURE
Richard J. Diehl
 *SELLER SIGNATURE
Rosemarie Diehl
 *SELLER SIGNATURE

BUYER CONTACT INFORMATION
 (Buyer information for the buyer. Note: If Buyer is LLC, company, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then it must add contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

*BUYER SIGNATURE
Diehl Richard J. & Rosemarie
 *BUYER SIGNATURE
(845) 628-0542 *TELEPHONE NUMBER (EX. 845/800)
250 Croton Falls Road
 *STREET NUMBER *STREET NAME
Mahopac NY 10541
 *CITY OR TOWN *STATE *ZIP CODE
 *BUYER'S ATTORNEY
Spain & Spain, P.C.
 *BUYER'S ATTORNEY
(845) 628-5900 *TELEPHONE NUMBER (EX. 845/800)



 <p>Michael C Bartolotti, County Clerk Putnam County Office Building 40 Glenelga Avenue Room 100 Carroll, New York 10512</p>	 ACS-000000000393185-00000000077288-006
Endorsement Page	
Document # 1502826	Drawer # 02
Document Type: DEED	Book 2027 Page 1
Document Page Count: 6	Receipt # 17421
PRESENTER:	RETURN TO:
MAJOR ABSTRACT CORP	HERODES & MOLE PC
1110 ROUTE 55	888 ROUTE 6
SUITE 205	M, NY 10541
LAGRANGEVILLE, NY 12540	
PARTIES	
GRANTOR	GRANTEE
RICHARD DIEHL	MICHAEL BARILE

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

THIS INDENTURE, made the 18th day of OCTOBER 2016

BETWEEN

Richard Diehl and Rosemarie Diehl
250 Croton Falls Road
Mahopac, NY 10541

party of the first part, and

Michael Barile *and* Emily Barile *as joint tenants with rights of survivorship*
888 Route 6, Mahopac, NY 10541

party of the second part.

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

Town of Carmel County of Putnam, State of New York, commonly known as 250 Croton Falls Road, Mahopac, New York,
designated on the tax map of the Town of Carmel as Section 66.19 Block 1 and Lot 42, and being more particularly
described on Schedule "A" annexed hereto.

Being and intended to be the same premises as conveyed to the party of the first part by deed dated October 26, 2011
and recorded on December 14, 2011 in the Putnam County Clerk's Office in Liber 1888 Page 183.

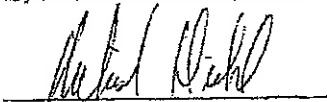
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all
the estate and rights of the party of the first part in and to said premises;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

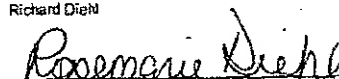
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the
first part will receive the consideration for this conveyance and will hold the right to receive such consideration
as a trust fund to be applied first for the purpose of paying the cost of 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" when ever 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:



Richard Diehl



Rosemarie Diehl

Schedule A Description

Title Number MAC-10520

Page 1

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Carmel, County of Putnam and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly line of the lands of the City of New York, at the Intersection of the premises herein described, and the southwesterly corner of the lands of Vredenburg, said point of beginning being indicated by a cross on a stone wall;

THENCE along the land of the City of New York and the face of a stone wall the following courses and distances:

North 44° 28' 00" West 265.81 feet; North 43° 32' 50" West 13.93 feet; North 44° 25' 10" West 97.87 feet; North 34° 21' 30" West 88.07 feet; North 34° 33' 00" West 140.35 feet to the East side of the land of Butironi and a wire fence;

THENCE along said land and along wire fence North 12° 44' 20" East 184.13 feet; North 11° 46' 30" East 220.54 feet; North 12° 07' 10" East 66.69 feet;

THENCE still along said land and along a stone wall North 11° 50' 40" East 58.96 feet, to a corner and a stone wall;

THENCE still along the land of Butironi and a stone wall North 75° 41' 20" West 167.09 feet to a corner;

THENCE still along the land of Butironi and a stone wall North 13° 32' 30" East 47.83 feet; North 6° 36' 30" East 143.35 feet; North 00° 54' 20" East 101.11 feet to the South side of the land of Edward Dwyer and a stone wall;

THENCE along the Lands of Edward Dwyer and a stone wall North 64° 46' 40" East 30.51 feet; North 73° 58' 30" East 19.56 feet; North 84° 32' 00" East 330.70 feet; North 84° 18' 30" East 228.93 feet;

THENCE along lands heretofore conveyed by Lorini to Bruen by deed recorded in the Putnam County Clerk's Office in Liber 227 cp 448, along a stone wall, South 4° 20' East 114.91 feet; South 00° 9' East 66.96 feet; South 7° 06' East 51.69 feet; South 4° 41' West 104.21 feet; South 84° 42' East 71.34 feet; South 13° 38' West 30.09 feet; South 8° 11' East 20.60 feet; South 6° 56' West 34.31 feet; South 3° 56' West 27.50 feet; South 00° 17' West 14.20 feet; South 6° 50' West 68.67 feet; South 77° 07' East 49.93 feet; South 18° 29' West 146.64 feet; South 17° 27' West 145.06 feet; South 18° 16' West 208.95 feet; and South 15° 36' West 146.17 feet to a point in the line of land now or formerly of Vredenburg;

THENCE along said line of lands now or formerly of Vredenburg North 76° 00' 30" West 23.48 feet to a nail in the root of an 18 inch elm;

THENCE still along said lands now or formerly of Vredenburg South 19° 45' 10" West 235.24 feet to a cross cut in a stone wall marking the northeasterly line of lands of the City of New York and the point of BEGINNING.

Continued On Next Page

Schedule A Description - continued

Title Number MAC-10520

Page 2

Said premises also being described as shown on a survey dated 10/11/2016 made by Robert E. Baxter as follows:

BEING all that certain plot, piece or parcel of land, situate, lying and being in the Town of Carmel, County of Putnam, State of New York, and more particularly described as follows:

BEGINNING at a point on the northeasterly line of lands of the City of New York acquired for the protection of Mud Pond Outlet, where the same is intersected by the division line between lands formerly of Ella E. Wright, now or formerly of Richard & Rosemarie Diehl, on the west and lands formerly of Orin S. & Mary I. Vredenburg, now or formerly of Forest Hills GBF, LLC on the east, as said division line was fixed by an agreement recorded in Liber 158, Page 443 of Deeds; said point of beginning further identified as being marked by an X-Cut on the northeasterly face of a stone wall along the northeasterly line of lands of City York;

Thence running from said point and place of beginning, along the northeasterly line of lands of the City of New York and the northeasterly face of a stone wall, N. 44°28'00" W. 265.81 feet, N. 43°32'50" W. 13.93 feet, N. 44°25'10" W. 97.87 feet, N. 34°21'30" W. 88.07 feet and N. 34°33'00" W. 140.35 feet to a point on the easterly line of lands now or formerly of Croton Falls Road Holding, LLC, as formerly marked by a wire fence (circa 1930) referenced in Liber 158, Page 440 of Deeds;

Thence turning and running along the easterly line of lands now or formerly of Croton Falls Road Holding, LLC and the former lines of a wire fence, N. 12°44'20" E. 184.13 feet, N. 11°46'30" E. 220.54 feet and N. 12°07'10" E. 66.69 feet to the beginning of a stone wall;

Thence continuing along said lands of Croton Falls Road Holding, LLC, along a stone wall, N. 11°50'40" E. 58.96 feet to an intersecting stone wall; thence turning and continuing along said lands, along a stone wall, N. 75°41'20" W. 167.09 feet to an intersecting stone wall and the easterly line of lands now or formerly of Frederick L. Swanson, Jr. & Donna M. Swanson;

Thence turning and running along the easterly lines of said lands now or formerly of Swanson, generally on or along a stone wall, N. 13°32'30" E. 47.83 feet, N. 6°36'30" E. 143.35 feet, N. 0°54'20" E. 101.11 feet, N. 64°46'40" E. 30.51 feet and N. 73°58'30" E. 19.56 feet to the southwesterly corner of lands designated as Lot 1 on a certain map entitled "Subdivision Plat prepared for Weber Hill Estates", filed in the Putnam County Clerk's Office on August 4, 1994 as Map No. 2619;

Thence running along the southerly lines of Lot 1 and Lot 2 shown on said Filed Map No. 2619, generally on or along a stone wall, N. 84°32'00" E. 330.70 feet and N. 84°18'30" E. 228.93 feet to a point on the westerly line of lands now or

Continued On Next Page

Schedule A Description - continued

Title Number **MAC-10520**

Page **3**

formerly of Richard Diehl & Rosemarie Diehl as intended to be described in Liber 1993, Page 444;

Thence turning and running along said westerly line of said lands now of formerly of Richard Diehl & Rosemarie Diehl, generally on or along the mean line of an irregular stone wall or the remains thereof, S. 4°20'00" E. 114.91 feet, S.

0°09'00" E. 66.96 feet, S. 0°43'30" W. 155.16 feet,

S. 84°42'00" E. 71.34 feet, S. 13°38'00" W. 30.09 feet, S. 8°11'00" E. 20.60 feet,

S. 6°56'00" W. 34.31 feet, S. 3°56'00" W. 27.50 feet, S. 0°17'00" W. 14.20 feet,

S. 6°50'00" W. 68.67 feet,

S. 77°07'00" E. 49.93 feet, S. 18°29'00" W. 146.64 feet, S. 17°27'00" W. 145.06

feet, S. 18°16'00" W. 208.95 feet and S. 15°36'00" W. 146.17 feet to a point on

the northerly line of formerly of lands formerly of Vredenburg, now or formerly of Forest Hills GBF, LLC;

Thence turning and running along the northerly and westerly lines of said lands now or formerly of Forest Hills GBF, LLC, N. 76°00'30" W. 23.48 feet and S. 19°45'10" W. 235.24 feet to the X-Cut found at the northeasterly face of the stone wall on the northeasterly line of lands of the City of New York and the point and place of BEGINNING.

FOR CONVEYANCING ONLY, NOT TO BE INSURED:

TOGETHER with the appurtenant non-exclusive right to use the existing 20 ft. wide Right of Way across lands of the City of New York as originally granted to Ella E. Wright in Liber 9, Page 429 of Supreme Court Orders; said Right of Way leading northeasterly from Croton Falls Road to the lands formerly of Ella E. Wright, now owned in two separate adjoining parcels by Richard Diehl & Rosemarie Diehl. ✓

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of Putnam

ss:

State of New York, County of Putnam

ss:

On the 18 day of October in the year 2016
before me, the undersigned, personally appeared
Richard Diehl
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.

On the 18 day of October in the year 2016
before me, the undersigned, personally appeared
Rosemarie Diehl
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.

(signature and office of individual taking acknowledgment)

(signature and office of individual taking acknowledgment)

ERIC GILLMAN
NOTARY PUBLIC, STATE OF NEW YORK
01036017794
QUAL. DUTCHESS CTY.
COMM EXP 12/21/20 18

ERIC GILLMAN
NOTARY PUBLIC, STATE OF NEW YORK
01036017794
QUAL. DUTCHESS CTY.
COMM EXP 12/21/20 18

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

ss:

On the day of in the year 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, and that such individual made such appearance before the undersigned in the

in
(insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

DISTRICT
SECTION 65.19
BLOCK 1
LOT 42

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

Title No. Major Abstract Corp
Diehl (Title No.: MAC-10520)

TO

Barle

COUNTY OR TOWN Putnam County
STREET ADDRESS 250 Croton Falls Road
Mahopac, NY 10541
Recorded at Request of
THE JUDICIAL TITLE INSURANCE AGENCY LLC

RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by
THE JUDICIAL TITLE INSURANCE AGENCY LLC
550 MAHARONECK AVENUE
HARRISON, NY 10528
914-321-6700 • 800-281-TITLE

Herodes and Mole, PC
888 Route 6
Mahopac, NY 10541

FOR COUNTY USE ONLY

C1. SWIS Code

C2. Date Deed Recorded

C3. Book

C4. Page

INSTRUCTIONS(RP-5217-PDF-INS): www.orps.state.ny.us

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (2/10)

PROPERTY INFORMATION

1. Property Location 250 Croton Fall Road
 * STREET NUMBER * STREET NAME
 Mahopac Camel 10541
 * CITY OR TOWN * ZIP CODE

2. Buyer Name Barile Michael
 * LAST NAME COMPANY * FIRST NAME
 Barile Emily
 * LAST NAME COMPANY * FIRST NAME

3. Tax Billing Address Indicate where Future Tax Bills are to be sent if other than buyer address(es) shown on form
 * LAST NAME COMPANY * FIRST NAME
 * STREET NUMBER AND NAME * CITY OR TOWN * STATE * ZIP CODE

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

6. Deed Property Size * FRONT FEET * X * DEPTH OR 15.00 * ACRES

8. Seller Name Diehl Richard
 * LAST NAME COMPANY * FIRST NAME
 Diehl Rosemarie
 * LAST NAME COMPANY * FIRST NAME

7. Select the description which most accurately describes the use of the property at the time of sale:
 B. 2 or 3 Family Residential

Check the boxes below as they apply:
 9. Ownership Type is Condominium ☐
 9. New Construction on a Vacant Lot ☐
 10A. Property Located within an Agricultural District ☐
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date 10/12/2016

12. Date of Sale/Transfer 10/18/2016

13. Full Sale Price 790,000.00
 (Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

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

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

Comment(s) on Condition:

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

16. Year of Assessment Roll from which information taken(Yr) 16 *17. Total Assessed Value 675,000

18. Property Class 220 *19. School District Name Mahopac

20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

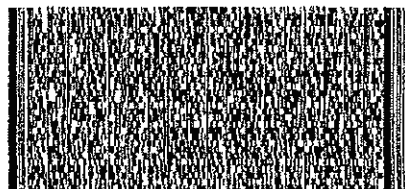
65.19-1-42

CERTIFICATION

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

SELLER SIGNATURE 10/18/16
 Diehl Rosemarie Diehl
 * LAST NAME COMPANY * FIRST NAME
 DATE

BUYER SIGNATURE
 Michael Barile 10/18/16
 * LAST NAME COMPANY * FIRST NAME
 DATE



BUYER CONTACT INFORMATION

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

Emily Michael
 * LAST NAME * FIRST NAME
 * AREA CODE * TELEPHONE NUMBER (E.G. 00000000)
 250 Croton Falls Road
 * STREET NUMBER * STREET NAME
 Mahopac NY 10541
 * CITY OR TOWN * STATE * ZIP CODE

BUYER'S ATTORNEY
 Herodes Jennifer M.
 * LAST NAME * FIRST NAME
 (845) 628-1100
 * AREA CODE * TELEPHONE NUMBER (E.G. 00000000)

(\$125.00) Dollars made for this interest on said parcel and that he makes this affidavit for the purpose of obtaining the payment to him of the award made for said interest in this proceeding.

Sworn to before me this
19th day of September 1902.

Geo. H. Chedwin
Notary Public
Chester County,
Pa. filed in Putnam County.
Recorded Sep. 19, 1902.
at 10 a.m.

Mostenier C. Stebbins.

Wm. DePelt.

Relates:

That defendant made the 22 day of September one thousand nine hundred & two between Henry Credenburgh, married of Canaan, Putnam County New York party of the first part, and the City of New York party of the second part. Witnesses as follows:-

Whereas, pursuant to Chapter 445 of the Laws of 1897 and the acts amendatory thereof, the Commissioners of Public Works of the City of New York, instituted proceedings to acquire certain real estate in the Town of Canaan, Putnam County New York, for the sanitary protection of the water supply of the said City, which proceeding is commonly known as the "Map Act" proceeding;

Whereas, the petition in said proceeding having been filed in Putnam County Clerk's Office on November 11th 1897; Commissioners of Appraisal were duly appointed on November 27, 1897 and took & filed their oaths of office as required by law.

Whereas, such proceedings were had before the said Commissioners that on the second day of November 1899 the said Commissioners made their Joint Separate Report which report was filed in the office of the County Clerk of Putnam County on November 6, 1899, and duly confirmed by an order granted January 6, 1900, filed in said Clerk's Office May 28, 1900, and a certified copy thereof recorded in said Clerk's Office August 31, 1900 in Book number nine Supreme

Court Orders at page 393

And Whereas it has been found and determined that said Henry Friedmuthigh & others were entitled to and should receive the sum of Two thousand five hundred and seventy five Dollars in full compensation for the acquisition by the party of the second part of the lot of Parcel No 74 in said proceedings and in full satisfaction of all damages sustained or which may be sustained by the owner or owners of and persons interested in said parcel by reason of the acquisition, use and occupation by the City of New York of said parcel.

Now therefore the party of the first part in consideration of the sum of Two thousand five hundred and seventy five (\$2,575) dollars the receipt whereof is hereby acknowledged doth hereby grant and release and convey to the City of New York its successors and assigns forever.

All that tract of Parcel 74 land situated in the Town of Carmel Putnam County New York designated and described in the petition in said proceeding in the said report & order confirming said report as Parcel No 74 to which reference is hereby made for a particular description of said parcel and also relieving the said City of the second part of and from any and all damages sustained or which may be sustained by reason of such acquisition of said parcel.

In witness whereof the party of the first part has hereunto set his hand and seal the day before first above written.

Geo Anderson

Henry Friedmuthigh R. S.

Deputy of New York
County of Putnam

On this 74 day of September 1903 before me personally came Henry Friedmuthigh known to me & known to be the individual described in and who executed the foregoing instrument and thereupon acknowledged that he executed the same.

Recorded Sep 27, 1903

at 10 am

Attest

Geo Anderson
Notary Public

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Release:-

This Indenture, made the 2 day of May. One thousand nine hundred and two Between Lucilia I. Green of Carmel Putnam County New York party of the first part and The City of New York party of the second part. Witnesseth as follows: Whereas, pursuant to Chapter 445 of the Laws of 1897 and the acts amendatory thereof, the Commissioners of Public Works of the City of New York, instituted proceedings to acquire certain real estate in the town of Carmel Putnam County, New York, for the sanitation, protection of the water supply of the said City, which proceeding is commonly known as the Mahopac Proceedings.

Whereas the petition in said proceeding having been filed in Putnam County Clerk's Office on November 11th 1897 Commissioners of Appraisal were duly appointed on November 27th 1897 and took & filed their oaths of office as required by law.

Whereas such proceedings were had before the said Commissioners that on the eleventh day of May 1900 the said Commissioners made their second Appraisal Report which report was filed in the office of the County Clerk of Putnam County May 17th 1900 & duly confirmed by an order granted August 17th 1900 filed in said Clerk's Office August 31st 1900 and a certified copy thereof recorded in said Clerk's office on September 18th 1900, in Liber Number Nine of Supreme Court Orders at page 427.

Whereas, it has been found and determined that said Lucilia I. Green was entitled to and should receive the sum of Eight thousand five hundred dollars in full compensation for the acquisition by the party of the second part of the fee of Parcel No 23 in said proceedings and in full satisfaction of all damages sustained or which may be sustained by the owner or owners of said persons interested in said parcel by reason of the acquisition, use and occupation by the City of New York of said parcel.

Now Therefore, the party of the first part in consideration of the sum of Eight thousand five hundred (\$8500), Dollars, the receipt whereof is hereby acknowledged doth hereby grant, release & convey to the City of New York its successors and assigns forever,

All that tract or parcel of land situate in the

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Town of Carmel, Putnam County, New York, designated as described in the petition in said proceeding & in the said report & order confirming said report as Parcel No 73 to which reference is hereby made for a particular description of said parcel and also reserving the said party of the second part of and from all and all damages sustained on which any or any claim by reason of such acquisition of said parcel.

*

Reserving the right of way, now parting of said parcel as described in said report & order confirming said report to the persons & for the purposes therein stated to which report & order reference is hereby made & the statements therein contained as to said right of way are to be considered as part of this instrument.

Reserving however the right to present & prosecute any claim for interest on the award herein which may legally exist in favor of the party receiving this award.

In Witness Whereof the party of the first part has hereunto set her hand & seal the day & year first above written.

The presence of
Jno. C. Anderson

U.S. Int.
\$5.00
Stamp

Lucelia J. Green. L.S.

State of New York } ss:
County of Putnam

On this 2nd day of May 1902 before me personally came Lucelia J. Green to me known and known to be the individual described in and who executed the foregoing instrument and she acknowledged that she executed the same.

Recorded May 7. 1902
at 12 M.

J. C. Anderson
Deputy

J. C. Anderson
Notary Public

of the holder of said mortgage and has not assigned or conveyed any interest in any part of said award.

That this affidavit is made for the purpose of procuring the payment of said award to her.

Subscribed before me this

2 day of May 1902

Clayton Ryder

Notary Public.

Recorded May 7, 1902
at 11:30 M.

Elizabeth O'Neil.
mons

[Signature]

Release:

This Indenture, made the second day of May. One Thousand Nine hundred and two.

Between Mary Wright wife of Oscar Wright of Carmel Putnam County, New York, party of the first part, and The City of New York, party of the second part.

Witnesseth As follows:

Whereas pursuant to Chapter 445 of the Laws of 1874 and the acts amendatory thereof the Commissioners of Public Works of the City of New York instituted proceedings to acquire certain real estate in the Town of Carmel, Putnam County, New York for the sanitary protection of the water supply of the said City which proceeding is commonly known as the Mahopac Proceeding:

Whereas the petition in said proceeding having been filed in Putnam County Clerk's Office on November 11th 1897, Commissioners of Appraisal were duly appointed on November 22, 1897, and have filed their oaths of office as required by Law, and

Whereas such proceedings were had before the said Commissioners that on the second day of November 1899 the said Commissioners made their Final Appraisal Report which report was filed in the office of the County Clerk of Putnam County on November 6th 1899 & duly confirmed by an order of said County Clerk on January 6th 1900, filed & paid in Clerk's Office May 28th 1900, and a Certified Copy thereof recorded in said Clerk's Office August 31st 1900 in Liber Number nine of said Clerk's Office at page 393.

Whereas it has been found & determined that said Mary Wright was entitled to and should receive the sum

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of three thousand five hundred (\$3,500) dollars in full compensation for the acquisition by the party of the present and part of the parcel of Parcel No 22 in said proceeding and in full satisfaction of all damage sustained or which may be sustained by the owner or owners of and persons interested in the said parcel by reason of the acquisition, use and occupation by the City of New York of said parcel.

Now therefore, the party of the first part in consideration of the sum of three thousand five hundred (\$3,500) dollars, the receipt whereof is hereby acknowledged, doth hereby grant, release and convey to the City of New York its successors and assigns forever:

All that tract or parcel of land situate in the Town of Carroll, Putnam County, New York, designated & described in the petition in said proceedings & in the said report of order confirming said report as Parcel No 22 to which reference is hereby made for a particular description of said parcel and also releasing the said party of the second part of and from any and all damages sustained by reason of such acquisition of said parcel.

Reserving however the right to prevent and prosecute any claim for interest on the award herein which may legally accrue in favor of the party receiving this award.

Witness the hand of the party hereto of the first part hath hereunto set her hand and seal the day and year first above written.

Delivered & Delivered
In the presence of
Geo. H. Baldwin

U.S. 100
Stamp

Mary Edwight. L.S.

State of New York ss:
County of Putnam

On this second day of May 1902 before me personally came Mary Edwight to me known and known to be the individual described in and who executed the foregoing instrument and she acknowledged that she executed the same.

Recorded May 22, 1902.

at 12. M.

[Signature]

Geo. H. Baldwin
Notary Public Westchester Co.
Not filed in Putnam Co.

L. 89 of 268

That defendant has not paid any interest or any part of the principal of said mortgages and that said mortgages have not been paid and are not paid.
That defendant as such trustee is the owner of the property to the payment to him of the award made for the acquisition of said Canal No. 30. in this proceeding and has not assigned or conveyed any interest therein and that he makes this affidavit to prevent the payment to him of such trustee of said award.
Sworn to before me this 2^d day of April, 1902.

Wm. C. Anderson,
Notary Public.

Recorded May 2, 1902.
at 12 M.

Mary V. Schenck.

Wm. C. Anderson, Notary Public.

Whereas:

This Legislature, made the 2^d day of May One Thousand Nine Hundred and Two, Act No. 11, Chapter 11, of the Laws of 1902, relating to the City of New York, parties of the first part, and the City of New York, parties of the second part, Waterworks and Sewerage.

Whereas, pursuant to Chapter 11 of the Laws of 1902, the City of New York, parties of the first part, has instituted proceedings to acquire certain real estate in the City of New York, parties of the second part, for the purpose of the water supply of the said City, which proceedings are commonly known as the Mahopac Proceedings.

Whereas, the petition in said proceedings having been filed in Putnam County, Clerk's Office on November 11, 1899, and the Commissioners of Appraisal were duly appointed on November 27, 1899, and have filed their oaths of office as required by Law.

Whereas, said proceedings were had before the said Commissioners on the second day of December 1899, and the said Commissioners made their Report Separate Report which was filed in the office of the County Clerk of Putnam County on November 6, 1900, and was confirmed by an order granted January 6, 1900, filed in said

last
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Clerk's Office May 28th, 1902, find a certified copy thereof recorded in said Clerk's Office August 21st, 1900, in the
Register of Supreme Court Orders at page 398. And
Whereas, it has been found and determined that said
Elizabeth Neil & others, were entitled to and should receive
the sum of Thirteen Hundred (\$1300) Dollars in full compensa-
tion for the acquisition by the party of the second part of
the fee of Parcel No. 13 as paid proceedings then fully sat-
isfaction of all damages sustained or which may be sus-
tained by the owner or owners of the persons interested in said
parcel by reason of the acquisition, use and occupation
by the City of New York of said parcel.

Now Therefore the parties of the first part in consider-
ation of the sum of One thousand three hundred dollars
the receipt whereof is hereby acknowledged do hereby grant,
release and convey to the City of New York its successors
and assigns forever:

All that tract or parcel of land situate in the Town of
Carmel, Putnam County, New York, designated & described in the
petition in said proceedings in the said report of order con-
firming said report and Parcel No. 21, to which reference is
thereby made for a particular description of said parcel
and also releasing the said party of the second part of and
from any and all damages sustained or which may be
sustained by reason of such acquisition of said parcel.

Reserving, however, the right to present & prosecute any
claim for interest on the amount herein which may legally
exist in favor of the party receiving things aforesaid.

In Witness Whereof the parties of the first part have
hereunto set their hands and seals the day & year first above written.

In the Presence of
Clayton R. der

Elizabeth Neil. L. S.
Lillian Green. L. S.

State of New York }
County of Putnam }

On this 23 day of May, 1902, before me person-
ally came Elizabeth Neil & Lillian Green, known to me
to be the individuals described in & who executed the for-
going instrument and severally acknowledged that they ex-
ecuted the same.

Recorded May 2, 1902.

at 13 m

Geo. M. Baldwin
Notary Public, Hatcher & Co.
Cert. filed in Putnam County.

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office on November 6th 1899 and duly confirmed by an order of
the Court granted Jan. 6th 1900 and duly filed in said Clerk's
Office, subject to the interest of said Elizabeth Hanson on
said mortgage held by her and that defendant has not assigned
or conveyed any interest in said award and that he makes this
affidavit to secure the payment of said award to him.

Given at St. Louis, Missouri
this 26th day of April 1902.

Geo. C. Anderson

Notary Public

Recorded Apr 26, 1902
at St. Louis

Chester C. Hanson

Wm. Decker

Release:-

This Indenture made the 26 day of April One thousand
Nine hundred and two.

Between Ella B. Wright of Chandel Putnam County New
York party of the first part and The City of New York party of
the second part. Witnesseth as follows:-

Whereas pursuant to Chapter 45 of the Laws of 1877 and
the acts amendatory thereof the Commissioner of Public Works of the
City of New York instituted proceedings to acquire certain real
estate in the Town of Carmel Putnam County New York for the
sanitary protection of the water supply of the said City
which proceedings are commonly known as the Mahopac Proceedings.

Whereas the petition in said proceeding having been filed in
Putnam County Clerk's Office on November 31st 1897 Commission-
ers of Appraiser were duly appointed on November 27, 1897 and
have filed their reports of appraisement as required by law.

Whereas such proceeding were had before the said Commissioners
that on the eleventh day of May 1900 the said Commissioners
made their Second Appraisal Report which report was filed in
the office of the County Clerk of Putnam County May 17th 1900
and duly confirmed by an order granted August 11th 1900 filed in
said Clerk's Office August 31st 1900. A certified copy thereof record-
ed in said Clerk's Office on September 18th 1900 in Book Num-
ber 219 of Supreme Court Orders page 27.

Whereas it has been found & determined that said Ella B. Wright
was entitled to & should receive the sum of Two thousand dollars
in full compensation for the acquisition by the party of the
second part of the fee of Parcel No 19 in said proceeding

and in full satisfaction of all damages sustained or which may be sustained by the owner or owners of persons in interest in said parcel by reason of the acquisition, use and occupation by the City of New York of said parcel.

Now therefore the party of the first part in consideration of the sum of Two Thousand dollars, the receipt whereof is hereby acknowledged, does hereby grant, release and convey to the City of New York its successors and assigns forever,

All that tract or parcel or land situate in the Town of Canaan, Putnam County, New York, designated & described in the petition in said proceeding & in the said report & order confirming said report as Parcel No 19 to which reference is hereby made for particular description of said parcel and also releasing the said party of the second part of and from any and all damages sustained or which may be sustained by reason of such acquisition of said parcel.

Reserving the right of way over a portion of said parcel as described in said report & other confirming said report to the persons and for the purposes therein stated to which report and order reference is hereby made and the platements therein contained as to said right of way are to be considered a part of this instrument.

Reserving however the right to present and prosecute any claim for interest on the award herein upon the way legally existing in favor of the party receiving this award.

In Witness Whereof the party hereto of the first part hath hereunto set her hand and seal the day and year first above written.

In presence of
Geo E Anderson.

Ella E Wright. L.S.

State of New York } ss:
County of Putnam }

On this 26th day of April 1902 before me personally came Ella E Wright known to me to be the individual described in and who executed the foregoing instrument and she acknowledged that she executed the same.

Recorded Apr. 26, 1902.
at 12. M.

[Signature] Deput.

Geo. E. Anderson
Notary Public

Supreme Court order

L. 9 p 8 427

L. 9 p 8 427

At a Special Term of the Supreme Court held in and for the Second Judicial District at the Court House inburgh, New York, on the 11th day of August 1906

Present:

Hon. Henry G. Chase.

Justice.

In the Matter

The application of Petition of Charles H. J. Collier, Commissioner of Public Works of the City of New York for and on behalf of and in the name of the Mayor, Aldermen and Commonalty of the City of New York under Chapter 445 of the Laws of 1877 and the several acts amendatory thereof to acquire certain real estate (as the term real estate is defined in said act) situate in the Bronx County of New York and State of New York for the purpose of maintaining and preserving the supply of pure and wholesome water for the use of said City and for the purpose of preventing the contamination or pollution of the water supply of said City.

On reading and filing the report of the Majority of the Judges and Commissioners appointed herein by an order of the Supreme Court of New York Special Term thereof held in and for the Second Judicial District at the Court House, White Plains City, on November 27, 1897, which order was entered in the office of the County Clerk of the County of Putnam on the 30 day of December 1897, by which order they were authorized and empowered to ascertain and appraise the compensation to be made by the owners of the property interested in the real estate as the term real estate is defined in the 16 Section of Chapter 445 of the Laws of 1877, proposed to be taken on, affected as set forth in the Petition herein and there specifically described as parcels Numbers 6, 7, 10, 13, 19, 23, 24, 27, 28, 29, 30, 31 and 32 which said petition was filed in the office of the County Clerk of the County

Parcels

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L. 9 p 8 428

That on the 13 day of November 1897 the petitioner Charles H. Cole having been unable to agree with the owner or owners of such parcels of real estate or with any of them as to the sum to be paid for the acquisition or relinquishment of such real estate or of any right therein or interest therein.

And on reading and filing due proof of the service of a copy of said report with due notice that the same would be presented for confirmation at a special term of this Court to be held at this time and place upon the several parties or their attorneys to be affected by these proceedings: and it appearing from said report that having first been prescribed the oath prescribed by the Constitution which said oath of John said John M. Digney John J. Quillen and Cassius H. Hedges was filed in the County Clerk's Office of Putnam County on the 8th day of January 1898 a meeting was held at the time and place designated in the order aforesaid and subsequently on various other days pursuant to adjournment that prior to taking of any evidence or the hearing of argument they did carefully view and examine the premises described in the petition and hear the proofs and allegations of those of the said parties claiming to own the said parcels or to be interested therein who have appeared before them the names of said parties being read out for identification.

That the testimony taken by them with reference to said parcels and said real estate with the record of their proceedings was ordered to be written and printed, a copy of which was presented with said report.

That in such testimony and record of proceedings as in their report the parcels of real estate proposed to be taken or affected by these proceedings and included in said order of the Court appointing them as said Commissioners known and designated by the numbers on which the several parcels thereof were designated in the petition above referred to.

That after the taking of such testimony was closed they did all being prompt and without any unnecessary delay ascertain and determine the compensation which ought justly to be made by the said Charles H. Cole for the owners of such parcels of real estate persons interested therein: and further that in fixing the amount of such compensation they did not make any allowance or

deduction on account of any real or supposed benefits which the parties deceased might derive from the acquisition of such real estate by the said City of New York.

That Mary P. Deelin, individually and as trustee under the deed of Catherine Hadsworth Philips, and also as trustee under the deed of Margaret Gouverneur Philips and said Margaret Gouverneur Philips, individually and as trustee under the deed of Catherine Hadsworth Philips, and also under the deed of Jean P. Deelin and Catherine Hadsworth Philips, John H. Deelin and Mary Ethel Deelin individually and John H. Deelin as Executor of and trustee under the last Will and Testament of Margaret P. Morris, deceased, and also as Executor of and trustee under the last Will and Testament of Mary H. Gouverneur, deceased, and William Henry Holdaway a guardian ad litem for Margaret M. Deelin and Harbottle Gouverneur, infants, filed with upon June 30 1898, a claim for all the undivided third part of all the mines or minerals in, upon or underneath the surface of the lands laid down on maps in this proceeding and described in the petition herein and shown and designated on said maps as Parcels Nos 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 71.

On March 22, 1900, the following stipulation was entered into and filed with us:

Supreme Court.
Second Judicial District.

In the Matter

of
The Application and Petition of Charles H. J. Calver, Comptroller of Public Works of the City of New York, for and on behalf and in the name of Mayor Alderman and Commonalty of the City of New York under Chapter 440 of the Laws of 1877, and the several acts amendatory thereof to acquire certain real estate as the same real estate is defined in said act, situate in the Town of Carroll County

of Putnam and State of New York for the purpose of ascertaining and preventing the diversion of pure and wholesome water for the city said City & for the purpose of preventing the contamination or pollution of the water supply of said City.

It is stipulated on behalf of the City represented by Messrs. Deane and the claimants represented by Messrs. Eiden & Anderson, Eugene B. Davis, H. P. Holt, W. H. Norton & Barrett, John J. Schloesser, Committee of Anna B. Swanson, John Delbert Hansen and William Henry Halshaw that if the award to be made by the Commission to the claimants herein, as to the parcels below enumerated, shall be awarded to Mary P. Eelien and others, claimant herein, represented by Messrs. Hansen and Halshaw, the following sums, and in respect of parcels numbered as follows, respectively:

No 25.	Containing	2.331 acres	\$15.00
No 26	"	11.401 "	30.00
No 27	"	3.684 "	15.00
No 28	"	2.147 "	15.00
No 29	"	6.791 "	25.00
No 30	"	2.778 "	15.00
No 31.	"	6.634 "	25.00
No 32.	"	23.974 "	30.00
No 33a	"	8.773 "	20.00
No 33b	"	0.558 "	10.00
No 33c	"	0.880 "	10.00
No 33d	"	1.979 "	10.00
No 33 1/4	"	4.893 "	10.00
No 35	"	12.437 "	30.00
No 37	"	0.643 "	10.00
No. 38	"	0.057 "	10.00
No. 39	"	0.056 "	10.00
No 40	"	0.109 "	10.00
No 41	"	0.101 "	10.00
No 42	"	0.150 "	10.00
No 43	"	0.226 "	10.00
No 44	"	0.547 "	10.00
No 45	"	0.611 "	10.00
No 46	"	0.315 "	10.00
No 47	"	1.081 "	10.00
No 48	"	1.127 "	10.00

No 49	Containing	0.383 acres	10.00
No 50	"	0.755 "	10.00
No 51	"	0.481 "	10.00
No 52	"	0.776 "	10.00
No 53	"	0.678 "	10.00
No 54	"	0.017 "	10.00
No 55	"	2.774 "	15.00
No 56	"	0.080 "	10.00
No 57	"	0.235 "	10.00
No 58	"	0.162 "	10.00
No 59	"	0.221 "	10.00
No 60	"	0.148 "	10.00
No 61	"	0.276 "	10.00
No 62	"	0.157 "	10.00
No 63	"	0.116 "	10.00
No 64	"	0.115 "	10.00
No 65	"	0.172 "	10.00
No 66	"	0.572 "	10.00
No 67	"	0.135 "	10.00
No 68	"	4.133 "	20.00
No 69	"	4.470 "	<u>20.00</u>

And also that in respect of all the parcels included in this proceeding taken in the aggregate. Mr. John P. Witt, Counsel, attorney, and of Counsel for Mary P. Deely and others, be allowed \$500 in full for his Counsel fees, costs, expenses and disbursements and that Mr. William Henry Haldane be allowed \$500 for his costs and Counsel fees, expenses and disbursements as guardian ad litem herein.

Now, after hearing John Whalen Corporation Counsel, in favor of the confirmation of said report.

On motion of John Whalen Corporation Counsel, and neither of the attorneys so appearing opposing said motion it is

Ordered, that the report of the said Commissioners as to the compensation to be made as aforesaid to the owners of the several parcels of real estate hereinafter mentioned and the persons interested therein be and it hereby is in all respects confirmed.

And it is further ordered that the amount of compensation fixed in the said report as to the said several parcels and also for payment to the several Counsel hereinafter named be forthwith paid by the Comptroller of the City.

of New York to the persons entitled thereto in the manner hereinafter indicated - the description of the said parcels and property, the respective amounts of compensation payable in respect of the said several parcels of property, and the names of the persons to whom payment of such compensation shall be made, being as follows:

Parcel Number First.

All that certain lot, piece or parcel of land situate lying and being in the Town of Council, County of Dutchess, and State of New York bounded and described as follows:

Beginning at a point in the southerly boundary of Parcel No. 7 and running thence along the same the following courses and distances: South 59 degrees 41 minutes 10 seconds east 200.64 feet, South 60 degrees 01 minutes 20 seconds east 394.03 feet, South 66 degrees 50 minutes 20 seconds east 74.21 feet, South 54 degrees 18 minutes 20 seconds east 48.73 feet North 68 degrees 07 minutes 10 seconds east 42.04 feet, and South 37 degrees 25 minutes 10 seconds east 25.67 feet to the westerly boundary line of Parcel No. 5; thence along the same the following courses and distances: South 18 degrees 14 minutes east 14 feet, South 89 degrees 47 minutes 30 seconds east 22.14 feet, South 2 degrees 47 minutes 30 seconds west 35.78 feet, South 27 degrees 56 minutes east 169.11 feet, South 26 degrees 20 minutes east 229.4 feet, South 81 degrees 17 minutes east 6.41 feet, South 22 degrees 44 minutes 30 seconds east 16.12 feet, South 82 degrees 22 minutes west 52.93 feet and South 79 degrees 16 minutes 10 seconds west 89.63 feet to the northerly boundary line of Parcel No. 3; thence along the same South 71 degrees 39 minutes 19 seconds west 51.75 feet to the northerly boundary line of Parcel No. 4; thence along the same South 73 degrees 16 minutes 30 seconds west 175.64 feet, thence North 8 degrees 41 minutes 10 seconds west 8.5 feet, thence South 9 degrees 11 minutes 30 seconds west 215.1 feet, and thence North 37 degrees 35 minutes 30 seconds west 815.12 feet to the place of beginning: Containing 5200 acres.

To the owner or owners of said parcel and the persons or persons interested therein as hereinafter set forth or to the Mercantile Trust Company of the City of New York to the credit of such owner or owners, persons or persons, shall be paid in the manner hereinafter prescribed as con-

or persons interested therein as hereinbefore set forth, or to the Mercantile Trust Company of the City of New York to the credit of such bonds, moneys, shares or persons shall be paid in the manner hereinbefore prescribed as consideration for the acquisition of the fee of the said premises by the City of New York and full and satisfaction of all damages sustained or which may be sustained by such owner or owners and person or persons by reason of the acquisition, use or occupation by the said City of New York of the said premises the sum of nine thousand nine hundred and fifty dollars (\$9,950).

Cesar Hanson of Carmel, Putnam County, claims to own the premises in fee.

Adrian W. Ryan of the same place claims an interest therein as the holder of a mortgage.

Thomas L. Ryan of the same place claims an interest therein as the holder of a mortgage.

Harvey J. Hanson, Charles W. Hanson, all of Carmel aforesaid, and Susan Dyke, may have or claim an interest in this parcel.

Charles W. Fagan of South East Putnam County may have or claim an interest in this parcel.

The Town of Carmel claims an interest in this parcel as the holder of every Collector's Bonds.

The petitioner has been unable to ascertain the names and places of residence of all persons owning, having or claiming to own or have an estate or interest in or claim upon this parcel.

Clayton Ryder and George E. Anderson appeared before said Commissioners as attorney and counsel for said owners.

Parcel Number Nineteen.

All that certain lot piece or parcel of land situate lying and being in the Town of Carmel, County of Putnam and State of New York, bounded and described as follows:

Beginning at a point on the north side of a road leading from Lake Mahopac to Croton Falls and running thence along the east boundary line of Parcel No 21 north 8 degrees 6 minutes 50 seconds east 9453 feet and north 9 degrees 45 minutes 30 seconds east 10716 feet; thence south 37 degrees 2 minutes east 2297 feet; thence south 47 degrees 5 minutes 30 seconds east 37566 feet to the westerly boundary line of Parcel No 18; thence along the same south 18 degrees 15 minutes 10 seconds east

Parcel
19

141.99 feet, South 11 degrees 52 minutes 30 seconds east
 389.64 feet, and north 8 degrees 30 minutes 50 seconds
 west 143.28 feet to the north side of the before mentioned
 road; thence north 80 degrees 27 minutes 50 seconds west
 51.23 feet across the road; thence north 79 degrees 59
 minutes west 159.79 feet; thence north 42 degrees 27
 minutes west 586 feet to the boundary line of Parcel No 23.
 thence along the same the following course of distances:
 North 6 degrees 50 minutes 40 seconds east 216.61 feet;
 South 74 degrees 19 minutes 20 seconds east 154.9 feet;
 North 14 degrees 11 minutes 40 seconds east 397.3 feet to
 the south side of the before mentioned road; thence north
 2 degrees 59 minutes 30 seconds east 53.83 feet and north
 14 degrees 11 minutes east 16 feet across the same to the
 place of beginning. Containing 8.078 acres, exclusive of
 school house property (Parcel No 20) contained within
 the above described property.

Reserving to Eda Wright the owner in fee of said
 parcel or her assigns, pursuant to a stipulation made the
 4th day of November 1899, between the Corporation
 Council and the parcel for the said owner, expressed
 in the records of the proceedings before said Commissioners
 the perpetual right to the use of the following des-
 cribed piece of land:

* North Side of Highway.

Beginning at a point on the purchase line of the City
 of New York South 47 degrees 5 minutes 30 seconds east
 93 feet from beginning of said line; thence South 57 de-
 grees 09 minutes 30 seconds west 155 feet to the north
 side of highway leading to Lake Mahopack; thence along
 the same in an easterly direction twenty feet; thence
 north 57 degrees 09 minutes 30 seconds east 806 feet to the
 first mentioned line; thence along the same north 47 de-
 grees 5 minutes 30 seconds west 21 feet to the place of
 beginning.

* South Side of Highway.

Beginning at a point where the line fence between
 Parcels No 1 and 19 intersect the highway leading to
 Lake Mahopack; thence following said fence north 79 de-
 grees 09 minutes west 159.79 feet to the purchase line of
 the City of New York; thence along said line north 42
 degrees 27 minutes west 586 feet; thence south 79 degrees
 59 minutes east 175 feet to the highway leading to
 Lake Mahopack; thence along said highway in a southerly

Description
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 Parcel 19
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Parcel
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direction 27 feet to the place of beginning. For the sole and
only purpose of a right of way and from the land
owned by said owner at the time this proceeding was
commenced which shall be adjacent to said Parcel No 19 or
which was a part of the farm of land out of which
said Parcel No 19 is taken.

To the owner or owners of said parcel or the person or
persons interested therein as hereinafter set forth, or to
the Mercantile Trust Company of the City of New York
to the credit of such owner, owners, person or persons
shall be paid in the manner hereinafter prescribed in con-
sideration for the acquisition of the fee of said premises
by the City of New York and in full satisfaction of all
damages sustained or which may be sustained by such
owner or owners and person or persons by reason of their
acquisition, use or occupation by the City of New
York of the said parcel the sum of two thousand
dollars (\$2,000).

Edgar E. Wright of the Town of Carmel, Pet-
nam County, Oregon, to give the premises in fee.

Edward Wright of the same place claims an inter-
est in this parcel as the holder of three mortgages.

Clayton Ryder and George C. Anderson appeared for
said Commissioners as attorney and counsel for
said owner.

Parcel Number Twenty Three *

All that certain lot, piece or parcel of land situate lying
and being in the Town of Carmel, County of Del Norte and
State of New York bounded and described as follows:

Beginning at a point on the north side of a road leading
from Lake Mahopae to Croton Falls; thence running
along the same road south 78 degrees 7 minutes 50 seconds east
103.55 feet; thence north 53 degrees 30 minutes 30 sec-
onds east 404.51 feet; thence north 54 degrees 38 minutes
east 1,044.04 feet; thence south 42 degrees 17 minutes
east 81.28 feet to the center of a road leading from Craft's
to Croton Falls; thence along the same road and the westerly
boundary line of Parcel No 21 south 15 degrees 0 min-
utes west 168.98 feet; thence along the northerly bound-
ary line of said parcel south 78 degrees 52 minutes 10 sec-
onds east 214.3 feet; thence south 67 degrees 2 minutes
east 262.04 feet to the northerly boundary line of Parcel
No 21; thence along the same south 67 degrees 51 min-
utes 30 seconds west 181.65 feet to the northerly boundary

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of Parcel No 27; thence along the same north 61 degrees 13 minutes 30 seconds west 27163 feet to the west boundary line of said parcel; thence along the same south 10 degrees 9 minutes 50 seconds west 84.74 feet and south 13 degrees 15 minutes west 208.18 feet to the center of the before-mentioned road leading from Laro Mahopae to Crofton Falls; thence along the same and the south line of said Parcel No 22 south 65 degrees 28 minutes east 102.75 feet, south 73 degrees 30 minutes east 81.06 feet and south 79 degrees 28 minutes 20 seconds east 107.65 feet to the south boundary line of Parcel No 21; thence along the same the following courses and distances: south 38 degrees 42 minutes east 21.36 feet, south 31 degrees 23 minutes 20 seconds east 36 feet, south 34 degrees 3 minutes east 136.60 feet and south 5 degrees 25 minutes 59 seconds west 27.2 feet to the west boundary line of Parcel No 19; thence along the same south 6 degrees 50 minutes 40 seconds west 216.61 feet; thence north 42 degrees 27 minutes west 76.3 feet; thence south 45 degrees 48 minutes west 66.828 feet to the west side of a road leading to Dorners Centre; thence south 45 degrees 2 minutes west 459.68 feet; thence south 80 degrees 35 minutes west 379.33 feet; thence north 71 degrees 18 minutes 30 seconds west 149.55 feet to the east boundary line of Parcel No 25; thence along the same the following courses and distances: north 63 degrees 27 minutes east 205.72 feet north 13 degrees 14 minutes 40 seconds east 186.74 feet north 13 degrees 33 minutes 10 seconds east 88.07 feet to the center of a road leading from Laro Mahopae to Crofton Falls; thence across said road 41 along the east boundary line of Parcel No 26 north 19 degrees 31 minutes 40 seconds east 2124 feet to the place of beginning, containing 36.615 acres.

Reserving to Lucilia St. Green, the owner in fee of said parcel or her assigns pursuant to a stipulation made the 4th day of January 1901, between the Corporation Canceled and the Counsel for the said owner and printed in the record of the proceedings before said Commissioners, the perpetual right to the use of the following described piece of land:

North side of highway leading to Laro Mahopae 41
east side of road in Griffith's Platting, beginning at a point
on the purchase line of the City of Westport south 37
degrees 2 minutes east 97 feet from the northern bound-

Receive
Row 36

*

any of this parcel: thence south 88 degrees 47 minutes west 308 feet to the eastern side of highway leading from Green's Corner to Crafts Station thence northward along eastern side of side of highway 22 feet thence north 89 degrees 47 minutes east 305 feet to the purchase line of said City, thence along same south 37 degrees 7 minutes east 20 feet to the place of beginning.

South side of highway leading to San Mateo and east of road leading south: 1/2 S. of San Mateo.

east of road leading south.
Beginning at a point on the purchase line of the City
of Melbourn, south 48 degrees 45 minutes west 462 feet
from the angle point at junction of roads leading to Ma-
hokae and Craft; thence north 15 degrees 40 minutes
east 340 feet to northerly side of highway leading to Lake
Mahokae; thence along said highway in an easterly di-
rection 20 feet; thence south 15 degrees 40 minutes west
304 feet to purchase line of said City; thence along said
line south 48 degrees 45 minutes west 35 feet to the place
of beginning. For the sole and only purpose of a right of
way to said land owned by said owner, at the
corner this proceeding was commenced which shall be ad-
jacent to said Parcel No 2391 which was a part of the
main or parcel of land out of which said Parcel No 23 is
taken.

Old road at Greecis Corner, formerly road to Laroma-
hokae, to remain as at present for use of rights of way.

To the owner or owners of said parcel and the person or persons interested therein as hereinafter set forth or to the Mercantile Trust Company of the City of New York to the credit of such owner, owners, person or persons, shall be paid in the manner hereinafter specified, as consideration for the acquisition of the fee of the said premises by the City of New York, and as full satisfaction of all damages sustained for which may be sustained by such owner or owners and person or persons by reason of the acquisition, use or occupation by the said City of New York of the said parcel the sum of eight thousand five hundred dollars. (\$8500).

Hunted down. (188300).
 Sueda Green, of Carmel, Calaveras County, claims
 to own the privilege fee.

The Town of Carmel claims an interest in this parcel as the holder of five Collector's Bonds.

as the holder of five Collector's Bonds.
Clayton Ryder and George E. Enderson appeared be-
fore said Commissioner as Attorneys and Counsel for the

L. 9 p 8 442

Jeremiah Oliver, the owner of this parcel.

Parcel Number 2000000000.

All that certain lot piece or parcel of land situate, lying and being in the County of Carroll, State of New York, bounded and described as follows:

Beginning at a point in the center of the road leading from Cape Mahopac to Croton Falls and running thence along the same south 77 degrees 29 minutes 33 seconds east 192.36 feet to the west boundary line of Parcel No. 28; thence along the same the following courses and distances: South 63 degrees 28 minutes 40 seconds west 88.07 feet, South 13 degrees 39 minutes 10 seconds west 152.17 feet, South 13 degrees 14 minutes 40 seconds west 186.74 feet, and South 13 degrees 22 minutes west 205.72 feet; thence north 77 degrees 52 minutes 40 seconds west 227.56 feet to the east boundary line of Parcel No. 26; thence along the same north 72 degrees 16 minutes 20 seconds east 627.7 feet to the place of beginning. Containing 2.331 acres.

Returning to Thomas A. Oliver, Arthur J. Oliver and William H. Oliver, the owners in fee of said Parcel, or their assigns, pursuant to a stipulation made the 5th day of October 1899, between the Corporation of Carroll and the County of Carroll for the said owners and printed in the records of the proceedings before said Commissioner, the perpetual right to the use of the following described piece of land:

Beginning at a point where the westerly boundary of Parcel No. 2 intersects the southerly side of the highway leading to Cape Mahopac, thence following the westerly boundary of said parcel south 74 degrees 16 minutes 20 seconds west 600 feet to the purchase line of the City of New York; thence along said purchase line south 72 degrees 52 minutes 40 seconds east 21 feet; thence north 72 degrees 16 minutes 20 seconds east 603 feet to the southerly side of the highway; thence in a westerly direction along said southerly side of highway 21 feet to the place of beginning. For the pole and duly purposed of a right of way taken from the land owned by said owners at the time this proceeding was commenced which shall be adjacent to Parcel No. 25 or which part was a part of the farm or parcel of land out of which said Parcel No. 25 is taken.

Do the owner or owners of said parcel of the person or persons interested therein do hereby after set forth or do

Supreme Court Order L. 9 p 8

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Supreme
Court
Order
L. 9 p 8
1901

After Special Term of the Supreme Court
held in and for the Second Judicial
District, at the Court House in White
Plains, Westchester County, New York, on
the 6th day of January, 1901.

Present.

Hon. Martin J. Peugh.

Justice.

In the Matter

of
The application and petition of Charles H.
Cecis, Commissioner of Public Works of the
City of New York for expropriation of and in
the matter of the Mayor, Aldermen and Com-
monalty of the City of New York, under
Chapter 445 of the Laws of 1897, of the several
acts amendatory thereof, to acquire certain
real estate (as the term real estate is defined
in said act) situate in the Town of Cannell,
County of Putnam and State of New York for the
purpose of maintaining & preserving the supply of
pure & wholesome water for the use of said
City, and for the purpose of preventing the
contamination or pollution of the water
supply of said City.

On reading and filing the Report of John M. Regney,
John J. Quinlan and Emerson M. Adler, Commissioners
appointed herein by an order of the Supreme Court
made at a Special Term thereof held in and for the
Second Judicial District at the Court House, White
Plains, N.Y. on November 27, 1897, which order was
entered in the Office of the County Clerk of the County
of Putnam on the 30th day of December 1897, by
which order they were appointed Commissioners to as-
certain and appraise the compensation to be made to the
owners of and parties interested in the real estate as the
term real estate is defined in the 16 section of
Chapter 445 of the Laws of 1897, proposed to be taken
or affected, as set forth in the petition herein, and therein
specifically described as Parcels Numbers, 1, 2, 3, 3 1/2, 4,
5, 8, 9, 11, 12, 14, 15, 16, 17, 18, 20, 21, 22 and 24,
which said petition was filed in the Office of the County
Clerk of the County of Putnam on the 1st day of January 1901.

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deduction on account of any real or supposed benefits which the parties interested might derive from the acquisition of such real estate by the said City of New York.

And after hearing John Whalen, Corporation Counsel in favor of the confirmation of said report and moving that such order shall contain the reservation of rights of way provided for by the stipulation entered into between the Counsel for the Petitioners and the Counsel for the owners of said parcels as entered upon the records before said Commissioners but which are not referred to or contained in said report and that said reservation provide that the several pieces of land so reserved shall be for the sole and only purpose of a right of way to & from the land owned by said several owners at the time this proceeding was commenced which shall be adjacent to the respective parcels or which was a part of the farm or parcels of land out of which said several parcels have been taken and after hearing Clayton Ryder and George C. Anderson Attorneys for the several owners for whom they appeared as hereinafter stated. Clayton Ryder as guardian ad litem for the infants, Edward Welch and Thomas Welch. Robertson and Barrett Attorneys for the several owners for whom they appeared as hereinafter stated. Richard O'Brien, who appeared before said Commissioners pursuant to order of Court dated November 27, 1897 to appear for and protect the rights of each and every party in interest who is rights, on motion of John Whalen Corporation Counsel and neither of the Attorneys so appearing opposing said motions it is.

Ordered, that the report of the said Commissioners as to the compensation to be made as aforesaid to the owners of the several parcels of real estate hereinafter mentioned and the persons interested therein, be and it hereby is in all respects confirmed.

And it is further ordered that the amount of compensation set forth in the said report as to the said several parcels be also for payment to the several Counsel hereinafter named. The forthwith paid by the Comptroller of the City of New York to the persons entitled thereby in the manner hereinafter indicated - the description of the said parcels and property, the respective amounts of compensation payable in respect of the said several parcels and the names

L. 9 p 396

and the names of the persons to whom payment of such compensation shall or may be made being as follows:

Parcel No. 1.

All that certain lot, piece or parcel of land, situate, lying & being in the Town of Carmel, County of Putnam and State of New York, bounded and described as follows:

Beginning at a point in the center of a road leading from Lake Mahopac to Croton Falls, said point being common to Parcel No. 3, and running thence along the center of said road north 70 degrees 33 minutes 30 seconds east 148.13 feet; thence north 85 degrees 23 minutes 40 seconds west 106.88 feet to the northerly line of Parcel No. 5, thence along the said northerly line the following courses and distances: North 84 degrees 7 minutes 58 seconds west 116.77 feet, north 86 degrees 10 minutes 30 seconds west 151 feet and north 82 degrees 17 minutes west 44.1 feet to the southerly line of Parcel No. 3; thence along the said southerly line the following courses and distances: North 59 degrees 35 minutes 36 seconds east 175.03 feet, north 44 degrees 25 minutes 30 seconds east 40.79 feet, north 85 degrees 36 minutes 50 seconds east 84.23 feet, north 84 degrees 46 minutes east 46.26 feet, north 87 degrees 7 minutes 30 seconds east 60.13 feet, and south 85 degrees 58 minutes 40 seconds east 176.73 feet to the place of the beginning containing 0.822 acres.

To the owner or owners of said parcel and the person or persons interested therein as hereinafter set forth, or to the Mercantile Trust Company of the City of New York, to the credit of such owner or owners, person or persons shall be paid in the manner hereinafter prescribed, as consideration for the acquisition of the fee of the said premises by the City of New York and in full satisfaction of all damages sustained or which may be sustained by such owner or owners and person or persons, by reason of the acquisition, use or occupation by the said City of New York of the said parcel the sum of two thousand four hundred dollars (\$2,400).

Anna C. Conning of Carmel, Putnam County; Bailey Gannett of Rome, Westchester County; Carrie S. Sloat, wife of Charles Sloat of Carmel, Putnam County; Elmer C. Conning of Bedford, Westchester County; John S. Gannett of Southeast, Putnam County; and Frank S. Gannett of Croton, N.Y. Claim to own this parcel in fee.

SCHEDULE B-II
ITEM #12



Michael C Bartolotti, County Clerk
Putnam County Office Building
40 Glenaide Avenue Room 100
Carmel, New York 10512



ACS-000000000367658-000000000740323-016

Endorsement Page

Document # 1502170 Drawer # 02 Recorded Date: 09/21/2015
Document Type: EASEMENT TP584 Book 1990 Page 488 Recorded Time: 2:19:37 PM
Document Page Count: 16 Receipt # 15261

PRESENTER:

RICHARD & ROSEMARIE DIEHL
HILLTOP ESTATE
P O BOX 865
BALDWIN PLACE, NY 10505

RETURN TO:

SPAIN & SPAIN PC
671 ROUTE SIX
MAHOPAC, NY 10541

PARTIES

GRANTOR

RICHARD DIEHL

GRANTEE

RICHARD J DIEHL

FEE DETAILS

1502170		
EASEMENT TP584	16	100.00
CULTURAL EDUCATION		15.00
RECORD MANAGEMENT		5.00
PROCESSING FEE	1	1.00
TP-584	1	5.00

AMOUNT FOR THIS DOCUMENT: 126.00
RETT # 000000337

RESERVED FOR CERTIFICATION

THIS DOCUMENT WAS EXAMINED PURSUANT TO §315
REAL PROPERTY LAW

EXEMPTIONS

RESERVED FOR CLERKS NOTES

Michael C. Bartolotti
Putnam County Clerk

DECLARATION OF GRANT OF USE AND ACCESS EASEMENT
AND MAINTENANCE AGREEMENT

THIS DECLARATION, made the 21st day of September, 2015 by, RICHARD DIEHL AND ROSEMARIE DIEHL a/k/a Rose Diehl, 250 Croton Falls Road, Mahopac, New York 10541 (hereinafter the "GRANTOR"), and RICHARD J. DIEHL, 250 Croton Falls Road, Mahopac, New York 10541(hereinafter the "GRANTEE").

WHEREAS, GRANTOR, is the owner in fee of land known as 250 Croton Falls Road, Mahopac, Town of Carmel, County of Putnam, State of New York, Town of Carmel Tax Map No. 65.19-1-42 and as further described as Parcel I on Schedule A annexed hereto and made a part hereof; and

WHEREAS, GRANTEE, is the owner in fee of land known as Croton Falls Road, Mahopac, Town of Carmel, County of Putnam, State of New York, Town of Carmel Tax Map No. 65.19-1-43 and described as Parcel II on Schedule B annexed hereto and made a part hereof; and

WHEREAS, GRANTOR is desirous of establishing an easement over and across Parcel I for the benefit of Parcel II, for access, including vehicle and pedestrian ingress and egress to Parcel II and access and use for general utility purposes for Parcel II and for maintenance of the easement area

NOW, THEREFORE, in consideration of ten (10) dollars and other good and valuable consideration, it is hereby declared, understood and agreed:

1. GRANTOR hereby grants a permanent, non-exclusive easement in favor of Parcel II, over and across a portion of lands of Parcel I as specifically set forth in and shown on Schedule C (easement sketch and description) annexed hereto and made a part hereof, for purposes of

access, including vehicle and pedestrian ingress and egress to Parcel II and access and use for general utility purposes for Parcel II and for maintenance of the easement area.

ingress and egress over said portion of Parcel I.

2. The GRANTOR AND GRANTEE, shall equally share the cost of maintaining the easement area referred to in paragraph 1 above, including but not limited to, repairs, drainage and snow removal, and shall keep the easement area free at all times from potholes and/or ruts, accumulation of snow and ice and obstructions of all types. The GRANTOR and GRANTEE described above shall maintain the entire easement area in a safe and passable condition at all times so to provide access to their property for themselves, their guests and emergency vehicles.

3. Any damage caused to the easement area by a party shall be paid entirely by the party causing the damage.

4. The parties shall voluntarily and mutually decide when and what repairs and maintenance are necessary to maintain the easement area in a safe and passable condition. The cost of performing said maintenance and/or repair work to the easement area shall be equally apportioned between the owners of the two premises described above. If the parties cannot agree on maintenance and/or repair matters, then the dispute shall be submitted to the Town of Carmel Engineer, or his/her designee, whose decision shall be binding upon the parties. Any costs of resolving such dispute shall be borne equally between the parties.

5. This agreement shall run with the land in perpetuity and shall be binding upon the Grantors, Grantees, their heirs, successors or assigns.

6. GRANTOR and GRANTEE do hereby agree to and do hereby indemnify and hold harmless the other harmless from and against any losses, damages, costs, expenses or claims, including but not limited to environmental, financial and personal injury claims, to or arising

from the use, repair and/or maintenance of the easement, unless caused, exacerbated or contributed to by the negligent or intentional acts or omissions of the party seeking indemnification, their agents, servants or employees.

IN WITNESS WHEREOF, the parties have herein set their hands and seals the 21st day of September, 2015.

GRANTOR:

Richard Diehl
RICHARD DIEHL

Rosemarie Diehl
ROSEMARIE DIEHL a/k/a Rose Diehl

GRANTEE:

Richard J. Diehl
RICHARD J. DIEHL

ACKNOWLEDGEMENTS:

STATE OF NEW YORK)
COUNTY OF PUTNAM)ss.:

On the 21st day of September, 2015 before me the undersigned personally appeared RICHARD DIEHL AND ROSEMARIE DIEHL a/k/a Rose Diehl personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument the individual or the person upon behalf of which the individual acted executed the instrument.

STATE OF NEW YORK)
COUNTY OF PUTNAM)ss.:

Bonnie H. Feinzig
Notary Public

BONNIE H. FEINZIG
NOTARY PUBLIC, State of New York
No. 4985780
Qualified in Putnam County
Commission Expires 8/26/17

On the 21st day of September, 2015 before me the undersigned personally appeared RICHARD J. DIEHL personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and

acknowledged to me that he executed the same in his capacity and that by his signature on the instrument the individual or the person upon behalf of which the individual acted executed the instrument.

BONNIE N. FEINZIG
NOTARY PUBLIC, State of New York
No. 4585780
Qualified in Putnam County
Commission Expires 8/21/17

Bonnie N. Feinzig
Notary Public

(Remainder of this page intentionally left blank)

SCHEDULE A
PARCEL I

ALL that certain plot, piece or parcel of Land, situate, lying and being in the Town of Carmel, County of Putnam and State of New York, more particularly bounded and described as follows:

BEGINNING at a point on the northeasterly line of the Lands of the City of New York, at the intersection of the premises herein described, and the south-westerly corner of the Lands of Vredenburg, said point of beginning being indicated by a cross on a stone wall;

THENCE along the land of the City of New York and the face of a stone wall the following courses and distances:

North 44° 28' 00" West 265.81 feet;

North 43° 32' 50" West 13.93 feet;

North 44° 25' 10" West 97.87 feet;

North 34° 21' 30" West 88.07 feet;

North 34° 33' 00" West 140.35 feet to the East side of the land of Butironi and a wire fence;

THENCE along said land and along wire fence North 12° 44' 20" East 184.13 feet;

North 11° 46' 30" East 220.54 feet;

North 12° 07' 10" East 66.69 Feet;

THENCE still along said land and along a stone wall North 11° 50' 40" East 58.96 feet, to a corner and a stone wall;

THENCE still along the land of Butironi and a stone wall North 75° 41' 20" West 167.09 feet to a corner;

THENCE still along the land of Butironi and a stone wall North 13° 32' 30" East 47.83 feet;

North 6° 36' 30" East 143.35 feet;

North 00° 54' 20" East 101.11 feet to the South side of the land of Edward Dwyer and a stone wall;

THENCE along the lands of Edward Dwyer and a stone wall North 64° 46' 40" East 30.51 feet;

North 73° 58' 30" East 19.56 feet;

North 84° 32' 00" East 330.70 feet;

North 84° 18' 30" East 228.93 feet;

THENCE along lands heretofore conveyed by Lorini to Bruen by deed recorded in the Putnam County Clerk's Office in Liber 227 pp 448, along a stone wall,

South 4° 20' East 114.91 feet;

South 00° 9' East 66.96 feet;

South 7° 06' East 51.69 feet;

South 4° 41' West 104.21 feet;

South 84° 42' East 71.34 feet;

South 13° 38' West 30.09 feet;

South 8° 11' East 20.60 feet;

South 6° 56' West 34.31 feet;

South 3° 56' West 27.50 feet;

South 00° 17' West 14.20 feet;

South 6° 50' West 68.67 feet;

South 77° 07' East 49.93 feet;

South 18° 29' West 146.64 feet;

South 17° 27' West 145.06 feet;

South 18° 16' West 208.95 feet; and

South 15° 36' West 146.17 feet to a point in the line of land now or formerly of Vredenburg;

THENCE along said line of lands now or formerly of Vredenburg North 76° 00' 30" West 23.48 feet to a nail in the root of an 18 inch elm;

THENCE still along said lands now or formerly of Vredenburg South 19° 45' 10" West 235.24 feet to a cross cut in a stone wall marking the northeasterly line of lands of the City of New York and the point of BEGINNING.

FOR EASEMENT PURPOSES ONLY:

TOGETHER with the right, title and interest of the grantor herein to a strip of land running easterly from the Kalopec-Croton Falls highway, crossing lands of the City of New York, to the lands hereinbefore described, which strip of land is 20 feet in width, and runs North $71^{\circ} 42' 30''$ East and is bounded on either side by stone walls; as also, in Supreme Ct. order in 29 of Sup. Ct. Orders at pg. 429

SCHEDULE B
PARCEL II

PARCEL II

DESCRIPTION OF LANDS OF RICHARD DIEHL

ALL that certain plot, piece or parcel of land situate in the Town of Carmel, County of Putnam, State of New York, more particularly described as follows:

COMMENCING at a point marked by an "X"-cut found on the northerly face of a stone wall along the northerly line of lands of the City of New York acquired for the Mud Pond Outlet, where said line is intersected by the division line between lands of Richard & Rosemarie Diehl as described in Liber 1888, Page 183 of Deeds on the west and lands now or formerly of Forest Hills GBF, LLC as described in Liber 1782, Page 373 on the east; thence running from said commencement point, along said division line between lands of Richard & Rosemarie Diehl and lands of Forest Hills GBF, LLC, N.19°45'10"E. 235.24 feet and S.76°00'30"E. 23.48 feet to the point and place of beginning and the southwesterly corner of the parcel described herein; thence running from said point and place of beginning, along the easterly line of lands now or formerly of Richard & Rosemarie Diehl and in part along a stone wall or the remains thereof,

N. 15°36'00" E. 146.17 feet,
N. 18°16'00" E. 208.95 feet,
N. 17°27'00" E. 145.06 feet,
N. 18°29'00" E. 146.64 feet,
N. 77°07'00" W. 49.93 feet,
N. 6°50'00" E. 68.67 feet,
N. 0°17'00" E. 14.20 feet,
N. 3°56'00" E. 27.50 feet,
N. 6°56'00" E. 34.31 feet,
N. 8°11'00" W. 20.60 feet,
N. 13°38'00" E. 30.09 feet,
N. 84°42'00" W. 71.34 feet,
N. 0°43'30" E. 155.16 feet,
N. 0°09'00" W. 66.96 feet and
N. 4°20'00" W. 114.91 feet

to the southerly line of lands formerly of Orson Hazen, now being lands shown on a certain map entitled "Subdivision Plat prepared for Weber Hill Estates," filed in the Putnam County Clerk's Office on August 4, 1994 as Map No. 2619; thence running along Lot 2, Lot 4, Lot 5, Lot 6 and Lot 7 shown on said Filed Map No. 2619, generally on or along a stone wall,

Due North 15.60 feet,
S. 86°19'50" E. 115.64 feet,
S. 73°57'20" E. 40.16 feet,
S. 88°50'30" E. 84.12 feet,
S. 84°03'40" E. 69.57 feet,
N. 89°26'00" E. 60.80 feet,
N. 78°47'40" E. 54.03 feet,
N. 79°02'20" E. 203.51 feet,

N. 82°16'20" E. 104.85 feet,
S. 77°00'20" E. 141.42 feet,
S. 44°29'40" E. 56.36 feet,
S. 44°15'50" E. 225.24 feet,
S. 56°50'40" E. 92.33 feet,
S. 56°35'50" E. 88.64 feet and
S. 62°49'40" E. 16.62 feet

to an intersecting stone wall on the northwesterly line of lands formerly of Wesley Williams, now or formerly of Diane Hauck-Johnson et al, as Trustees of the Jane H. Hauck Trust as described in Liber 1889, Page 296 of Deeds; thence turning and running along the northwesterly and southerly lines of said lands of Diane Hauck-Johnson et al, generally on or along a stone wall,

S. 13°28'33" W. 0.66 feet,
S. 12°44'11" W. 85.09 feet,
S. 38°38'11" W. 55.00 feet,
S. 44°24'11" W. 73.00 feet,
S. 43°01'11" W. 163.60 feet,
S. 41°31'11" W. 107.00 feet,
S. 43°48'11" W. 148.00 feet,
S. 47°35'10" E. 57.97 feet,
S. 69°30'40" E. 198.56 feet,
S. 70°15'10" E. 29.01 feet,
S. 69°01'30" E. 139.17 feet,
S. 68°36'50" E. 35.98 feet and
S. 66°57'08" E. 0.97 feet

to an intersecting stone wall on the northwesterly line of lands now or formerly of Preston & Kathleen Bruenn as described in Liber 1971, Page 392; thence turning and running along said lands now or formerly of Bruenn, generally on or along a stone wall,

S. 33°15'30" W. 170.66 feet,
N. 56°00'30" W. 37.03 feet,
S. 41°00'30" W. 30.48 feet,
S. 28°59'50" W. 29.50 feet and
S. 30°22'10" W. 153.69 feet

to an intersecting stone wall and the northerly line of lands formerly of Welch, now lands identified as Lot 1 on a certain map entitled "Final Subdivision Plat prepared for George H. & Gail J. Fiero," filed in the Putnam County Clerk's Office on November 16, 1993 as Map No. 2602; thence turning and running along said lands formerly of Welch, identified as Lot 1 on Filed Map No. 2602, and generally on or along a stone wall,

N. 74°01'00" W. 124.93 feet,
N. 78°45'50" W. 45.17 feet,
N. 75°50'50" W. 189.76 feet,
S. 2°41'00" W. 12.81 feet,

S. 16°43'50" W. 84.06 feet and
S. 20°20'30" W. 94.07 feet

to a corner in said lands and an intersecting stone wall; thence turning and running still along said lands identified as Lot 1 and, thereafter, along the northerly line of lands now or formerly of Forest Hills GBF, LLC as described in Liber 1782, Page 373 of Deeds and generally on or along a stone wall,

N. 75°21'00" W. 88.17 feet,
N. 77°48'50" W. 21.79 feet,
N. 74°43'40" W. 111.23 feet and
N. 62°55'40" W. 15.16 feet

to the a point near the end of the stone wall at the east side of the traces of an old traveled way, thence continuing along the northerly line of said lands now or formerly of Forest Hills GBF, LLC, following unmarked lines formerly monumented by an old wire fence but now, in part, crossing over a post and wire fence and a masonry stone retaining wall,

N. 42°45'00" W. 16.21 feet,
N. 76°14'20" W. 121.49 feet,
N. 76°54'10" W. 186.24 feet,
N. 76°44'10" W. 70.17 feet and
N. 76°00'30" W. 97.72 feet

to the easterly line of lands now or formerly of Richard & Rosemarie Diehl and the point and place of beginning.

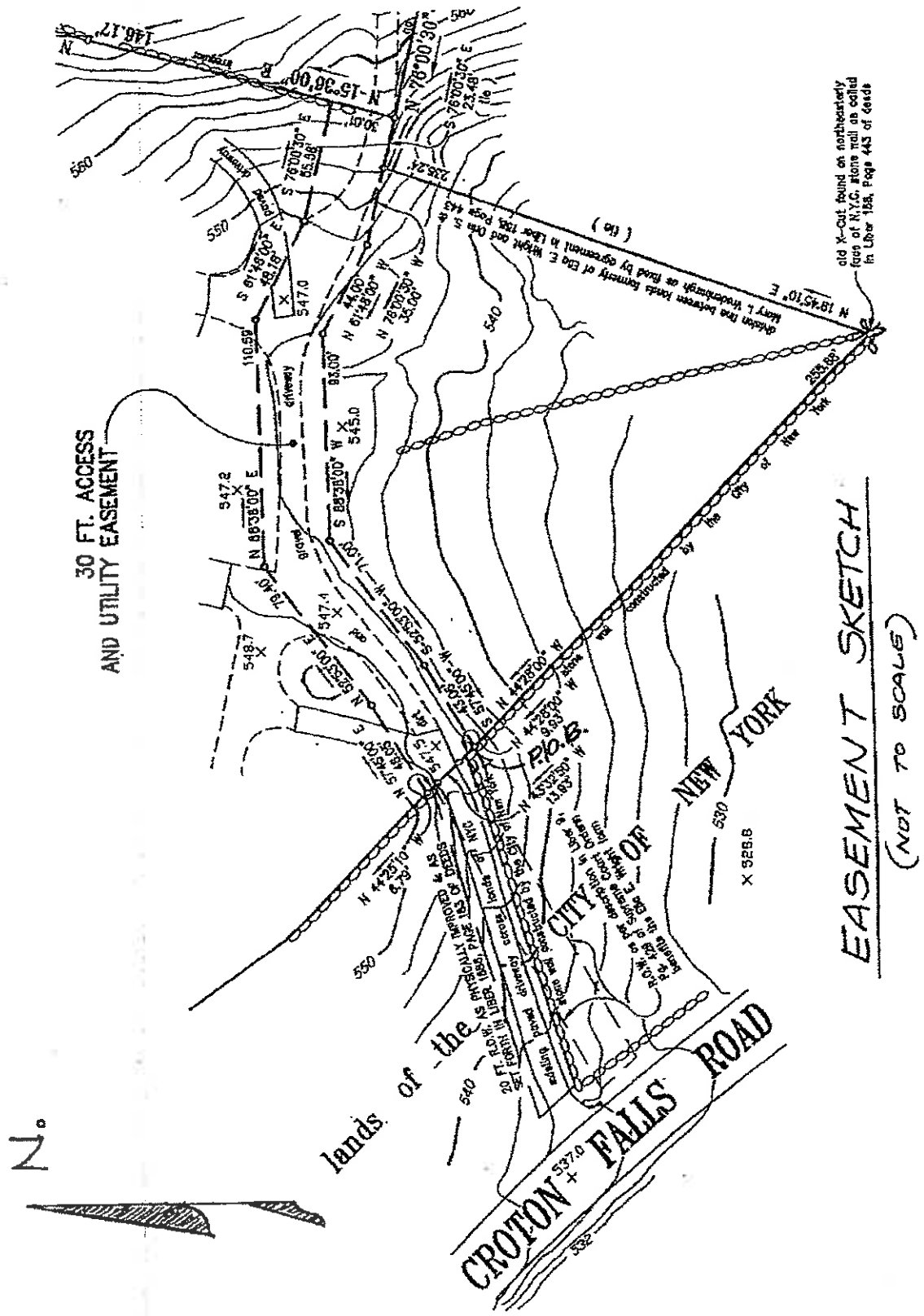
CONTAINING within said bounds 30.329 Acres, more or less.

BEING a portion of the former farm of Ella E. Wright as the same was generally described in Liber 77, Page 392 of Deeds; the portion of said farm north of Croton Falls Road and north of lands of the City of New York, which includes both the subject parcel described herein and lands now or formerly of Richard & Rosemarie Diehl adjoining on the west, was subsequently conveyed as one parcel to Margaret R. Lorini in Liber 158, Page 440 of Deeds.

SUBJECT to rights of way, easements, covenants and restrictions of record, if any.

TOGETHER with any appurtenant right to cross over lands of the City of New York for purposes of ingress and egress to Croton Falls Road, as was heretofore granted to benefit the Ella E. Wright farm in Liber 9, Page 429 of Supreme Court Orders.

SCHEDULE C
Easement Sketch and Description



DESCRIPTION OF

30 FT. ACCESS & UTILITY EASEMENT

BEING a 30 ft. wide easement for access and general utility purposes over a portion of lands of Richard Diehl & Rosemarie Diehl as described in Liber 1888, Page 183 of Deeds; said easement burdening lands situate in the Town of Carmel, County of Putnam, State of New York, and is more particularly described as follows:

BEGINNING at a point on the division line between lands of the City of New York on the southwest and lands of Richard Diehl & Rosemarie Diehl as described in Liber 1888, Page 183 of Deeds on the northeast; said point further identified as being distant 255.88 feet on a course N.44°28'00"W. as measured along said division line from a cross cut found on the northeasterly face of an old stone wall constructed by the City of New York at the most southerly corner of said lands of Richard Diehl & Rosemarie Diehl; thence running from said point and place of beginning, along the aforementioned division line between lands of the City of New York and lands of Diehl, in part along the northeasterly face of a stone wall and in part across the northeasterly terminus of an existing 20 ft. wide Right of Way originally granted to Ella E. Wright in Liber 9, Page 429 of Supreme Court Orders leading northeasterly from Croton Falls Road to the lands formerly of Wright, now of Diehl,

N.44°28'00"W. 9.93 feet,
N.43°32'50"W. 13.93 feet and
N.44°25'10"W. 6.79 feet

to a point; thence departing from said division line, running through the lands of Richard Diehl & Rosemarie Diehl,

N.57°45'00"E. 48.05 feet,
N.52°53'00"E. 79.40 feet,
N.88°38'00"E. 110.59 feet,
S.61°48'00"E. 48.18 feet and
S. 76°00'30"E. 55.58 feet

to a point on the division line between lands of Richard Diehl & Rosemarie Diehl on the west and lands of Richard Diehl, identified as Parcel B in Liber 1204, Page 318 of Deeds, on the east; thence turning and running along said division line,

S.15°36'00"W. 30.01 feet

to a point on the northerly line of lands now or formerly of Forest Hills GBF, LLC as described in Liber 1782, Page 373 of Deeds and a corner in the lands of Richard Diehl & Rosemarie Diehl; thence turning and running along the division line between lands now or formerly of Forest Hills GBF, LLC on the south and lands of Richard Diehl & Rosemarie Diehl on the north,

N.76°00'30"W. 23.48 feet

to a corner in said division line; thence continuing on a westerly prolongation of the last-recited course, running through the lands of Richard Diehl & Rosemarie Diehl,

N.76°00'30"W. 35.00 feet

to a point; thence continuing through the lands of Richard Diehl & Rosemarie Diehl,

N.61°48'00"W. 44.00 feet,
S.88°38'00"W. 93.00 feet,
S.52°53'00"W. 71.00 feet and
S.57°45'00"W. 43.06 feet

to the northeasterly line of lands of the City of New York and the point and place of beginning.

TOGETHER with the assignable and/or appurtenant right to use the existing 20 ft. wide Right of Way across lands of the City of New York as originally granted to Ella E. Wright in Liber 9, Page 429 of Supreme Court Orders; said Right of Way leading northeasterly from Croton Falls Road to the lands formerly of Ella E. Wright, now owned in part by Richard Diehl & Rosemarie Diehl and in part by Richard Diehl.

The lands of Richard Diehl benefitting from the easement described herein being lands currently identified as Parcel B in Liber 1204, Page 318 of Deeds, and are further identified as being the easterly portion of the original farm of Ella E. Wright as conveyed by said Wright to Margaret R. Lorini in Liber 158, Page 440 of Deeds; the entire Ella E. Wright farm having been generally described in Liber 77, Page 392 of Deeds.

Copies attached

L. 89 90 335

SCHEDULE B-II
ITEM #13

EASEMENT
(Private Underground Line) * 250 CROTON FALLS RD
MAHOPAC, N.Y. 10541

THIS INSTRUMENT WITNESSETH that RICHARD AND ROSEMARIE DIEHL, having a mailing address at P.O. Box 865, Baldwin Place, NY 10505, hereinafter called the "Grantor(s)", being the owner(s) of or having an interest in land situate in the Town of Carmel, County of Putnam, State of New York, fronting off the street or highway known as Croton Falls Road, bounded easterly by the lands of RICHARD DIEHL and southerly by lands of THE CITY OF NEW YORK, and identified as Tax Map number 65.19-1-42, for and in consideration of the sum of One and no/100 Dollars (\$1.00), the receipt of which is hereby acknowledged, does hereby grant and release unto RICHARD DIEHL, being the owner(s) of or having an interest in land situate in the Town of Carmel, County of Putnam, State of New York, and identified as Tax Map number 65.19-1-43, hereinafter called the "Grantee(s)", their lessees, licensees, successors and assigns forever, a permanent easement and right of way, with the right, privilege and authority to install, construct, reconstruct, extend, operate, inspect, maintain, repair, replace, and at its pleasure, remove underground electric and communication systems, including cables, conduits, wires, vaults, pedestals, closures, hand/man holes, pipes, ducts and conduits, with the necessary fixtures or appurtenances thereto, including transformers and switching equipment, which the Grantee shall require now and from time to time for the underground transmission and/or distribution of electric current and communications, for public or private use, in, upon, over, under, and across said land and/or the highways abutting or running through said land.

The centerline of this easement is to begin at New York State Electric & Gas Corporation's padmounted transformer numbered U37-1 of line number 636; situate on Grantor's lands off the northerly side of Croton Falls Road, thence extending in a easterly direction in, through, under and to the extent necessary upon and over Grantor's land a distance of approximately one thousand one hundred (1100) feet to a point, said point being New York State Electric & Gas Corporation's transformer numbered U37-1 of line number L636.

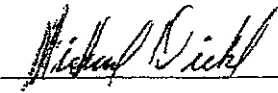
TOGETHER with free ingress and egress over the easement and right-of-way and other lands of Grantor(s) for all of the above purposes and the right now and from time to time to trim, cut, burn, treat, and/or remove by manual, mechanical and chemical means trees, roots, brush, structures and other obstructions within said easement and right-of-way.


PROVIDED, however, that any damage (other than for trimming, cutting, treating, burning and/or removing trees, roots, brush, structures and other obstructions as above provided) to the property of the Grantors, caused by the Grantee in the exercise of its rights under this easement shall be borne by the Grantee.

RESERVING, however, to the Grantors: the right to cultivate the ground and the right to cross and to recross said easement and right-of-way provided that such use of said ground shall not interfere with, obstruct, or endanger any rights granted as aforesaid and shall not disturb the grade of said ground as it now exists, and provided that no structure shall be erected, no trees shall be grown, cultivated or harvested, and no excavating, mining or blasting shall be undertaken within the limits of the easement and right of way without written consent of the Grantee.

THIS INSTRUMENT shall be binding on and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal this 10th day of November, 2015.



(I.S.)


(I.S.)

PRIVATE UNDERGROUND EASEMENT

Line 636 U37 Dient Priv UG
Auth:94000020264 Parcel No. _____
Area Cost Center No. RC24000034
Construction W.O. No. 801000088732

RICHARD DIEHL
ROSEMARIE DIEHL

TO

RICHARD DIEHL
Dated NOVEMBER 10TH 2015

STATE OF NEW YORK)
COUNTY OF _____) ss:

Recorded on the _____ day of _____

at _____ o'clock _____ M.

In Book _____ of Deeds at

Page _____ and examined.

(Clerk)

Consideration on this document
is less than \$100.00.

(Personal or Corporate Acknowledgment)

State of New York)
County of _____) ss:

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

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.

Notary Public

(Personal or Corporate Acknowledgment)

State of New York)
County of Rockland) ss:

On the 10th day of November in the
year 2015 before me, the undersigned, a
Notary Public in and for said State, personally
appeared Richard Diehl and

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.

Notary Public

PHYLLIS HUNT BOURGES
Notary Public, State of New York
No. 01804789469

Qualified in Putnam County
Certificated Filed in New York County
Commission Expires July 31, 2017

(Subscribing Witness Acknowledgment)

State of New York)
County of _____) ss:

On the _____ day of _____
before me personally came _____

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/it) in

in the _____
that he knew _____

to be the individual described in and who
executed the foregoing instrument and that he,
said subscribing witness, was present and saw
same, and that _____ execute the
witness, at the same time, subscribed in
name as a witness thereto.

Notary Public

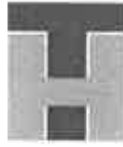
TAX MAP NUMBER

Section 85.19 Block 1 Lot 42

RETURN TO
RICHARD DIEHL
POST OFFICE BOX 865
BALDWIN PLACE, NY 10505

* "For the purposes of this section, the term
"person" means any corporation, joint stock
company, estate, general partnership (including
any registered limited liability partnership or
foreign limited liability partnership), limited liability
company (including a professional service limited
liability company), foreign limited liability company
(including a foreign professional service limited
liability company), joint venture, limited
partnership, natural person, attorney in fact, real
estate investment trust, business trust or other
trust custodian, nominee or any other individual or
entity in its own or any representative capacity."

* "For the purposes of this section, the term
"person" means any corporation, joint stock
company, estate, general partnership (including
any registered limited liability partnership or
foreign limited liability partnership), limited liability
company (including a professional service limited
liability company), foreign limited liability company
(including a foreign professional service limited
liability company), joint venture, limited
partnership, natural person, attorney in fact, real
estate investment trust, business trust or other
trust custodian, nominee or any other individual or
entity in its own or any representative capacity."



HOMELAND TOWERS

September 11, 2019

Honorable Chairman
and Members of the Planning Board
Town of Carmel Town Hall
60 McAlpin Avenue
Mahopac, NY 10541

RE: Homeland Towers response to alternate site Croton Falls Rd 76.15-1-12 322
(NY056 Lake Casse)

Dear Honorable Chairman and Members of the Planning Board:

This letter is being submitted by Homeland Towers in response to Attorney Campanelli's Memorandum in Opposition where he makes mention on page 5 of a one hundred twelve-acre plot of land identified as Croton Falls Rd (76.15-1-12 322) as a superior alternate location. This parcel is zoned as residential.

It should be noted that a certified proposal was sent to this land owner, Yankee Land Development, LLC back on September 27, 2017 (see attached green card). The owner called me soon after and stated to me that they were not interested in entering into a lease with Homeland Towers as they did not wish to encumber the property with a cell tower.

Should you have any questions, please do not hesitate to contact me at 203-297-6345.

Sincerely,

Raymond Vergati, Homeland Towers

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Yankee Land Development LLC

127 Tripp St
Mt Kisco, NY 10549

NY056



9590 9402 1319 5285 7514 49

2. Article Number (Transfer from service label)

6 2140 0001 0985 2075

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Tom Kuyper*

- ☐
- Agent
-
- ☐
- Addressee

B. Received by (Printed Name)

Nancy Luppino

C. Date of Delivery

9/27/2017

D. Is delivery address different from item 1?
If YES, enter delivery address below:

- ☐
- Yes
-
- ☐
- No

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Domestic Return Receipt

LANE APPRAISALS, INC.

Real Estate Valuation Consultants

EDWARD J. FERRARONE, MAI
PAUL A. ALFIERI, III, MAI
STEVEN BAMBACE
JOSEPH P. SIMINSKY
LORI COADY

178 MYRTLE BOULEVARD
LARCHMONT, NEW YORK 10538
914-834-1400
FAX 914-834-1380

E Mail : lane.app@verizon.net

JOHN W. LANE, MAI (1907-1993)

September 19, 2019

Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

Re: Proposed Wireless Telecommunications Facility
254 Croton Falls Road, Mahopac, NY


Dear Members of the Planning Board:

We are in receipt of a Memorandum in Opposition from Andrew J. Campanelli, an un-dated letter ("Carmel Letter"), in connection with the proposed public utility wireless telecommunications facility ("Facility") by Homeland Towers, LLC ("Homeland") at 254 Croton Falls Road, Mahopac, New York ("Property"). The Carmel Letter states that it is in response to Lane Appraisals Inc.'s March 19, 2019 report ("Lane Report"), previously submitted to this Planning Board.

Despite the misstatements of Mr. Campanelli, the Lane report evaluated four towers in the Town of Carmel. Mr. Campanelli relies solely on real estate broker letters which are unsupported opinions absolutely devoid of any data or objective proof what so ever. Such broker letters also fail to state the methodology used to form the broker's opinion. Such opinions are so unsupported and so extreme, and lack any validation or methodology, that they should be given no credence.

In conclusion, the Lane Report uses actual data from known properties near cell towers sold on specific dates to demonstrate that sales within sight of a tower facility fall within similar average price per square foot ranges as other sales in the neighborhood, and that there has not been a diminution of the value due to the construction of similar facilities in the Putnam County area. The Lane Report is based on accepted methodology and includes the underlying data. The Lane Report provides substantial evidence to sustain its finding that "the installation, presence, and/or operation of the proposed Facility will not result in diminution of property values or reduce the marketability of properties in the immediate area."

Sincerely,



Paul A. Alfieri III, MAI
Certified General Appraiser
State of New York #46-9780
September 19, 2019



Supplemental Report
In Response to Campanelli & Associates, P.C
Memorandum

Site ID: "NY056 Lake Casse"

254 Croton Falls Road
Mahopac, NY
Putnam County

Prepared for
New York SMSA Limited Partnership d/ b/ a Verizon Wireless

By

Pier Con Solutions, LLC
September 24, 2019

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REGARDING PROBATIVE EVIDENCE SUFFICIENT TO ESTABLISH A
NEED**
- III. CONCLUSION**
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I. PURPOSE AND SCOPE

1. PierCon Solutions LLC, an engineering firm specializing in wireless communications, reviewed the Memorandum by Campanelli and Associates. This report addresses comments and requests raised by Campanelli to the Town of Carmel Planning Board.

II. RESPONSE to CAMPANELLI AND ASSOCIATES COMMENTS REGARDING PROBATIVE EVIDENCE SUFFICIENT TO ESTABLISH A NEED

2. In regards to the actual locations of 4G LTE service gaps, propagation maps and scan drive tests were provided in the PierCon reports dated July 31, 2018 and March 26, 2019. A review of the existing sites reveals the proposed location is centrally located with respect to Verizon's existing wireless facilities. Based on the CW test results and propagation maps, a significant gap in reliable 4G LTE in building service is shown to exist in the vicinity of the proposed site. The proposed site is heavily surrounded by trees and located on higher ground elevation in reference to Weber Hill Road and Croton Falls Road in order to remedy a large portion of the gaps mentions in the July 31, 2018 Report. Therefore, the proposed wireless facility is the least intrusive means to remedy the gap in 4G LTE service.
3. The suburban in-building coverage gap targeted for the Lake Casse project includes the following for 700 MHz:
 - Weber Hill Road/Drewville Road from Shear Hill Road to Seminary Hill Road (1.63 mi)
 - Drewville Road from Weber Hill Road toward Route 6 (1 mi)
 - Croton Falls Road from McLaughlin Drive to Ernhofer Drive (1.25 mi)
 - The group of residential roads to the south including McLaughlin Drive, Circle Street, Piggot Road, Bayberry Hill Road, Aunt Patty's Lane, and Owen's Drive (combined 1.45 mi)
 - The group of residential roads to the east including Gail Court, Stebbins Road, Rebecca Lane, Vie Pass, Julius and Eva Drive, Bucyrus Avenue, Chatfield Lane, Langsing Street, Columbus Drive, Cherry Hill Road, and Brett Road (combined 3.09 mi)
 - The group of residential roads to the southeast including Memory Lane, Union Valley Road, Valley Road, Lee Court, Ernhofer Drive, and Munich Road (combined 1.71 mi)

The in-building suburban coverage gap areas described above contain approximately 788 residents according to a 2010 US census.

4. In reviewing the coverage gaps for the 2100 MHZ in Report 1, the gap in coverage for Verizon Wireless is a very large area. Therefore, the in-building suburban coverage gap targeted for the Lake Casse project for 2100 MHz includes:

- Weber Hill Road/Drewville Road from Shear Hill Road to Seminary Hill Road (1.63 mi)
- Drewville Road from Weber Hill Road toward Route 6 (1 mi)
- Croton Falls Road from McLaughlin Drive to Ernhofer Drive (1.25 mi)
- The group of residential roads to the south including McLaughlin Drive, Circle Street, Piggot Road, Bayberry Hill Road, Aunt Patty's Lane, and Owen's Drive (combined 1.45 mi)

The in-building suburban coverage gap areas described above contain approximately 582 residents according to a 2010 US census.

5. The in-vehicle coverage gap targeted for the Lake Casse project for 2100 MHz includes:

- Weber Hill Road/Drewville Road from Shear Hill Road to Seminary Hill Road (1.63 mi)
- Drewville Road from Weber Hill Road toward Route 6 (1 mi)
- Croton Falls Road from McLaughlin Drive to Ernhofer Drive (1.25 mi)
- The group of residential roads to the south including McLaughlin Drive, Circle Street, Piggot Road, Bayberry Hill Road, Aunt Patty's Lane, and Owen's Drive (combined 1.45 mi)
- The group of residential roads to the east including Gail Court, Stebbins Road, Rebecca Lane, Vie Pass, Julius and Eva Drive, Bucyrus Avenue, Chatfield Lane, Langsing Street, Columbus Drive, Cherry Hill Road, and Brett Road (combined 3.09 mi)
- The group of residential roads to the southeast including Memory Lane, Union Valley Road, Valley Road, Lee Court, Ernhofer Drive, and Munich Road (combined 1.71 mi)

6. The reference made by Capanelli with regards to receiving "applicable engineering data" means PierCon received engineering information applicable to radio frequency such as the antenna configuration, antenna model, transmit power and architectural drawings which depict the height and location of the antennas. Despite Campanelli's incorrect statements, the industry leading Atoll propagation model takes into account, without limitation, the following factors: frequency band, topography, transmit power, antenna height, antenna patterns and foliage. However, in areas where the proposed location is surrounded by areas of very dense forest, the propagation can slightly over or under predict. A drive test was performed which is more precise in this type of environment.

7. In PierCon's Supplemental report dated March 26, 2019, results of a scan drive test, conducted on February 23, 2019 was submitted. The report provides the raw data plotted on drive test maps and states due to the fact the data was collected in February where the leaves were not present on the trees, a foliage factor was used to represent worst conditions. Foliage attenuates radio frequency signal. In the supplemental report provided the formula used is a diffraction loss (commonly known as shadow loss) formula found in William C. Lee's highly respected industry standard book called

Mobile Cellular Communications. Scientific formulas are derived and used to calculate factors in order to draw conclusions in cases where certain conditions are not present such as loss due to foliage. Since the drive test was performed during the time of year with no foliage, the test results will be overstated, and require a foliage factor to account for losses due to dense foliage that will be present during the summer. Therefore, this is not a manipulation as suggested by Campanelli but rather standard engineering practice. The diffraction loss formulas used are attached in this letter based on a conservative average tree height (65ft) above terrain. PierCon conservatively did not apply a vegetation growth. Diffraction losses can vary between 5db and 20db depending on the type of environment. 8db was used and is a reasonable and conservative level of attenuation of foliage.

8. CW test factor was applied to the CW signal strength to convert to RSRP. This is not a manipulation as misstated by Campanelli. 4G LTE signal strength is in RSRP. RSRP (Reference Signal Received Power) is by definition the average received power of a single resource element (RE). There are 84 resource elements in a single resource block in LTE. RSSI (Receive signal strength indicator) is defined as the power measured over the entire bandwidth of occupied resource blocks. RSRP is equal to $RSSI - 10 \log(12 \cdot N)$ where N is the number of resource blocks as per Channel Bandwidth. The channel bandwidth per frequency can vary per wireless carrier, therefore the LTE signal strength RSRP can vary per wireless carrier. In addition, the actual transmit power and antenna (omni antenna vs directional panels) at the wireless facility will also differ from the CW drive test. It is therefore incorrect that a CW drive test in raw data format (RSSI) is a representative of 4G LTE signal.
9. The received signal strength collected is an actual representation of the radio waves propagation pathloss between the transmitting antenna and the receiver used during the CW drive test at that particular path. As previously mentioned above, the pathloss collected required a foliage factor to account for full foliage which was not present at the time.
10. In addition to confirming that Verizon Wireless has a significant gap in 4G LTE coverage with Drive Test Maps and Coverage Maps, an evaluation of Verizon Wireless's Key System Performance Indicator Data ("KPI Data") has been provided. The KPIs utilized consist of call drop call failure rates and access failure rates from Verizon's existing antennas providing signal facing the gap area identified in and surrounding the proposed site. Drop all rate and call access failure rate are two performance indicators of a wireless network having a gap in reliable service. The KPI charts were created in Excel using Pivot tables based on the 1% criteria for dropped calls and 2% criteria for access failures. The data requested from the Performance tool was for the % of access failures and % of Drop calls per sector for the existing facilities by the hour for the hours between 6am and 8pm over a 3-month span. The Performance tool (ALPT) automatically calculates the % based on the number of call attempts/number of failures.

11. Verizon's interactive online coverage map, as referenced by Campanelli in Exhibit N, cannot be used to compare to the propagation map or drive test maps in the PierCon Reports. In review of the interactive map on the Verizon website, a disclaimer is located on the bottom right. Attached below.

Coverage Disclaimer

These Coverage Locator depictions apply to the following calling plans:
National Calling Plans, Mobile Broadband and Prepaid.

International rates for voice and data will apply.

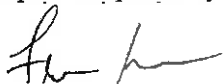
These maps are not a guarantee of coverage and contain areas of no service, and are a general prediction of where rates apply based on our internal data. Wireless service is subject to network and transmission limitations, including cell site unavailability, particularly near boundaries and in remote areas. Customer equipment, weather, topography and other environmental considerations associated with radio technology also affect service and service may vary significantly within buildings. Some information on service outside the Verizon Wireless proprietary network, and we cannot vouch for its accuracy. Some devices may not be compatible with extended coverage areas depicted in the map.

12. The tool used to generate the propagation maps provided in the PierCon Report is an industry standard engineering tool intended to demonstrate Verizon's existing and proposed reliable in building coverage. The online interactive map provides no indication on type of service, even indicating in the disclaimer that service may vary significantly within buildings. While the online interactive map may be helpful to consumers, these maps are not definitive and as detailed as the propagation coverage maps or drive test data that Verizon Wireless uses to determine network reliability, plan network integrity and expansion based on technical products, application advancements and consumer demand. The result is that the online coverage interactive maps do not show the precision and depth of detail of the propagation coverage maps or the drive test data. Therefore, online coverage interactive maps cannot be utilized to determine whether Verizon Wireless requires a new cell site at a particular location.

III. CONCLUSION

13. PierCon Solutions provided propagation maps, actual drive test data and KPI data, and has concluded that Verizon Wireless' significant gap in service can be filled with a minimum tower height of 140ft (136ft antenna center line) in order to provide reliable service within the Town of Carmel. Without the proposed facility, Verizon Wireless will be materially inhibited from providing its services.

Report Prepared by:



Frances Boschulte
RF Manager
PierCon Solutions LLC
September 24, 2019

IV. APPENDIX

Diffraction Loss Formulas

$$v = -hp \sqrt{\frac{2}{\lambda} \left(\frac{1}{r_1} + \frac{1}{r_2} \right)}$$

$$v \geq 1$$

$$L = 0 \text{ dB}$$

$$0 \leq v < 1$$

$$L = 20 \log(0.5 + 0.62v)$$

$$-1 \leq v < 0$$

$$L = 20 \log(0.5e^{0.95v})$$

$$-2.4 \leq v < -1$$

$$L = 20 \log(0.4 - \sqrt{0.1184 - (0.1v + 0.38)^2})$$

$$v < -2.4$$

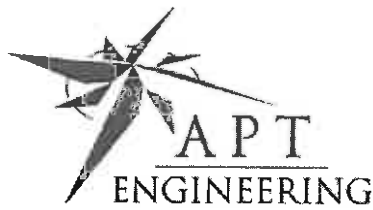
$$L = 20 \log\left(-\frac{0.225}{v}\right)$$

$$\text{RSRP} = \text{RSSI} - 10 \log(12 \cdot N)$$

Where,

N = Number of RBs as per Channel Bandwidth

= 6 (for 1.4 MHz), 15 (for 3 MHz), 25 (for 5 MHz),
50 (for 10 MHz), 75 (for 15 MHz), 100 (for 20 MHz)



Honorable Chairman Craig Paepre
and Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

September 19, 2019

RE: Homeland Towers Site Name: Lake Casse NY056
254 Croton Falls Road
Carmel, NY 10541
Fire Letter

Honorable Chairman Paepre and Members of the Board:

Homeland Towers, LLC, is proposing the construction of an unmanned wireless telecommunications facility at the above referenced site. We offer the following information relative to fire safety and accessibility at the proposed facility.

There are over 300,000 similar towers nationwide and the limited number of fires reported is a rare occurrence. In fact, many telecommunications towers are expressly used to support emergency service antennas and equipment. Overall, fire impacts are limited based on the non-combustible/fire-resistant nature of steel monopine towers, the implementation and enforcement of best management practices required during welding, the installation of lightening suppression systems and provisions for emergency service access.

The wireless telecommunications tower proposed for this project is a monopine, consisting of a steel monopole tower outfitted with faux branching and foliage intended to mimic a pine tree. A monopole is constructed of non-combustible hollow sections of metal which provide for telecommunication lines to be routed within the structure. The faux branching and foliage are classified as fire resistant having met the testing requirements of ASTM D635 and NFPA 701, respectively. While monopinees are non-combustible/fire resistant, some materials located within the structure are flammable.

On the rare occasion that a fire does occur, it is generally fueled by the outer jacketing surrounding the telecommunications coaxial cables inside the pole due to a welding accident. Welding on a tower site occurs in very rare circumstances when structural upgrades are being made to the tower itself. The tower being proposed at this location is structurally designed to handle the proposed Verizon installation along with the loading for (3) future carriers; therefore, the likelihood that the tower will need to be structurally reinforced is very low. In response to such concerns, all welding at this site will be performed in accordance with OSHA Guidelines and the local Fire Department will be notified prior to welding activities occurring. Some OSHA guidelines that will be followed should welding need to take place on the site shall include any combustibles shall be protected with fire blankets or wet down to help

APT ENGINEERING

X 3 SADDLEBROOK DRIVE · KILLINGWORTH, CT 06419 · PHONE 860-663-1697 · FAX 860-663-0935

☐ 116 GRANDVIEW ROAD · CONWAY, NH 03818 · PHONE 603-496-5853 · FAX 603-447-2124

prevent ignition of material. Adequate sources of water will be available. Installation of temporary ¾" plywood covers over ice bridges and vulnerable equipment to protect against possible fire and falling materials. Coax cables (internal and external) will be bundled to maintain a minimum 6 inches of clearance from the surface of any section to be cut or take other measures to protect cables from heat, sparks, embers, and flames.

Another potential fire source could be a lightning strike. However, the tower will be bonded and grounded thus lightning strikes are not a significant concern.

Finally, the facility has been designed to provide access for emergency service vehicles. The proposed facility will be accessed along an existing 12' to 57' wide paved/gravel access driveway which runs approximately 1,000' from Croton Falls Road to the proposed facility. There are no proposed changes to the existing conditions of the existing access driveway which is already sufficient to access residential homes. In contrast the facility is unmanned. The access driveway is satisfactory for emergency service vehicles, including fire apparatus as depicted on Drawing SP-5, Truck Turning Plan, of the Zoning Drawings.

Based on the very rare occurrence of fire at wireless facilities, the non-combustible/fire-resistant nature of the monopine tower, compliance with welding best management practices and associated OSHA regulations, bonding and grounding the tower and facility to protect against lightning strikes, and the fact that the facility is fully accessible to emergency service vehicles, there will be no significant adverse effects related to fire.

Should you have any questions, please do not hesitate to call me at (860) 663-1697 x206.

Sincerely,

APT Engineering

A handwritten signature in black ink, appearing to read "Robert C. Burns", with a long horizontal flourish extending to the right.

Robert C. Burns, P.E.
Program Manager



CORPORATE OFFICE:
Mountainville, NY (800) 829-6631

1279 Route 300
Newburgh, NY 12550

(845) 367-6666
www.tectonicengineering.com

Honorable Supervisor Doherty and
Members of the Town Board
Town of Kent
25 Sybil's Crossing
Kent Lakes, NY

April 8, 2013

RE: W.O. 4606.NY181
HOMELAND TOWERS, LLC
21 SMOKEY HOLLOW CT.
KENT LAKES, NY 10512

Honorable Supervisor and Members of the Town Board:

Tectonic Engineering Consultants & Surveyors, P.C. (Tectonic) has been provided a copy of "An Analysis of Cell Tower Ice Falls" prepared by Mr. Dennis Rogers dated March 28, 2013.

Based on the review of the said letter we would like to offer the following:

1. Mr. Rogers incorrectly assumes an antenna size of 2 x 1 meters (6'-6" x 3'-3"). These values translate into a surface area of 21.5 sqft. A more realistic antenna size for one of the major wireless carriers (Verizon Wireless) is approximately 6ft x 1ft, which has a surface area of 8 sqft. This value is significantly less than the area used in the analysis referenced above.
2. Mr. Rogers assumes an ice thickness of 6 cm (2.36 inches) which would result in a piece of ice weighing approximately 108 kg (237 lbs). The proposed installation is governed by ANSI/TIA.

Per the latest version of the TIA publication, ANSI/TIA-222-G-2005, "Structural Standard for Antenna Supporting Structures and Antennas", published by the Telecommunications Industry Association. Standard, the Maximum Basic Design Ice Thickness for Putnam County is listed as 0.75 inches. The code also requires that the ice be escalated with height when calculating the ice weight and wind on ice loads. Therefore the radial ice calculated at 160' (top of the proposed pole) is approximately 1.75 inches. Utilizing this ice thickness and an area of 8 sqft, the mass of potential ice would be reduced to approximately 65 lbs. See attached calculations for determination of radial ice based on the TIA standard which is lower than the arbitrary thickness assumed by Mr. Rogers.

3. In our professional opinion, the photo of *Cell Tower Ice build up* found in the summary of Mr. Rogers is not a proper representation of typical conditions found in the northeast. Our research indicates that this photo is available on the World Wide Web and is most likely of a self-support tower located in Cordova Alaska. It should also be noted that the structure shown in the photo is of a self-support lattice structure and not a monopole structure that is proposed at this location. As noted in

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Homeland Towers
4506.NY181

2



April 8, 2013

the Tectonic letter dated March 15, 2013; the proposed structure has significantly less surface area capable of accumulating ice, thereby significantly decreasing the potential for ice accumulation.

In conclusion, the photograph presented by Mr. Rogers is not relevant to the proposed facility in the Town of Kent. It's our professional opinion that based on the design of the facility as a monopole, its location within a secured fenced compound at a Town-owned Highway Garage, and the minimal possibility of ice accumulation and fall, we believe there is not a significant risk to persons or property from ice fall in this situation.

If you should have any further questions, please do not hesitate to call us.

Sincerely,

TECTONIC

Kavish Zavar P.E.
Sr. Project Manager



cc: Manny Vicente-Homeland Towers, LLC
Robert Gaudioso-Snyder & Snyder

G:\Newburgh\Projects\4506-Homeland Towers\4506.NY181 Kent Smokey Hollow Court\Letters\NY181 Sup Ice Letter 4-8-13.doc

September 17, 2019

Honorable Chairman Craig Paepre
and Members of the Planning Board
Town of Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Re: Application for site plan and special permit approval for
Lake Casse: 254 Croton Falls Road, Mahopac, New York

Dear Chairman Paepre:

EBI Consulting (EBI) prepared an environmental review on behalf of Homeland Towers, LLC for the property noted above as part of its regulatory review by the Federal Communications Commission (FCC). The review was focused on the National Environmental Policy Act (NEPA) compliance and included an evaluation of whether historic properties or archaeological sites may be affected by the proposed telecommunications facilities at the address noted above under Section 106 of the National Historic Preservation Act (NHPA).

The Federal Communications Commission's 2004 Nationwide Programmatic Agreement (NPA) provides direction on how to conduct the research, fieldwork, identification and assessment of effects for their undertakings. Specifically, Section VI. of the NPA instructs consultants to review the State Historic Preservation Office's (SHPO) records to identify historic properties, defined as those that are previously determined eligible for listing on the National Register of Historic Places (NRHP) or those that are already listed on the NRHP. EBI Consulting reviewed the New York SHPO's GIS to identify historic properties within the project's Area of Potential Effects (APE) on July 27, 2018 and October 8, 2018. On both dates, no historic properties or previously surveyed sites were identified within the APEs for the above-referenced project.

The FCC also requires consultants to run a public notice, in a local newspaper of general interest and with paid circulation, and to correspond with local groups that have a demonstrated interest in historic preservation so that local knowledge can be obtained to help identify additional historic properties that could be adversely affected by the proposed wireless telecommunications facility. EBI ran a public notice in the Putnam County Press on July 25, 2018. The Putnam County Press is a local paper that has a paid circulation, which complies with the definition of "newspaper of general interest". Additionally, EBI sent letters dated July 17, 2018 to the Putnam Valley Historical Society, and the Putnam County Department of Planning and a letter dated October 9, 2018 to the Town of Carmel Planning Board. The public notice and the letters provided instructions to readers on how comment relative to concerns about the proposed project's effects on historic properties. To this date, EBI has not received any correspondence in response to the local newspaper notice or the letters.

EBI completed the FCC Form 620 to document the research, fieldwork, consultation efforts, identification and assessment of effects as prescribed by the FCC and submitted the filing via the FCC's e-106 system to the New York State Historic Preservation Office (NY SHPO) on October 10, 2018. The submitted finding of effect was "No Historic Properties". On October 26, 2018 NY SHPO concurred with the finding of effect and Section 106 Consultation was completed.

Recently, EBI Consulting has been made aware that members of the Fiero family have shared information with the New York SHPO relative to historic events that occurred at a property currently addressed as 294 Croton Falls Road.¹ The results of the family's consultation with the SHPO is that two buildings on the property have been determined eligible for listing on the NRHP as of August 21, 2019. The two buildings are the "Well House" where Richard Yates wrote much of his book, *Revolutionary Road*, and the adjacent "Babaril-Richard

¹ EBI Consulting was alerted to the concerns of the Fiero family only after copies of their letters to the local planning, zoning and town boards were shared with EBI by Homeland Towers, LLC.

Yates Cottage" where the Yates family resided while Yates wrote his book. The two buildings were not plotted on New York SHPO's GIS system until the week of September 9, 2019.

Consistent with Section IX of the FCC's 2004 NPA, Homeland Towers, LLC made EBI Consulting aware of the Post-Review discovery and since the Well House and the Babaril-Richard Yates Cottage have already been determined eligible through SHPO Determination, Homeland Towers, LLC has asked for an assessment of effects on this newly identified historic property.

In evaluating the potential effects on the newly identified properties EBI has reviewed the NY SHPO's statement of significance for the resources, the topography, the vegetative cover and distance between the proposed project and the Well House and the Babaril-Richard Yates Cottage. Homeland Towers, LLC had previously engaged Matthew Allen of Saratoga Associates to complete a viewshed assessment. Mr. Allen ran modelling that utilizes the proposed tower's height and location as well as ground elevation and ground cover height data to predict areas where there is the potential for visibility of the tower. It is important to understand that the modelling indicates areas of potential visibility whether the top one inch or the top 139 feet are potentially visible. For this modelling, the areas shaded in green are the areas where the modelling indicates there is the potential for views of some portion of the tower.

EBI utilized the viewshed mapping data and overlaid the locations of the newly identified historic properties to begin the evaluation of whether there was a potential for adverse effects on these resources. The pink dots are labeled and indicate the location of the Well House and the Babaril-Richard Yates Cottage. The viewshed mapping indicates that neither of the two resources, nor their immediate surroundings, will have views of the proposed tower. *Please see Attachment 1.*

To "truth" the predictive modelling, EBI reviewed aerial photos taken in 2016 and 2019, on-site photos taken in 2018 and Google Street Views from 2017 to verify that the topography and vegetation that was limiting the views of the proposed tower exist and to assess whether the vegetation appeared tall enough and dense enough to truly screen the views. Please see the figures in Attachment 2 that show the aerial photo of the project site relative to the Well and Babaril-Richard Yates Cottages, a photo facing south toward the resources from the tower site, and the Google Street View showing where the driveway for 292-300 Croton Falls Road intersects the public right-of-way.

All of the additional resources paint a consistent picture to the predictive modelling. The vegetative cover is thick and substantial and even though deciduous in nature, is dense enough to completely screen views of the tower from the two newly identified resources. The viewshed mapping predicts that there may be views of the proposed facility along the shared driveway; however, the Google Street View shows the arching trees over the driveway will help screen any views of the proposed tower. *Please see the Line of Sight Figure in the Attachments.*

Section VI.E.3 of the FCC's 2004 NPA provides guidance relative to the assessment of effects of the undertaking on identified historic properties. It states –

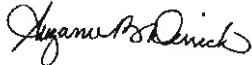
An Undertaking will have a visual adverse effect on a Historic Property if the visual effect from the Facility will noticeably diminish the integrity of one or more of the characteristics qualifying the property for inclusion in or eligibility for the National Register. Construction of a Facility will not cause a visual adverse effect except where visual setting or visual elements are character-defining features of eligibility of a Historic Property located within the APE.

The Well House is approximately 850 feet south-southwest of the proposed tower site and the Babaril-Richard Yates Cottage is approximately 985 feet south of the proposed tower site. Neither resource, nor their immediate environs, will have views of the proposed facility. It is also important to note that the original filing was for a proposed 180 foot monopole with a 10 foot tall lightning rod. The current design has been reduced 40 feet in height and is now a 140 foot tall monopine design. The eligibility determination by NY SHPO discusses the landscape features and the setting of both buildings as retaining integrity to the period of significance 1956- 1962. The proposed tower will not "noticeably diminish" the setting of these resources or the resources themselves because it will not be visible. Therefore the proposed facility has no risk of adversely affecting the newly identified historic properties. The finding of effect is "No Adverse Effect" to historic properties, above-ground or archaeological.

Homeland Towers, LLC has also made EBI aware that the Fiero family has expressed concerns with the newspaper used to publish the notice and that letters were not sent to them personally. The *Mahopac News*, the paper the Fieros mention in their correspondence, is a free newspaper and therefore does not comply with the provision that the notice must be placed in a "newspaper of general interest". Additionally, Section IV and V of the FCC's 2004 NPA outline the consultation procedures with federally-recognized tribes, the public, the local government and groups with a demonstrated interest in historic preservation. There is no requirement to send personal letters to members of the general public or neighboring property owners, which is more common under local zoning or planning requirements.

We hope this information is helpful to you. Please let us know if you have any further questions.

Sincerely,

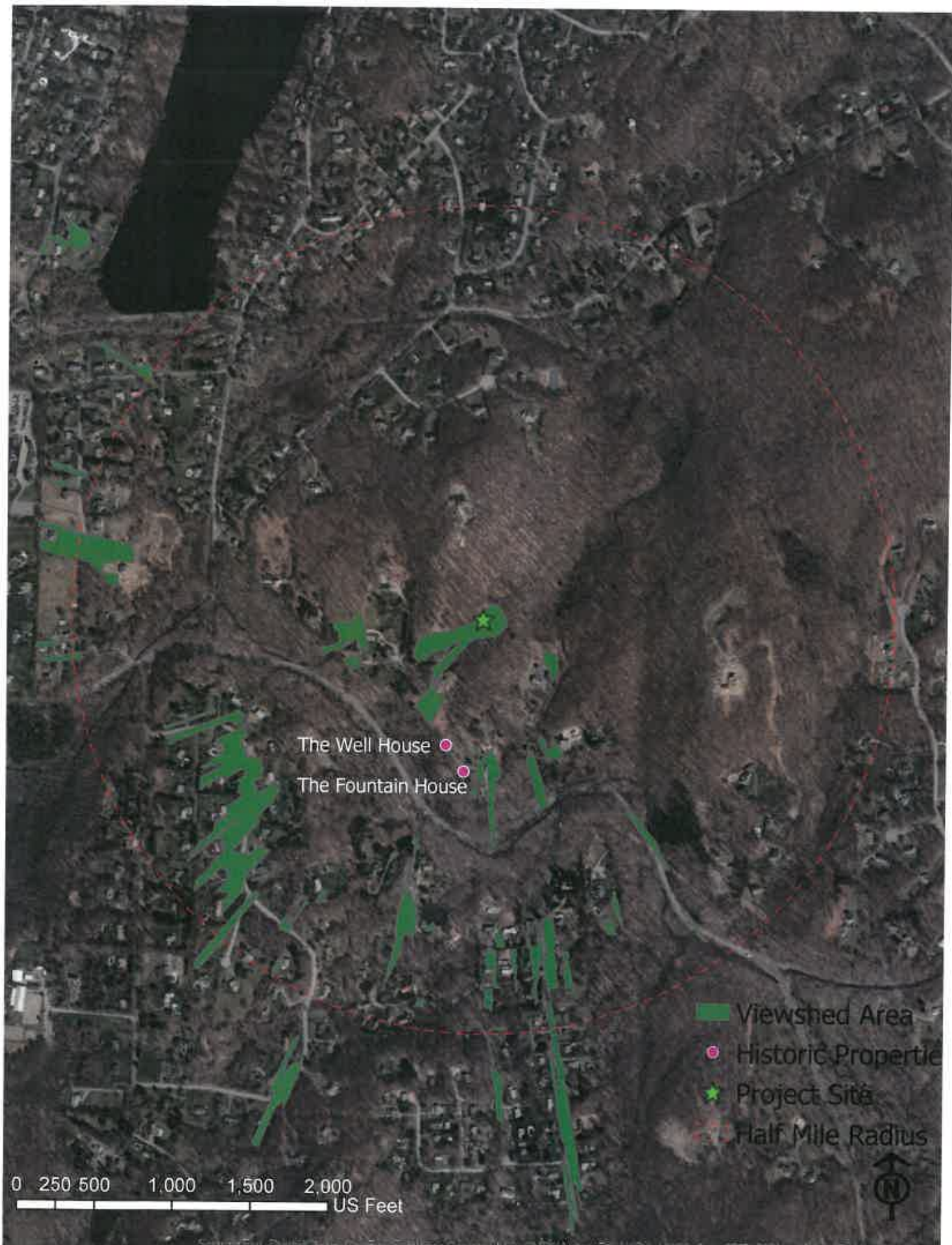


Suzanne B. Derrick
Technical Director – Cultural Resources
EBI Consulting
Office: (815) 302-9118
Fax: (717) 428-0403
sderrick@ebiconsulting.com

Attachments:

Viewshed Mapping
Additional Figures

Viewshed Mapping



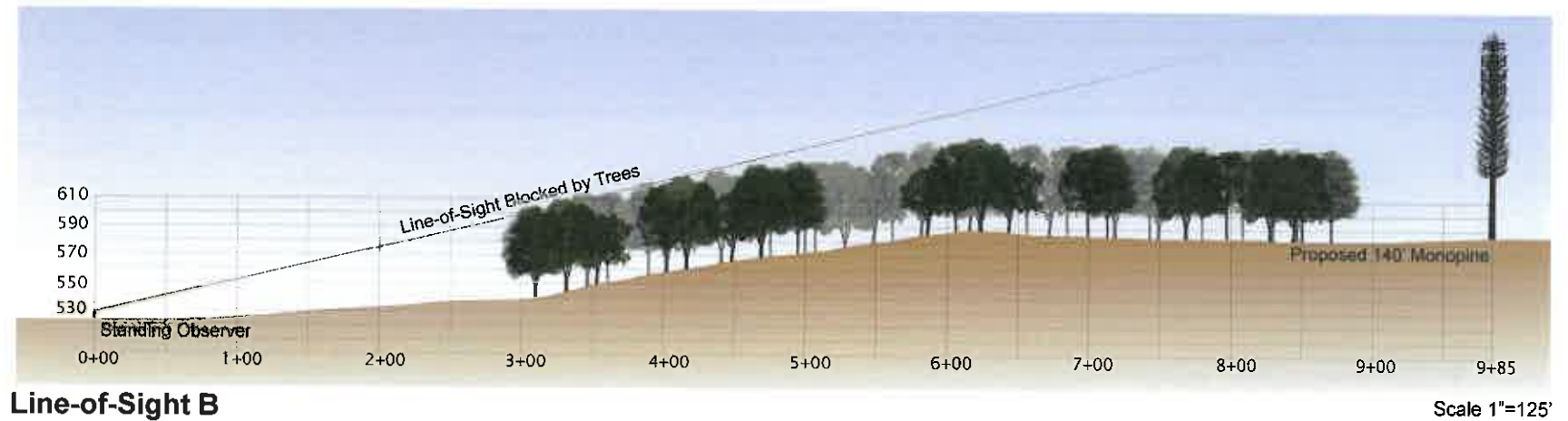
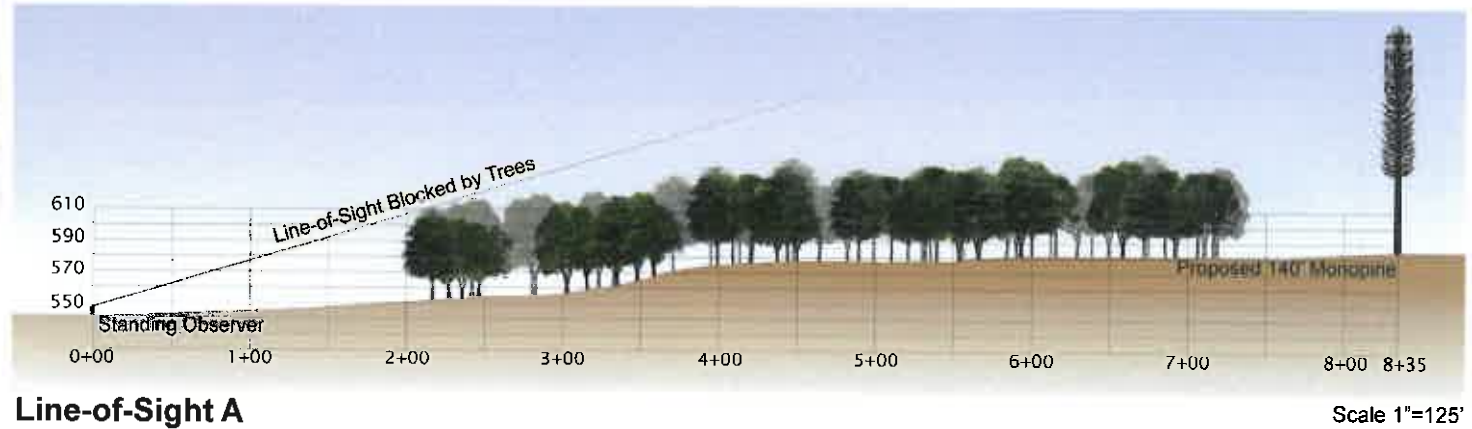
The Well House

The Fountain House

- Viewshed Area
- Historic Property
- Project Site
- Half Mile Radius

0 250 500 1,000 1,500 2,000
US Feet





Line-of-Sight Profiles
Fountain House

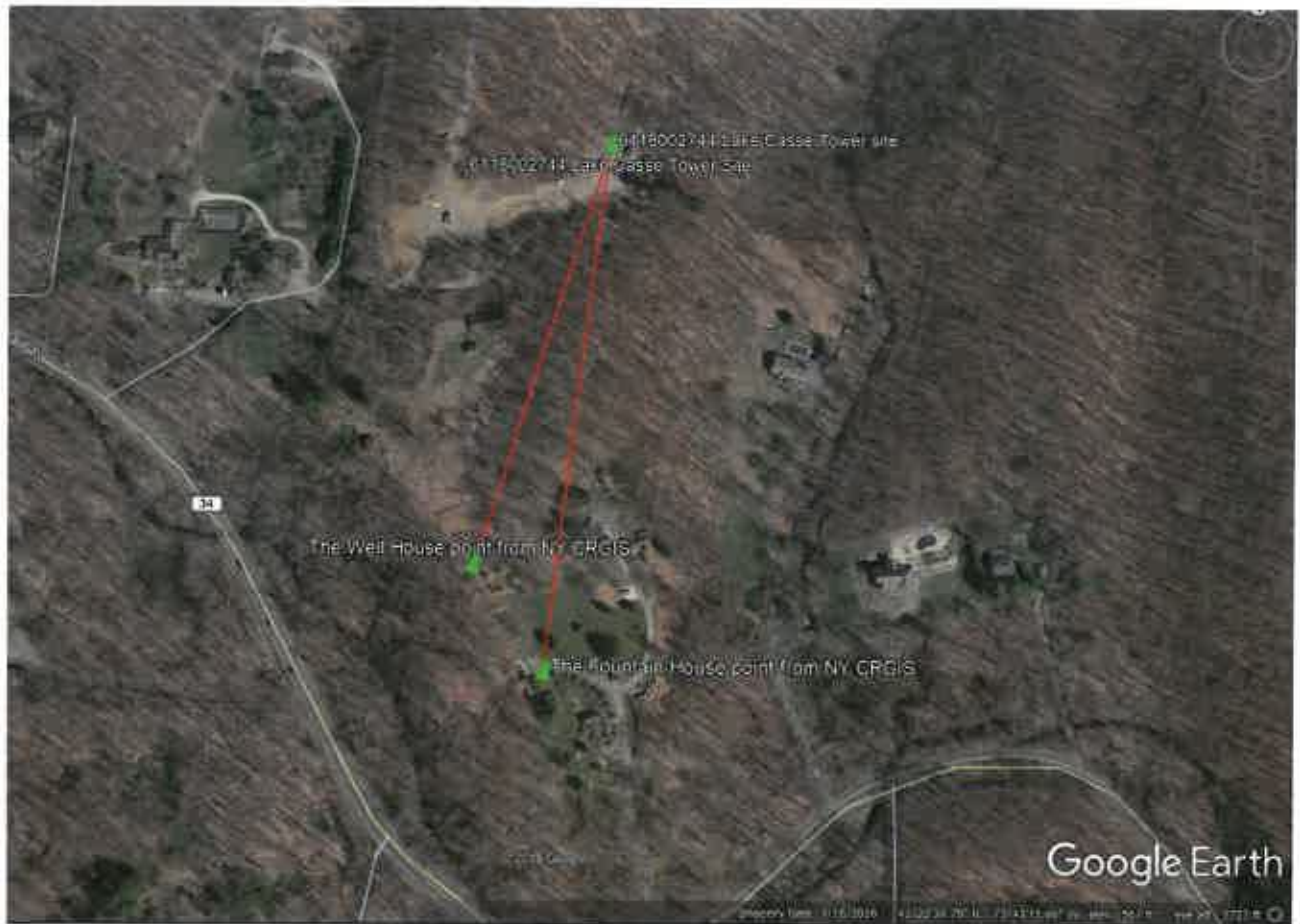
SARATOGA
ASSOCIATES



Figure 1
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER
Lake Cassie Site (NY056)
254 Croton Falls Road
Mahopac, NY 10541

Additional Figures

Attachment 2



Google Earth Aerial (imagery date 2016) Showing Line of Sight Between the Well and Fountain Houses and the Proposed Tower Site. Note the thick intervening vegetation.



Google Aerial, imagery date 2019. The vegetation that limits the views exist today.



On site photo taken July 6, 2018. This photo shows the density of the vegetation between the tower site and the property south where the Well House and Fountain House are located.



Google Street View image of the driveway for 292-300 Croton Falls Road. The viewshed mapping predicts visibility from this driveway, however, as demonstrated by this photo, the modelling is conservative and the views, if any exist, will be obscured by the arching tree branches and the nearly 1,400 feet of intervening distance.

Photo of “The Well House”



Source: New York State Historic Preservation Office, 2019

Photo of “Babaril – Richard Yates Cottage”



Source: New York State Historic Preservation Office, 2019

Summary of Experience

Kate Ritter has extensive experience in historic preservation and cultural resource management, and has been professionally active in these fields since 2012. She meets the Secretary of the Interior's Professional Qualifications Standards as specified in 36 CFR Part 61 for Architectural History. Ms. Ritter has held a variety of positions, including with the National Park Service, local and regional preservation non-profits, and in the construction industry. As a graduate student, she co-authored a 400-building neighborhood survey for the City of Burlington, Vermont, and submitted documentation to the Vermont Barn Census state database for the towns of Jericho and Bolton. Through her education and work, Ms. Ritter possesses knowledge and skill with architectural assessment, field documentation, report production, and research.

Relevant Project Experience

- Evaluation of structures and synthesizing information into writing
- Preparation of National Register of Historic Places nominations
- Skilled in research and applying the Secretary of the Interior's Standards
- Management of educational preservation programming
- Hands-on knowledge with timber framing and building rehabilitation
- Backcountry resource field experience with the National Park Service
- Versed with Section 106 and Section 4(f) processes
- Trained in architectural drafting, rendering, and photography

Education

M.S. Historic Preservation, University of Vermont, Burlington, VT

B.A. concentrating in Architecture and Music, Bennington College, Bennington, VT

Professional Affiliations

National Trust for Historic Preservation

SUMMARY OF EXPERIENCE

MS. GREEN IS AN ARCHITECTURAL HISTORIAN WITH EXPERIENCE CONDUCTING ARCHITECTURAL FIELD SURVEYS, SECTION 106 AND NEPA COMPLIANCE DOCUMENTATION, AND NATIONAL REGISTER PROPERTY NOMINATIONS. MS. GREEN MEETS THE REQUIREMENT FOR A HISTORIC CONSULTANT AS SPECIFIED IN 36CFR61 BY THE DEPARTMENT OF THE INTERIOR. SHE RECEIVED A MASTERS DEGREE IN HISTORIC PRESERVATION FROM THE UNIVERSITY OF VERMONT, BURLINGTON, VERMONT. SHE RECEIVED HER BACHELOR'S DEGREE FROM THE STATE UNIVERSITY OF NEW YORK AT GENESEO, MAJORING IN HISTORY. MS. GREEN HAS WORKED ON VARIOUS PROJECTS INCLUDING A NATIONAL REGISTER OF HISTORIC PLACES NOMINATION FOR THE LAKE CHAMPLAIN BRIDGE; COMPLETING A COMPREHENSIVE ARCHEOLOGICAL RESOURCES ASSESSMENT FOR THE TOWN OF JERICHO, VERMONT AND COMPLETING A SURVEY OF CONDITIONS AND HISTORIES OF THE CARRIAGE BARNs AND GARAGES LOCATED ON THE UNIVERSITY OF VERMONT CAMPUS.

MS. GREEN'S DUTIES AT EBI INCLUDE COMPLIANCE DOCUMENTATION TO ENSURE CLIENT'S COMPLIANCE WITH FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA). MS. GREEN SPECIALIZES IN CONDUCTING CULTURAL RESOURCES SURVEYS, ASSESSING NATIONAL REGISTER ELIGIBILITY OF HISTORIC STRUCTURES AND SITES, AND VISUAL EFFECTS ASSESSMENTS. MS. GREEN FOCUSES ON COMPLIANCE DOCUMENTATION NEEDED FOR FCC SECTION 106 PROJECTS FOR EBI'S WIRELESS INDUSTRY CLIENTS, INCLUDING CELLULAR/PCS COMPANIES, TOWER CONSTRUCTION COMPANIES, AND TURNKEY TELECOMMUNICATIONS NETWORK DEVELOPMENT COMPANIES.

RELEVANT PROJECT EXPERIENCE

955 MAIN STREET, BRIDGEPORT, CONNECTICUT. THIS PROJECT WAS PROPOSED AS THE INSTALLATION OF ANTENNAS ON THE EXTERIOR OF A BUILDING CONSTRUCTED IN 1928 AND WAS A CONTRIBUTING BUILDING WITHIN THE BRIDGEPORT DOWNTOWN SOUTH HISTORIC DISTRICT. MS. GREEN WORKED WITH THE SHPO, PROPERTY OWNER AND METROPCS NEW YORK TO DEVELOP A REDESIGN FOR THE INSTALLATION THAT WOULD MAINTAIN THE BUILDING INTEGRITY AND ALSO SUPPLY THE REQUIRED THE NEED SPACE FOR THE ANTENNAS

14 SPRING STREET, SCHUYLerville, NEW YORK. THIS PROJECT INCLUDES THE CONSTRUCTION OF A MONOPOLE TO BE LOCATED NEAR THE SARATOGA BATTLEFIELD NATIONAL PARK. MS. GREEN IS CURRENTLY WORKING WITH THE SHPO, PROPERTY OWNERS, INDEPENDENT TOWERS, THE NATIONAL PARK SERVICE, THE FCC AND LOCAL STAKEHOLDERS TO DETERMINE THE EFFECT THIS PROPOSED TOWER WILL HAVE ON THE AREA.

2008 TO PRESENT EBI CONSULTING, ARCHITECTURAL HISTORIAN, BURLINGTON, MA. SPECIALIZING IN THE SECTION 106 PROCESS REQUIRED IN THE TELECOMMUNICATIONS FIELD

2005 ADIRONDACK ARCHITECTURAL HERITAGE, RESEARCHER, KEESVILLE, NY. RESEARCHED AND DOCUMENTED (PHOTOGRAPHS) THE LAKE CHAMPLAIN BRIDGE AND FORMULATED THE NATIONAL REGISTER OF HISTORIC PLACES NOMINATION FOR THE BRIDGE

2005 LAKE CHAMPLAIN MARITIME MUSEUM, CONSERVATION LAB TECH, VERGENNES, VT. SKETCHED, PHOTOGRAPHED AND CONSERVED BOTH METAL AND WOODEN ARTIFACTS TAKEN FROM BOTH LAND AND WATER SITES AROUND VERMONT AND NEW YORK, INTERACTED WITH THE PUBLIC ABOUT THE CONSERVATION TECHNIQUES, THE IMPORTANCE OF CONSERVATION, AND THE INVASIVE SPECIES OF LAKE CHAMPLAIN

2004 UNIVERSITY OF VERMONT, RESEARCHER, BURLINGTON, VT. WORKED AS PART OF A TEAM OF THREE TO CREATE A REPORT FOR ACT 250 AND CONDUCTED RESEARCH INTO THE HISTORY, CURRENT CONDITIONS, AND TREATMENT RECOMMENDATION FOR CARRIAGE BARNS AND GARAGES ON THE UNIVERSITY OF VERMONT CAMPUS

2004 TOWN OF JERICO, VT, ASSESSOR, JERICO, VT. PART OF A TEAM OF FOURTEEN CONSULTANTS WHO COLLECTED THE NECESSARY DOCUMENTATION FOR A COMPREHENSIVE ARCHAEOLOGICAL RESOURCE ASSESSMENT FOR THE TOWN OF JERICO, VT. DATA COLLECTED INCLUDED ANALYSIS OF HISTORIC AND MODERN DOCUMENTS, SUCH AS CENSUS DATA AND CEMETERY RECORDS, IMAGES, MAPS, ARCHAEOLOGICAL AND BUILDING SURVEYS

2004 LIVINGSTON COUNTY HISTORIAN'S OFFICE, CLERK/TYPIST, MT MORRIS, NY. GUIDED RESEARCHERS TO THE PROPER SOURCES WITH THE OFFICE AND HELPED TO ORGANIZE AND MOVE THE OFFICE TO A NEW LOCATION

2003 NEW YORK STATE PARKS, RECREATION, AND HISTORIC PRESERVATION, SITE HISTORIAN INTERNSHIP, CASTILE, NY. HELPED MAINTAIN AND DOCUMENT THE ARCHIVES AT THE SITE AND RESEARCHED THE GENEALOGICAL HISTORY OF MARY JEMISON, A PERSON OF LOCAL IMPORTANCE

EDUCATION

2004 B.A. HISTORY STATE UNIVERSITY OF NEW YORK AT GENESEO

2006 MS HISTORIC PRESERVATION UNIVERSITY OF VERMONT

PROFESSIONAL AFFILIATIONS

NATIONAL TRUST FOR HISTORIC PRESERVATION

DAUGHTERS OF THE AMERICAN REVOLUTION

ACME Heritage Consultants

Archaeology • Architectural History • Preservation Planning

Matthew D. Spigelman

14 Kilmer Road
Larchmont, NY 10538
914.629.1409
mspigelman@acmeheritage.com

Education

PhD, Anthropology, New York University, 2015
MA, Anthropology, New York University, 2008
BA, The Growth and Structure of Cities, Haverford College (Bryn Mawr College), 2002

Professional Associations

Register of Professional Archaeologists (RPA)
Society of American Archaeology
New York State Archaeological Association
Archaeological Society of New Jersey

Professional History

- 2016–present Partner, ACME Heritage Consultants
- Consulting firm based in Westchester, NY and Great Barrington, MA providing cultural resource investigations (Phases IA/B, II, and III) throughout the Northeastern region. Phase IA investigations of several hundred pole mounted telecommunication projects in NJ, NY, and MA and new build telecommunications towers in MA. Phase IA/B and Phase II investigations of dozens of new build telecommunications towers in NJ and NY.
- 2014–2016 Project Manager, PaleoWest Archaeology, New York, NY
- Fieldwork and report preparation for over forty telecommunication projects in New York and Vermont. Phase IA research and report preparation for a multi-phase natural gas collection network in eastern Ohio. Fieldwork and report preparation for National Park Service projects in NY, NJ, and PA.
- 2013 Archaeologist, Linda Stone RPA, New York, NY
- Fieldwork in support of water main installation project on Governor's Island, NY. Included machine assisted trenching and cemetery delineation.
- 2006–2013 Adjunct Instructor and Teaching Assistant, Department of Anthropology and Department of Environmental Studies, New York University, NY
- Courses included Introduction to Archaeology, The Archaeology of New York City, Faunal Analysis, Introduction to Environmental Studies.
- 2005–2012 Fellowships for Graduate Study, New York University, NY
- Support for graduate study from the McCracken Fellowship, NYU (course work and comprehensive exams), Cyprus Fulbright Commission (field research), National Science Foundation (laboratory research), James Arthur Fellowship, NYU (dissertation writing).

SUMMARY OF EXPERIENCE

Ms. Derrick has more than 19 years of professional experience specializing in architectural history and Section 106 Compliance. She has conducted and managed surveys on a variety of historic property types including rural, urban, commercial, residential, and industrial sites as well as linear transportation corridors. She has successfully completed project assignments including architectural surveys and eligibility reports for private developers, municipalities, the New Jersey Department of Transportation, and the Federal Communications Commission.

Ms. Derrick's responsibilities at EBI include managing the quality and productivity of the Cultural Resource Management team, providing technical assistance and helping clients navigate the environmental review process to ensure compliance with the National Historic Preservation Act, the Federal Communications Commission's (FCC) requirements under the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA) and many state environmental quality regulations. Ms. Derrick has worked nationwide and managed projects permitted or funded by agencies such as the Federal Communications Commission, the Department of Housing and Urban Development, US Army Corps of Engineers, US Department of Transportation as well as various state agencies.

EDUCATION

1995-1997 M.S. Candidate, Historic Preservation, School of the Art Institute

1988-1992 B.S., Psychology, Lawrence University

PROFESSIONAL EXPERIENCE

July 2008-Present, EBI Consulting
Technical Director – Cultural Resources (see above for details)

April 2007- July 2008, E2 Project Management, Inc.
Division Manager – Cultural Resources Management In her position as Division Manager-Cultural Resources, Ms. Derrick developed a cultural resources compliance program for an engineering and environmental consulting company, marketed the new services, built and maintained client relationships and managed more than 450 wireless telecommunication projects.

January 2001 – February 2007, Richard Grubb & Associates
Architectural Historian/Wireless Telecom Projects Manager Ms. Derrick worked as an architectural historian with Richard Grubb & Associates and then was promoted to a position developing and managing a regulatory compliance program for the wireless telecommunications industry. As an architectural historian, Ms. Derrick was responsible for conducting historical research and field visits, preparing assessments of effect, determinations of National Register eligibility, and surveys of historic architectural resources. As the Wireless Telecom Projects Manager, Ms. Derrick developed and marketed compliance survey products tailored to the wireless telecommunications industry and managed the successful completion of more than 1400 compliance documents for all the major carriers and tower builders.

March 2000 – January 2001, New Jersey Historic Trust

Historic Preservation Specialist Ms. Derrick reviewed grant applications, conducted site visits and prepared presentations for the grant selection committee. Once grantees were awarded, Ms. Derrick reviewed and recommended for approval/denial grantees reimbursement requests.

November 1998 – December 1999, Carol Yetken Landscape Design

Research Assistant Ms. Derrick completed archival research, conducted field survey and condition assessments and completed report writing for historic landscape surveys and historic landscape restoration projects.

May 1997 – November 1998, Pleasant Home Foundation

Assistant Director Ms. Derrick's responsibilities included raising funds for the restoration of the historic home, working with the historic architect to prepare a Preservation Plan and then a Historic Structures Report and to manage the volunteer program.

OTHER EXPERIENCE

Vice-Chair, Village of Plainfield – Historic Preservation Commission

Ms. Derrick has served on the Historic Preservation Commission of the Village of Plainfield, a Certified Local Government since 2007. Ms. Derrick regularly makes presentations to regional local historic preservation commissions, local agencies and the public on the benefits of Historic Preservation Initiatives and the designation of Historic Districts.



Landscape Architects, Architects,
Engineers, and Planners, P.C.

September 27, 2019

Honorable Chair Craig Paepre and Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

Re: Visual Resource Assessment
Proposed Wireless Telecommunications Facility
254 Croton Falls Road
Mahopac, NY

Dear Honorable Chair and Planning Board Members:

Saratoga Associates is writing on behalf of Homeland Towers regarding the proposed telecommunications tower and associated equipment at the above referenced address. Saratoga Associates has been retained to address potential visual impacts associated with this project. We offer this letter to address comments concerning potential project views from two adjacent residential properties; 250 Croton falls Road and 292 Croton falls Road. For the Board's consideration we have prepared line-of-sight profiles that illustrate views from these adjacent residential properties. A photo simulation is also provided illustrating the view of the proposed facility from the driveway at 250 Croton Falls Road. These figures are attached herein.

The height of the proposed tower has been reduced from the originally proposed 180 feet to the 140 feet. The proposed tower is designed as a stealth tree to minimize visual contrast with the surrounding woodland landscape.

Figure 1 - Two structures at 292 Croton Falls Road (Wells House and Fountain House) have recently been added to the NYS Office of Parks Recreation and Historic Preservation (NYSOPRHP) Cultural Resource Inventory System (CRIS) data base as being eligible for listing on the National Register of Historic Places. As demonstrated by the line-of-sight profiles provided as Figure 1, existing intervening woodland vegetation will screen the view from both of these structures. There will be no significant adverse visual impact from these historic structures.

Hon. Craig Paepre
September 27, 2019
Page 2

Figures 2 & 3 – Line-of-sight profiles and photo simulation indicate that the upper portion of the proposed 140 foot-tall stealth monopine may be partially visible through existing deciduous branches from key vantage points at 252 Croton Falls Road during winter leaf-off season. These views will be substantially or fully screened during summer leaf-on season. There will be no significant adverse visual impact from this property.

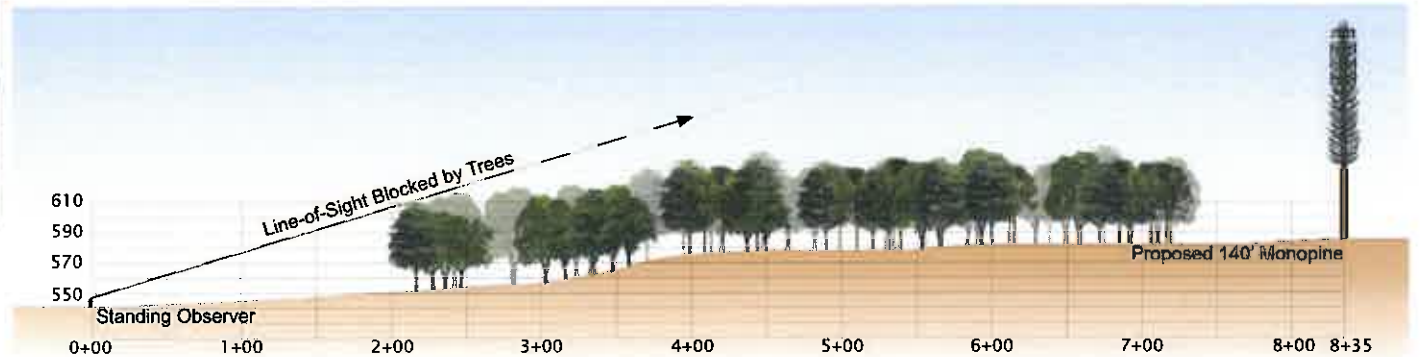
Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read 'M. Allen', followed by a long horizontal line.

Matthew W. Allen, RLA
Principal

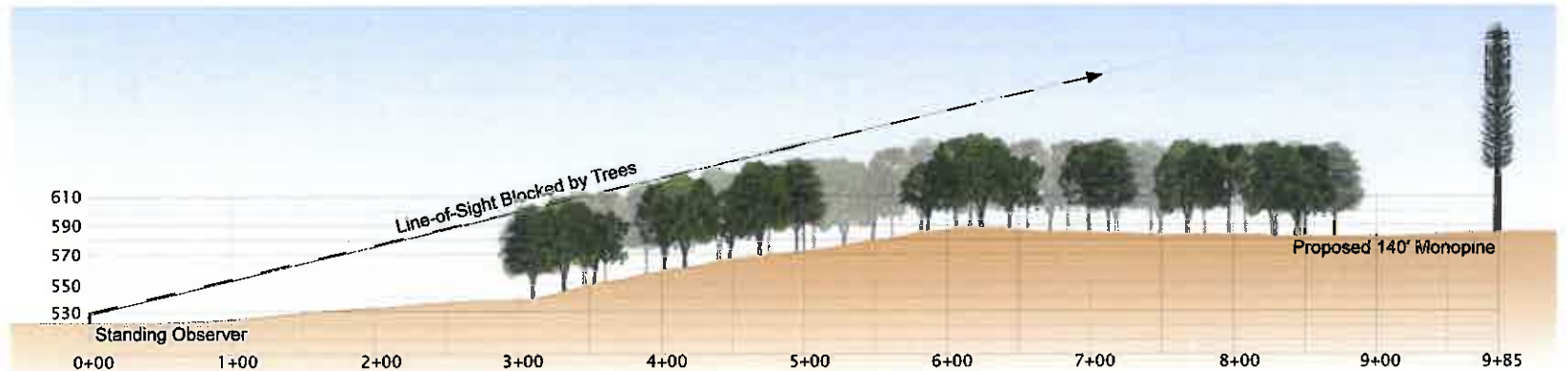
SARATOGA ASSOCIATES

Landscape Architects, Architects, Engineers, and Planners, P.C.



Line-of-Sight A - Wells House

Scale 1"=125'



Line-of-Sight B - Fountain House

Scale 1"=125'

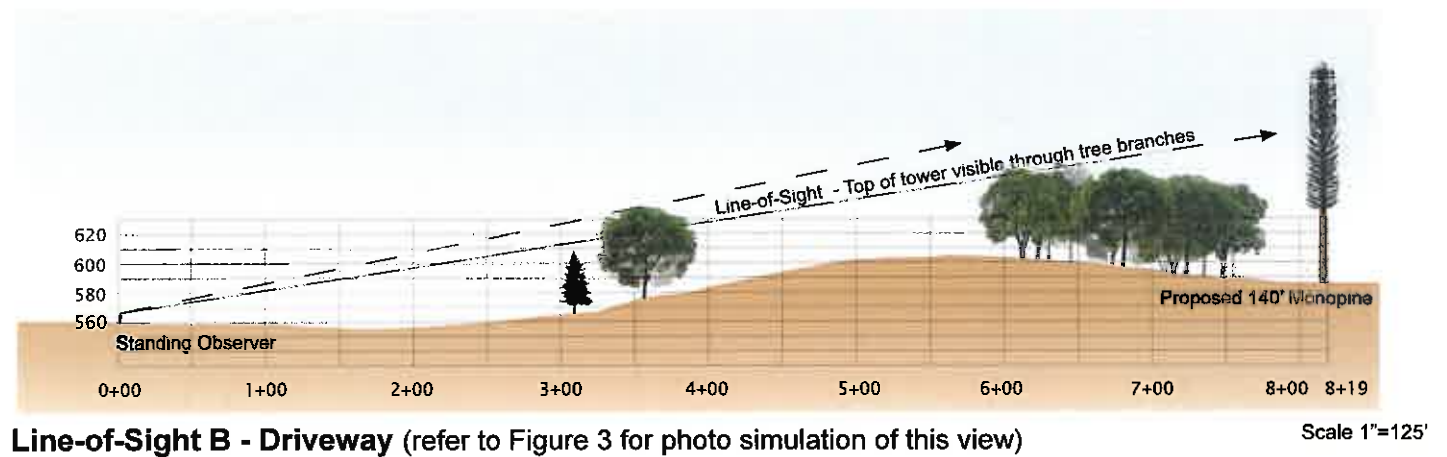
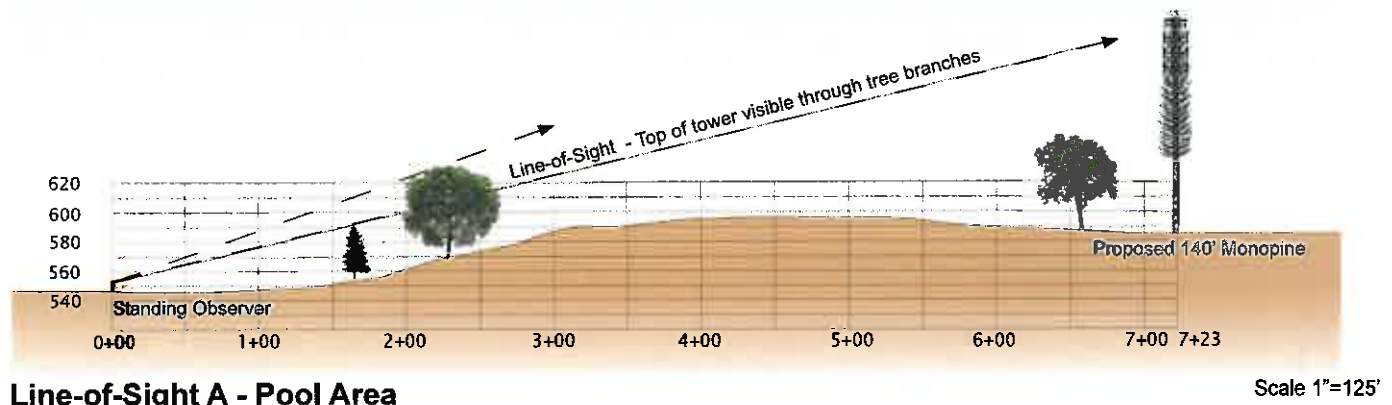
Line-of-Sight Profiles
292 Croton Falls Road

SARATOGA
ASSOCIATES



Figure 1
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER

Lake Cassa Site (NY056)
254 Croton Falls Road
Mahopac, NY 10541



Line-of-Sight Profiles
250 Croton Falls Road

SARATOGA
ASSOCIATES



Figure 2
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER
Lake Casse Site (NY055)
254 Croton Falls Road
Mahopac, NY 10541



Photograph Information

Date	February 4, 2019
Time	11:46 am
Focal Length	50mm
Camera	Canon 6D Mark II
Photo Location	41° 22' 37" 7400' N
Location	73° 42' 23" 3244' W
Distance	820 Feet

To appear at the correct scale this photograph is intended to be viewed 18 inches from the reader's eye when printed on 11"x17" paper

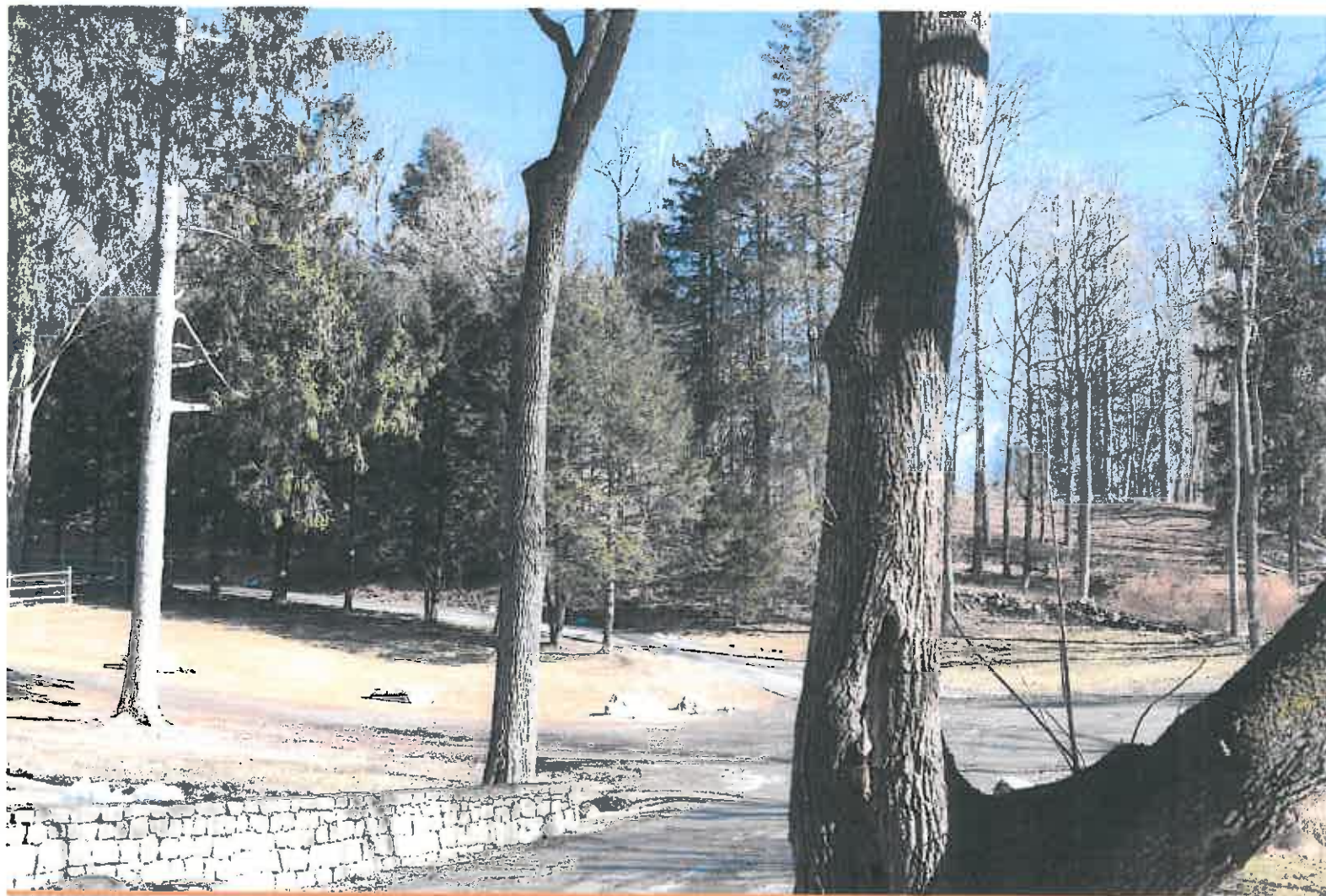
Existing Condition
250 Graton Falls Rd

SAVILL &
ASSOCIATES

Figure 24
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Law Office, S.A. (NY025)
250 Graton Falls Rd.
Malone, NY 12051



Photograph Information

Date	February 4, 2019
Time	11:48 am
Focal Length	50mm
Camera	Canon 6D Mark II
Photo Location	41° 22' 37.7400" N 73° 42' 23.3244" W
Distance	620 Feet

To appear at the correct scale this photograph is intended to be viewed 18 inches from the reader's eye when printed on 11" x 17" paper.

Simulated Condition - 140 ft Monopole
250 Croton Falls Rd

SAATCHI & SAATCHI
ASSOCIATES

Figure 3b
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Lake Ontario Erie (NY) 0564
254 Croton Falls Road
Monticello, NY 12541

LAW OFFICES OF
SNYDER & SNYDER, LLP
94 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591

NEW YORK OFFICE
445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

(914) 333-0700
FAX (914) 333-0743

NEW JERSEY OFFICE
ONE GATEWAY CENTER, SUITE 2600
NEWARK, NEW JERSEY 07102
(973) 824-9772
FAX (973) 824-9774

LESLIE J. SNYDER
ROBERT D. GAUDIOSO

WRITER'S E-MAIL ADDRESS

rgaudioso@snyderlaw.net

REPLY TO:

DAVID L. SNYDER
(1956-2012)

TARRYTOWN OFFICE

September 27, 2019

Honorable Chairman Robert Laga and
Members of the Environmental Conservation Board
Town of Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Re: Application for a Wireless Telecommunications Facility located at
Lake Casse: 254 Croton Falls Road, Carmel, New York

Honorable Chairman Robert Laga and
Members of the Environmental Conservation Board:

We are the attorneys for Homeland Towers LLC ("Homeland") and New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon") (collectively, the "Applicants") in connection with their request to locate a public utility wireless telecommunications facility ("Facility") at the above captioned property ("Property").

As we discussed, the utilities installed for the Facility will be underground and partially within an adjacent 100 foot wetlands buffer. In accordance with §89-12(H) (Item 36) and §89-6 the Applicants respectfully request a Letter of Permission for approval of the installation of utilities in the buffer area. In the alternative the Applicants respectfully request the issuance of a Wetlands Permit for the related activity in the buffer area.

In addition there will be limited maintenance work on the drainage features for the access drive in order to further reduce stormwater runoff, a part of which will occur in the 100 foot buffer area. Although this Facility is utilizing an existing access drive and will not increase any existing conditions there have been requests from neighboring property owners to help reduce the existing drainage conditions on the Property, and the Applicants have voluntarily agreed to assist by repairing and improving the drainage features for the existing access drive to the extent approved by this Board. In accordance with § 89-4(C)(5) and § 89-12(D)(Item 10), and highlighting that only part of the work will occur in the 100 foot buffer area, the Applicants respectfully submit that the repair of the drainage features for the existing access drive is an exempt action not requiring approval. However in the alternative the Applicants respectfully request that a Letter of Permission or a Wetlands Permit be issued for the proposed activity.

In response to the ECB comments on September 5, 2019 enclosed please find four (4) copies of the following materials:

1. Letter of Authorization from the Property Owner;
2. Response letter from APT Engineering detailing the requested Site Plan changes;
and
3. Revised Site Plan.

We thank you for your consideration, and look forward to discussing this matter at next Environmental Conservation Board meeting. If you have any questions or require any additional documentation, please do not hesitate to contact me at 914-333-0700.

Snyder & Snyder, LLP

By: 

Robert D. Gaudio

RDG/djk

Enclosures

z:\ssdata\wpdata\ss3\rdg\homelandtowers\carne\056 (casse)\ecb letter ny056 casse 9.27.19.rtf



Honorable Chairman Craig Paepre
and Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

September 17, 2019

RE: Homeland Towers Site Name: Lake Casse NY056
254 Croton Falls Road
Carmel, NY 10541
Response to ECB Comments

Honorable Chairman and Members of the Board:

Please note the following items have been addressed on the 09-17-2019 Zoning Drawing set:

- A note has been added to details 11 and 12 on Drawing C-3 detailing the maintenance of the proposed Check Dams and Grass Lined Swale.
- Petroleum Materials Storage & Spill Prevention Notes have been added to the Drawing EC-2.
- A Construction Vehicle Storage Area has been added to Drawing SP-2.
- Proposed plantings in the area of the proposed Grass Lined Swale have been shown on Drawings SP-2 and SP-3.
- A proposed Concrete washout location has been added to Drawing SP-2 and a detail has been added to Drawing C-3.
- The subject parcel is located within the New York City Watershed East of the Hudson therefore a SWPPP will be required and the project will be submitted for a NYSDEC SW permit. The revised Zoning Drawings dated 09-17-2019 are to serve as the SWPPP.

Should you have any questions, please do not hesitate to call me at (860) 663-1697 x206.

Sincerely,

APT Engineering

Robert C. Burns, P.E.
Program Manager

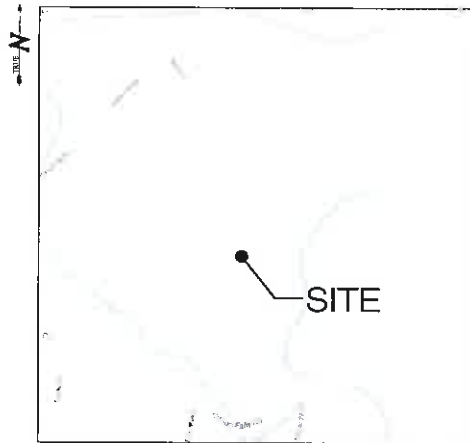
APT ENGINEERING

☐ 3 SADDLEBROOK DRIVE · KILLINGWORTH, CT 06419 · PHONE 860-663-1697 · FAX 860-663-0935

☐ P.O. BOX 504 · 116 GRANDVIEW ROAD · CONWAY, NH 03818 · PHONE 603-496-5853 · FAX 603-447-2124



HOMELAND TOWERS, LLC
WIRELESS TELECOMMUNICATIONS FACILITY
LAKE CASSE
254 CROTON FALLS ROAD
CARMEL, NY 10541



VICINITY MAP
 SCALE: 1" = 500'

DRAWING INDEX

- T-1 TITLE SHEET & INDEX
- 1-4 TOPOGRAPHIC SURVEY
- R-1 1,000' RADIUS MAP
- R-2 1,000' RADIUS PROPERTY OWNERS
- SP-1 SITE PLAN
- SP-2 PARTIAL SITE PLAN
- SP-3 PARTIAL SITE PLAN
- SP-4 EXISTING DRIVEWAY PROFILE
- SP-5 TRUCK TURNING PATH
- CP-1 COMPOUND PLAN
- A-1 ELEVATIONS
- A-2 ELEVATIONS
- EC-1 EROSION CONTROL PLAN
- EC-2 EROSION CONTROL NOTES
- EC-3 EROSION CONTROL DETAILS
- C-1 VERIZON EQUIPMENT PLAN & DETAILS
- C-2 VERIZON ANTENNA PLAN & DETAILS
- C-3 SITE DETAILS
- C-4 VERIZON EQUIPMENT LIGHTING DETAILS

SITE INFORMATION

PROJECT LOCATION: 254 CROTON FALLS ROAD
 CARMEL, NY 10541

PROJECT DESCRIPTION: RAWLAND SITE W/ GROUND EQUIPMENT WITHIN
 6,800 SF TELECOMMUNICATIONS COMPOUND W/
 NEW 140'± AGL MONOPINE.

PROPERTY DEVELOPER: HOMELAND TOWERS, LLC
 9 HARMONY STREET
 2ND FLOOR
 DANBURY, CT 06810

DEVELOPER CONTACT: RAY VERGATI
 (203) 297-5345

ENGINEER CONTACT: ROBERT C. BURNS
 (800) 663-1597 x205

LONGITUDE: 41° 22' 40.5400"W
 LATITUDE: 73° 42' 14.0725"N
 ELEVATION: 585.0'± AMSL

SECTION: 65.19
 BLOCK: 1
 LOT: 43
 ZONE: RESIDENTIAL

OWNER:
 RICHARD J. & ROSEMARIE DEHL
 254 CROTON FALLS ROAD
 MAHOPAC, NY 10541

APPLICANTS:
 HOMELAND TOWERS, LLC
 9 HARMONY STREET
 2ND FLOOR
 DANBURY, CT 06810
 RAY VERGATI
 (203) 297-5345

HOMELAND PROJECT ATTORNEY:
 SNYDER & SNYDER, LLP
 84 WHITE PLAINS ROAD
 TARRYTOWN, NY 10591
 (814) 333-0700

POWER PROVIDER:
 NYSEG (585) 484-2223

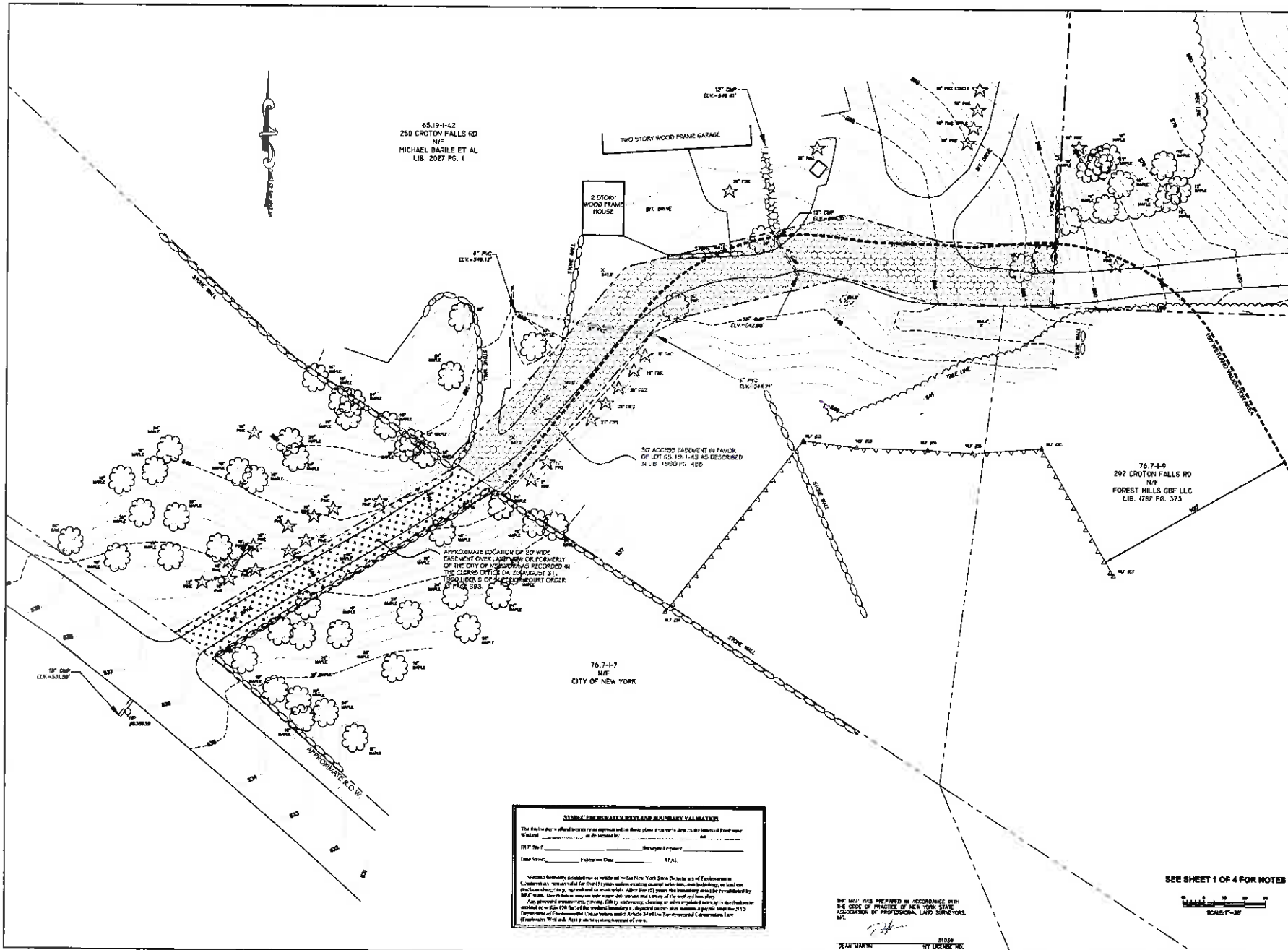
TELECO PROVIDER:
 VERIZON (814) 890-0200

DIG SAFELY NEW YORK:
 (800) 962-7862

GOVERNING CODES:
 2015 IBC W/ 2017 NYS UNIFORM CODE SUPPLEMENT
 NATIONAL ELECTRIC CODE
 TIA-222-G

TOWN OF CARMEL ZONING CODE
 SECTION 150-62

 HOMELAND TOWERS, LLC 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810 (203) 297-5345	
 4 CENTEROCK ROAD WEST NYACK, NY 10994	
 APT ENGINEERING 3 SADDLEROCK DRIVE, PHONE (914) 463-1891 HALLS HILLS, CT 06489 FAX (914) 463-9832 WWW.APTENGINEERING.COM	
PERMITTING DOCUMENTS	
NO.	DATE / REVISION
1	07/25/18 FOR REVIEW: RCB
2	07/25/18 CLIENT REVISION: RCB
3	11/13/18 TOWN COMMENTS: RCB
4	02/13/19 TOWN COMMENTS: RCB
5	02/20/19 TOWN COMMENTS: RCB
6	02/20/19 TOWN COMMENTS: RCB
7	02/20/19 TOWN COMMENTS: RCB
8	02/20/19 CLIENT REVISION: RCB
9	02/20/19 TOWN COMMENTS: RCB
10	02/20/19 ATTY COMMENTS: RCB
11	02/17/19 ECR COMMENTS: RCB
DESIGN PROFESSIONALS OF RECORD	
PROJ: SCOTT M. CHASSE P.E. COMP: APT ENGINEERING ADD: 3 SADDLEROCK DRIVE HALLS HILLS, CT 06489	
DEVELOPER: HOMELAND TOWERS, LLC ADDRESS: 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810	
NOTE: IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 145, SECTION 7209 (2) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THE SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.	
HOMELAND TOWERS LAKE CASSE SITE ADDRESS: CARMEL, NY 10541 APT FILM NUMBER: NY30358 DATE: 07/25/18 DRAWN BY: CBH CHECKED BY: RCB	
SHEET TITLE: TITLE SHEET & INDEX	
SHEET NUMBER: T-1	



- LEGEND:**
- IRON PIN (FOUND)
 - REBAR/CONCRETE (To Be Set)
 - MONUMENT (FOUND)
 - DRAINAGE MANHOLE
 - SANITARY MANHOLE
 - ELEC. MANHOLE
 - TELE. MANHOLE
 - 10" CATCH BASIN
 - DECIDUOUS TREES
 - EVERGREEN TREES
 - SHRUBS/BUSH
 - FLAG POLE
 - TRAFFIC CONTROL BOX
 - BOUNDARY LINE
 - GUARD RAIL
 - UNDERGROUND PIPING (3mm. diam.)
 - U/G GAS LINE
 - U/G ELEC. LINE
 - WATER LINE
 - OVERHEAD UTILITIES
 - U/G TELE. LINE
 - CHAIN LINK FENCE
 - TREE LINE
 - POST
 - GUY ANCHOR
 - UTILITY POLE
 - WATER GATE
 - WATER METER
 - GAS VALVE
 - GAS METER
 - TRANSFORMER
 - ELEC. METER
 - MAIL BOX
 - HAND HOLE
 - BUTTON BOX
 - A.C. UNIT
 - TRAFFIC LIGHT POLE

Martin
Surveying Associates, LLC
 201 CHRISTIAN LANE, BERLIN, CT 06037
 860-432-8528 860-357-4804 (FAX)

REFERENCE:
 1. WETLAND VALUATION BOOK 8-14-2016

TOPOGRAPHIC SURVEY
LAND OF
RICHARD J. & ROSEMARIE DIEHL
TAX ID: 65.19-1-43
254 CROTON FALLS ROAD
MAHOPAC
PUTNAM COUNTY
NEW YORK

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF THE STATE TAX COLLECTOR
ALBANY, NEW YORK

The State of New York is pleased to announce that the State Tax Collector's Office has received a request from the State of New York for the State Tax Collector's Office to provide a copy of the State Tax Collector's Office's records to the State of New York for the State Tax Collector's Office.

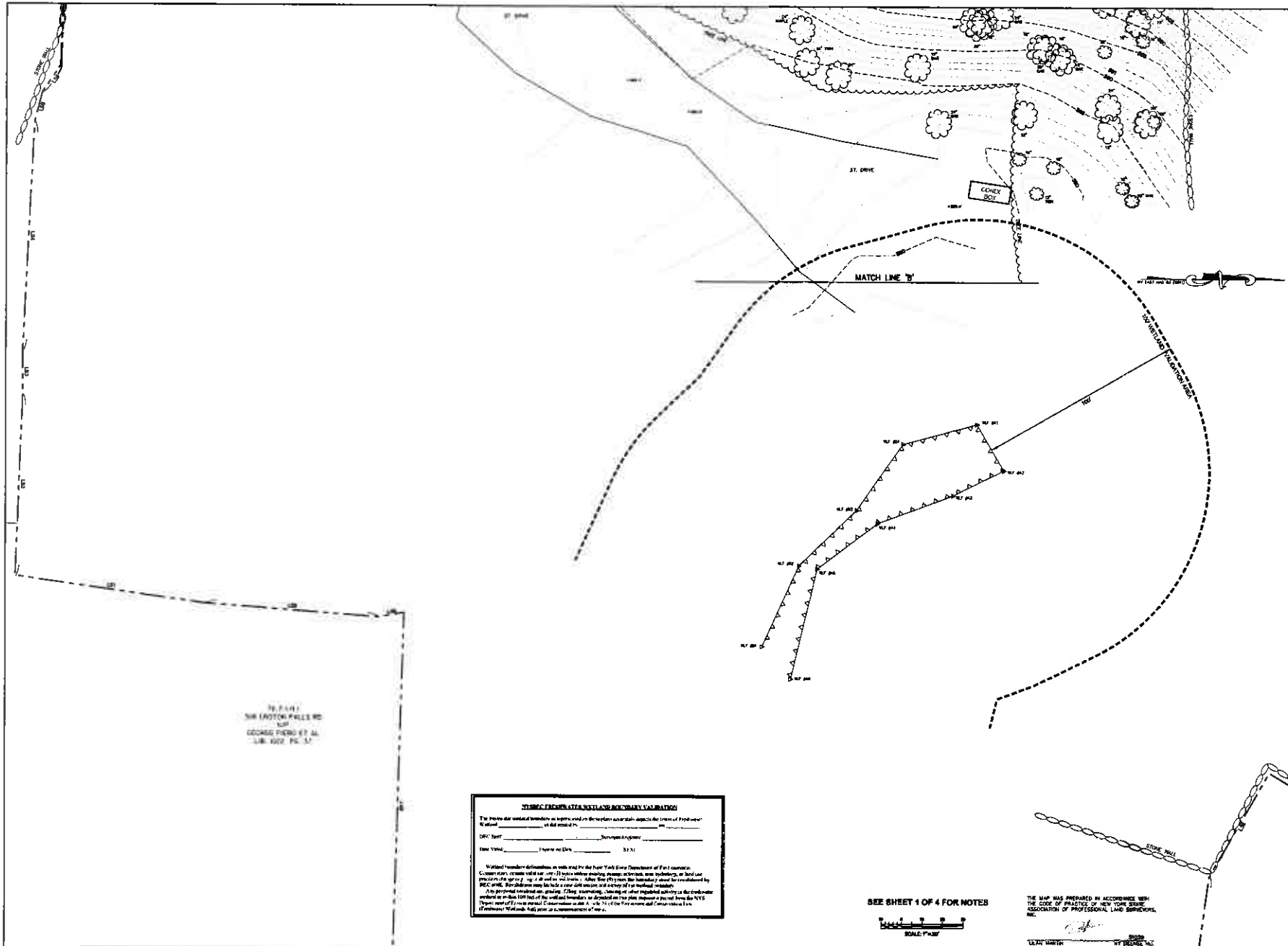
DATE: 10/1/2016
 BY: [Signature]
 TITLE: [Title]

THIS MAP WAS PREPARED IN ACCORDANCE WITH THE CODE OF PRACTICE OF NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

SEE SHEET 1 OF 4 FOR NOTES

SCALE: 1"=30'

MBA PROJECT NO: 1408
 SCALE: 1"=30'
 DATE: 8/20/16
 DRAWN BY: G.S.
 CHECKED BY: G.S.
 SHEET: 2 OF 4



- LEGEND:
- IRON PIN (FOUND)
 - POST
 - PEG/DIN Hole (To Be Set)
 - LIGHT POLE
 - MONUMENT (FOUND)
 - DUTY ANCHOR
 - MANHOLE
 - UTILITY POLE
 - DRAINAGE MANHOLE
 - WATER GATE
 - SANITARY MANHOLE
 - WATER METER
 - ELEC. MANHOLE
 - GAS VALVE
 - TELE. MANHOLE
 - GAS METER
 - "C" CATCH BASIN
 - TRANSFORMER
 - "C" CATCH BASIN
 - ELEC. METER
 - EVERGREEN TREES
 - MAIL BOX
 - DECIDUOUS TREES
 - HAND HOLE
 - SHRUB/BUSH
 - BUTION BOX
 - FLAG POLE
 - A.C. UNIT
 - TRAFFIC CONTROL BOX
 - TRAFFIC LIGHT POLE
- BOUNDARY LINE
- GUARD RAIL
- UNDERGROUND PIPING (50m, 30m)
- U/G GAS LINE
- U/G ELEC. LINE
- WATER LINE
- OVERHEAD UTILITIES
- U/G TELE. LINE
- CHAIN LINK FENCE
- TREE LINE

M martin
Surveying Associates, LLC
201 CHRISTIAN LANE, BERLIN, CT 06037
860-432-8328 860-357-4804 (FAX)

REVISION:
1. WETLAND VALUATION BLOCK 6.62619

TOPOGRAPHIC SURVEY
LAND OF
RICHARD J. & ROSEMARIE DIEHL
TAX ID: 85-19-1-43
254 CROTON FALLS ROAD
MAHOPAC
PUTNAM COUNTY
NEW YORK

MSA PROJECT NO: 1408
SCALE: 1"=50'
DATE: 8/2018
DRAWN BY: JDB
CHECKED BY: GJM

4 OF 4

WETLAND VALUATION AND BOUNDARY VALUATION

The purpose of this valuation is to determine the fair market value of the land and the wetland area. The valuation is based on the best available information and is subject to change if new information becomes available.

DATE: 8/2018 Surveyor's Signature: [Signature]

Time Used: 1 hour 30 min. (3.5)

Wetland valuation definitions are set forth by the New York State Department of Environmental Conservation. The valuation is based on the best available information and is subject to change if new information becomes available.

Any person who is not a duly licensed surveyor or who is not a duly licensed land valuator is prohibited from performing this valuation.

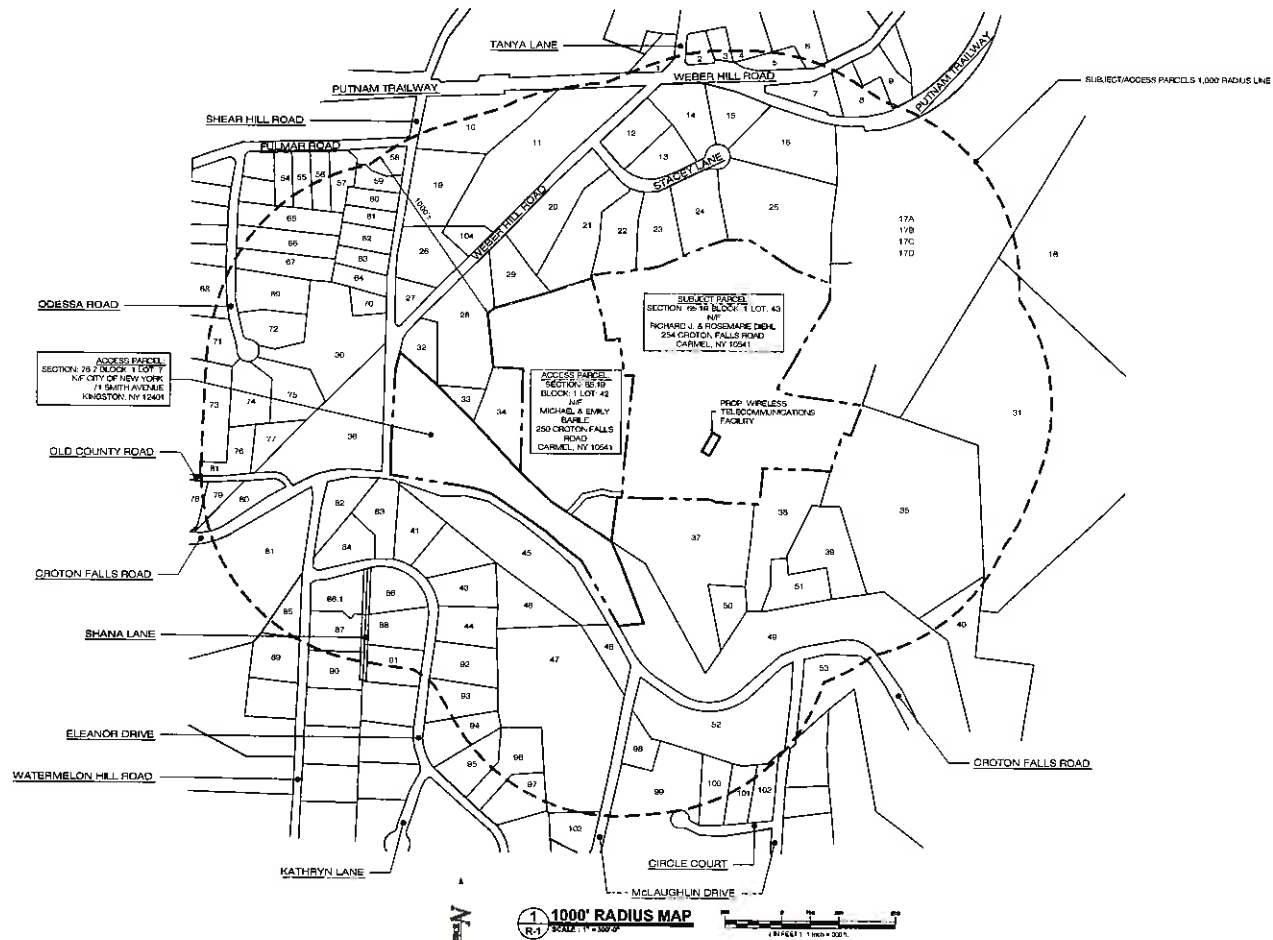
This valuation is for informational purposes only and does not constitute a guarantee of value.

SEE SHEET 1 OF 4 FOR NOTES

SCALE: 1"=50'

THIS MAP WAS PREPARED IN ACCORDANCE WITH THE CODE OF ETHICS OF THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

SEAN MARTIN NY REG. NO. 1408



HOMELAND TOWERS, LLC
9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
(203) 897-6245

verizon
4 CENTEROCK ROAD
WEST NYACK, NY 10994

APT ENGINEERING
3 BADKLEER DRIVE
KILLINGWORTH, CT 06455
PHONE: (860) 463-1807
FAX: (860) 463-1805
WWW.APTENGINEERING.COM

NO.	DATE	REVISION
1	1/15/09	FOR REVIEW: RCB
1	07/20/09	CITY REVIEW: RCB
2	07/24/09	CLIENT REVIEW: RCB
3	07/27/09	TOWN COMMENTS: RCB
4	08/03/09	TOWN COMMENTS: RCB
5	08/03/09	TOWN COMMENTS: RCB
6	08/03/09	TOWN COMMENTS: RCB
7	08/03/09	TOWN COMMENTS: RCB
8	07/27/09	CLIENT REVIEW: RCB
9	08/03/09	TOWN COMMENTS: RCB
10	08/03/09	TOWN COMMENTS: RCB
11	08/03/09	TOWN COMMENTS: RCB

DESIGN PROFESSIONALS OF RECORD
PROF. SCOTT M. CHARNICK, P.E.
COMP. APT ENGINEERING
ADD: 3 BADKLEER DRIVE
KILLINGWORTH, CT 06455
DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 9 HARMONY STREET
DANBURY, CT 06810

NOTE:
IT IS A VIOLATION OF NEW YORK STATE
ELECTION LAW ARTICLE 14B, SECTION
7209 (2) FOR ANY PERSON, UNDER
ACTING UNDER THE DIRECTION OF A
LICENSED PROFESSIONAL ENGINEER OR
LAND SURVEYOR, TO ALTER AN ITEM IN
ANY WAY, IF AN ITEM BEARING THE SEAL
OF AN ENGINEER OR LAND SURVEYOR IS
ALTERED. THE ALTERING ENGINEER OR
LAND SURVEYOR SHALL AFFIX TO THE
ITEM HIS SEAL AND THE NOTATION
"ALTERED BY" FOLLOWED BY THE
SIGNATURE AND THE DATE OF EACH
ALTERATION, AND A BRIEF
DESCRIPTION OF THE ALTERATION.

**HOMELAND TOWERS
LAKE CASSE**
SITE: 254 CROTON FALLS ROAD
ADDRESS: CARMEL, NY 10541
APT FILING NUMBER: NY2009-0000
DATE: 8/15/09 (DRAWN BY: CCB)
(CHECKED BY: RCB)

SHEET TITLE:
1,000' RADIUS MAP

SHEET NUMBER:
R-1

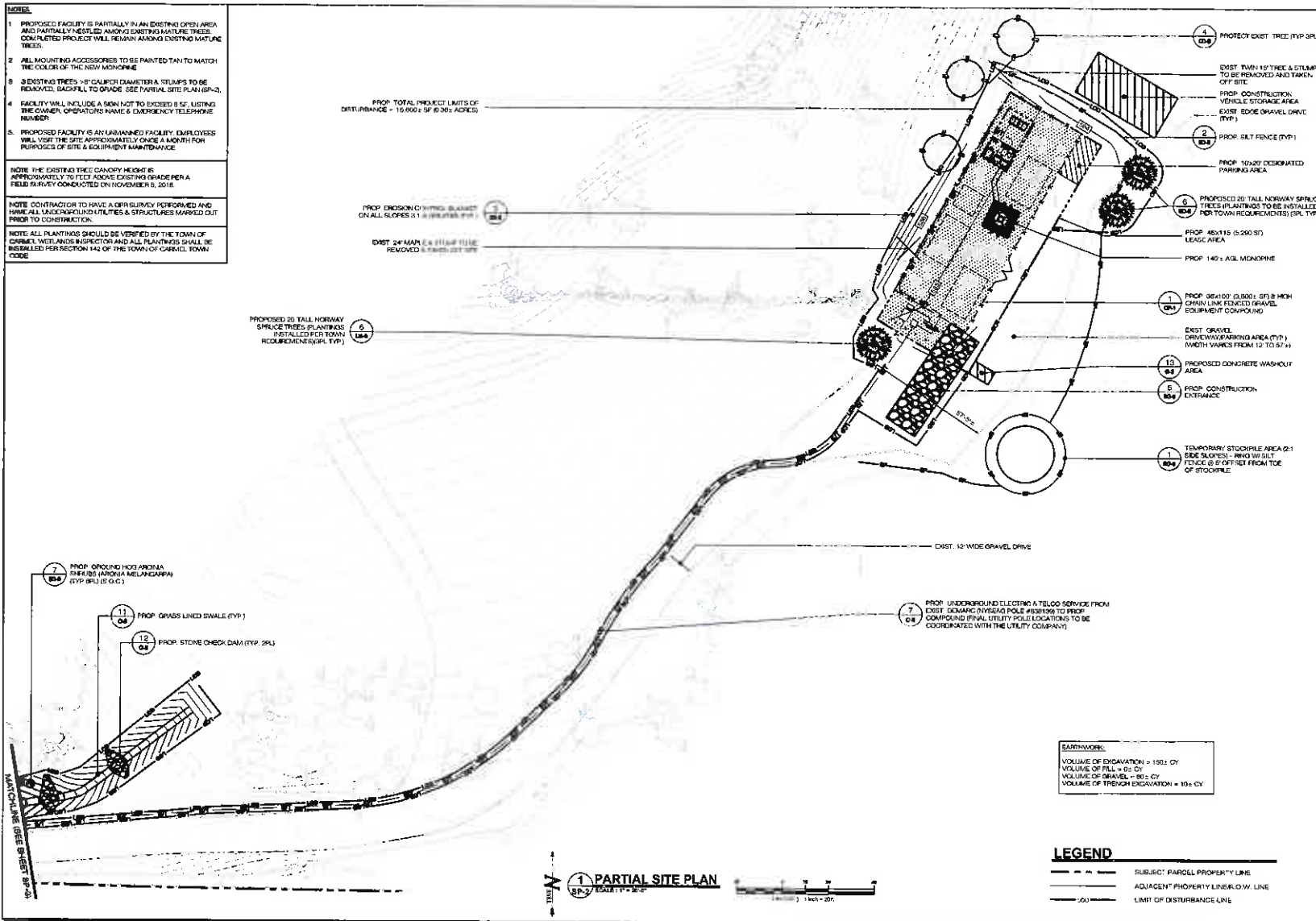


1. PROPOSED FACILITY IS PARTIALLY IN AN EXISTING OPEN AREA AND PARTIALLY NESTLED AMONG EXISTING MATURE TREES. COMPLETED PROJECT WILL REMAIN AMONG EXISTING MATURE TREES.
2. ALL MONUMENT ACCESSORIES TO BE PAINTED TAN TO MATCH THE COLOR OF THE NEW MONUMENT.
3. EXISTING TREES 12" CALIPER DIAMETER AT 4' STUMPS TO BE REMOVED. BACKFILL TO GRADE SEE PARTIAL SITE PLAN (SP-2).
4. FACILITY WILL INCLUDE A SIGN NOT TO EXCEED 8' 5" LISTING THE USER, OPERATORS NAME & EMERGENCY TELEPHONE NUMBER.
5. PROPOSED FACILITY IS AN UNMANNED FACILITY. EMPLOYEES WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR PURPOSES OF SITE & EQUIPMENT MAINTENANCE.

NOTE: THE EXISTING TREE CANOPY HEIGHT IS APPROXIMATELY 70 FEET ABOVE EXISTING GRADE PER A FIELD FIVEY CONDUCTED ON NOVEMBER 8, 2018.

NOTE: CONTRACTOR TO HAVE A GPR SURVEY PERFORMED AND HAVE ALL UNDERGROUND UTILITIES & STRUCTURES MARKED OUT PRIOR TO CONSTRUCTION.

NOTE: ALL PLANTINGS SHOULD BE VERIFIED BY THE TOWN OF CARMEL WETLANDS INSPECTOR AND ALL PLANTINGS SHALL BE INSTALLED PER SECTION 142 OF THE TOWN OF CARMEL TOWN CODE



EARTHWORK:
VOLUME OF EXCAVATION = 150 ± CY
VOLUME OF FILL = 0 ± CY
VOLUME OF GRAVEL = 80 ± CY
VOLUME OF TRENCH EXCAVATION = 10 ± CY

_____ SUBJECT: PARCEL PROPERTY LINE
 _____ ADJACENT PROPERTY LINE/ROW LINE
 _____ LIMIT OF DISTURBANCE LINE



PERMITTING DOCUMENTS		
NO	DATE	REVISION
0	07/01/10	FOR REVIEW: RCS
1	07/20/10	CLIENT REVS: RCB
2	07/20/10	CLIENT REVS: RCS
3	11/12/10	TOWN COMMENTS: RCB
4	03/12/11	TOWN COMMENTS: RCS
5	03/08/11	TOWN COMMENTS: RCB
6	05/07/11	TOWN COMMENTS: RCS
7	06/24/11	TOWN COMMENTS: RCB
8	07/12/10	CLIENT REVS: RCS
9	06/06/11	TOWN COMMENTS: RCB
10	06/13/11	ATTY COMMENTS: RCS
11	06/17/10	RCS COMMENTS: RCB

DESIGN PROFESSIONALS OF RECORD

PROF: SCOTT M. CHASSE P.E.
COMP: APT ENGINEERING
ADD: 3 SADDLEBROOK DRIVE
KILLINGWORTH, CT 06419

DEVELOPER: HOMETOWN TOWERS, LLC
ADDRESS: 9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

NOTE:
IT IS A VIOLATION OF NEW YORK STATE
EDUCATION LAW ARTICLE 148, SECTION
120(2) FOR ANY PERSON, UNLESS
ACTING UNDER THE DIRECTION OF A
LICENSED PROFESSIONAL ENGINEER OR
LAND SURVEYOR, TO ALTER AN ITEM IN
ANY WAY, IF AN ITEM BEARING THE SEAL
OF AN ENGINEER OR LAND SURVEYOR IS
ALTERED, THE ALTERED ENGINEER OR
LAND SURVEYOR SHALL AFFIX TO THE
ITEM HIS SEAL AND THE NOTATION
"ALTERED BY" FOLLOWED BY THE
SIGNATURE AND THE DATE OF SUCH
ALTERATION, AND A SPECIFIC
DESCRIPTION OF THE ALTERATION.

**HOMELAND TOWERS
LAKE CASSE**

SITE 234 CROTON FALLS ROAD	
ADDRESS: CARMEL, NY 10541	
APT FILING NUMBER: NY283550	
DATE: 07/25/18	DRAWN BY: GSK
	CHECKED BY: RCH

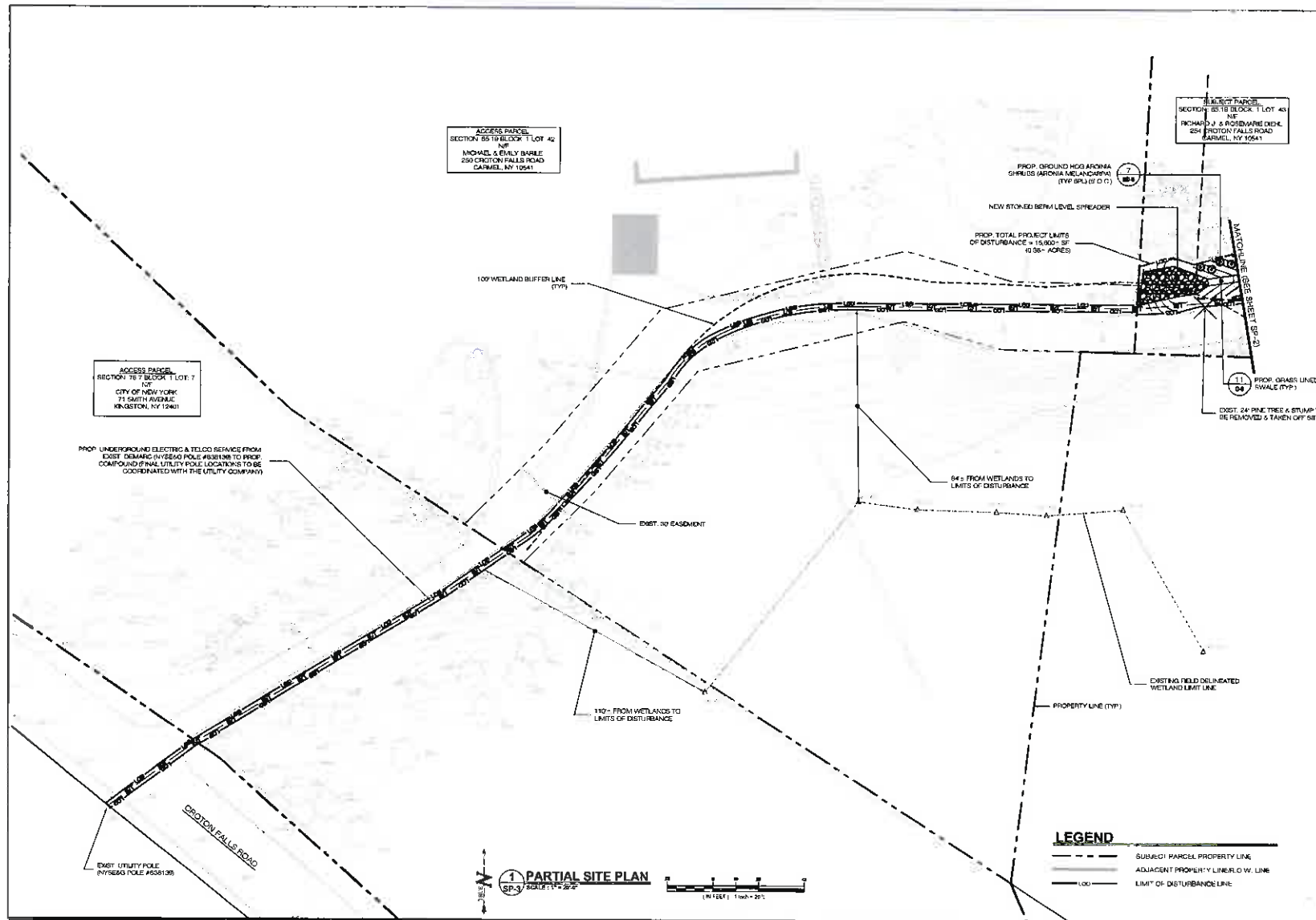
SHEET TITLE:

PARTIAL SITE PLAN

SHEET NUMBER:

CD 2





HOMELAND TOWERS, LLC
 9 HARMONY STREET
 2ND FLOOR
 DANBURY, CT 06810
 (203) 297-0345

4 CENTEROCK ROAD
WEST NYACK, NY 10994

APT ENGINEERING
 2 SAUNDERS DRIVE
 HALLINGFORD, CT 06419
 (860) 445-0805
 WWW.APTENGINEERING.COM

PERMITTING DOCUMENTS	
NO. DATE REVISION	
1 07/2018 FOR REVIEW: RCB	
2 07/2018 CLIENT REV: RCB	
3 11/2018 TOWN COMMENTS: RCB	
4 03/2019 TOWN COMMENTS: RCB	
5 03/2019 TOWN COMMENTS: RCB	
6 03/2019 TOWN COMMENTS: RCB	
7 06/2019 TOWN COMMENTS: RCB	
8 07/2019 CLIENT REV: RCB	
9 08/2019 TOWN COMMENTS: RCB	
10 09/2019 APT COMMENTS: RCB	
11 09/2019 RCB COMMENTS: RCB	

DESIGN PROFESSIONALS OF RECORD

PROF. SCOTT R. CHASSE, P.E.
 COMP. APT ENGINEERING
 ADD: 3 MADOLFER ROAD
 KILLINGWORTH, CT 06419

DEVELOPER: HOMELAND TOWERS, LLC
 ADDRESS: 9 HARMONY STREET
 2ND FLOOR
 DANBURY, CT 06810

NOTE:
 IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 142, SECTION 709 (2) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN ITEM IN AN EMPLOYER OR LAND SURVEYOR'S ALTERED. THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THE SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A BRIEF DESCRIPTION OF THE ALTERATION.

HOMELAND TOWERS
LAKE CASSE

SITE
 254 CROTON FALLS ROAD
 DANBURY, CT 06810

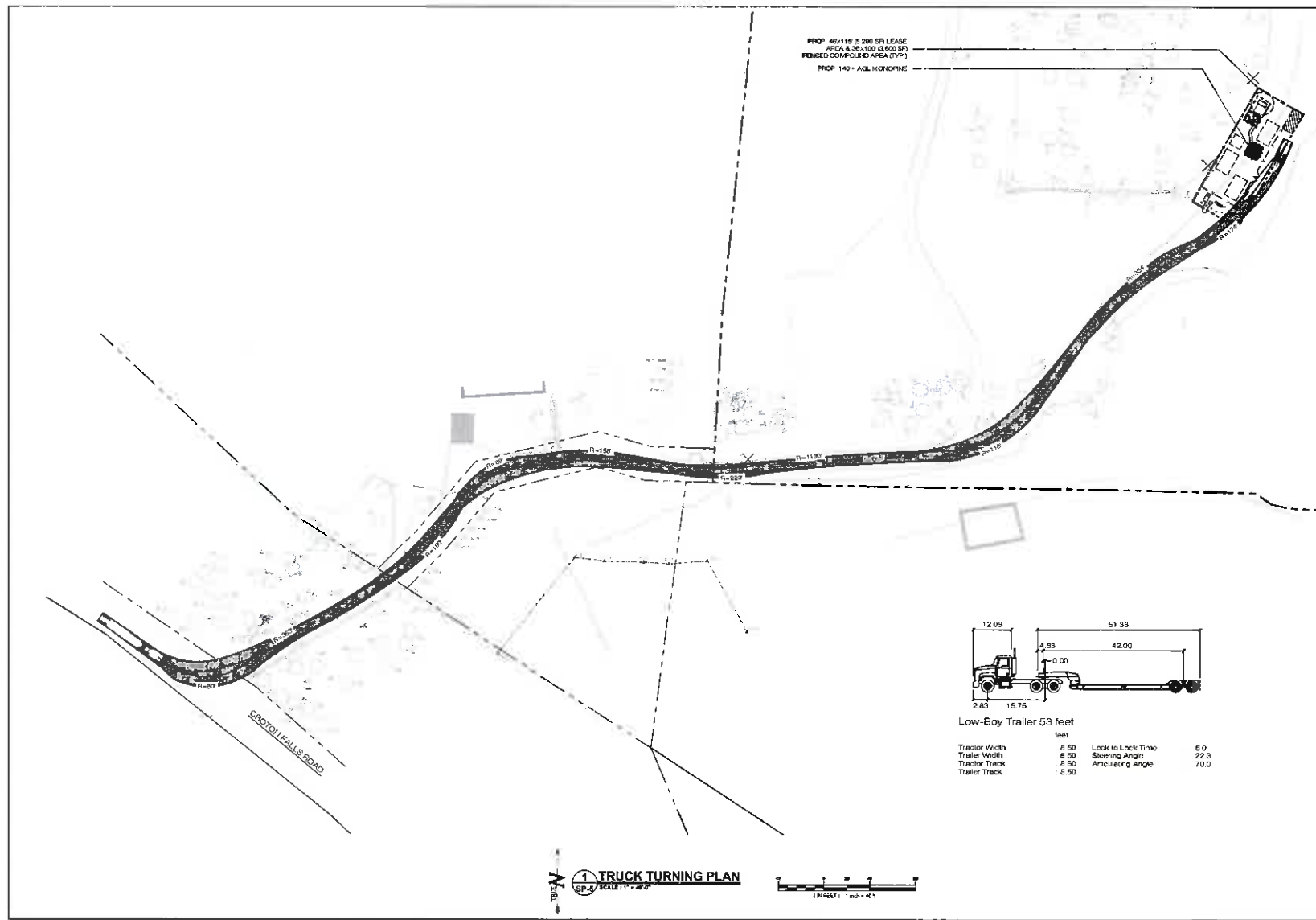
APT FILING NUMBER: NY39390
DATE: 07/2019 **DRAWN BY:** DSH
CHECKED BY: RCB


SHEET TITLE:

PARTIAL SITE PLAN


SHEET NUMBER:

SP-3






HOME LAND TOWERS, LLC
9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
(203) 297-6345



4 CENTEROCK ROAD
WEST NYACK, NY 10994



**APT
ENGINEERING**

3 BACLEBROOK DRIVE PHONE: (860) 963-0827
HALLINGWORTH, CT 06115 FAX: (860) 963-0125
WWW.APTENGINEERING.COM

PERMITTING DOCUMENTS		
NO.	DATE	REVISION
0	01/05/18	FOR REVIEW: RCB
1	01/06/18	CLIENT REVIEW: RCB
2	01/06/18	CLIENT REVIEW: RCB
3	01/06/18	TOWN COMMENTS: RCB
4	02/13/18	TOWN COMMENTS: RCB
5	02/13/18	TOWN COMMENTS: RCB
6	02/13/18	TOWN COMMENTS: RCB
7	02/13/18	TOWN COMMENTS: RCB
8	02/13/18	CLIENT REVIEW: RCB
9	02/13/18	TOWN COMMENTS: RCB
10	02/13/18	ATTY COMMENTS: RCB
11	02/13/18	RCB COMMENTS: RCB

DESIGN PROFESSIONALS OF RECORD

PROP: SCOTT M. CHASE, P.E.
COMP: APT ENGINEERING
ADD: 3 BACLEBROOK DRIVE
HALLINGWORTH, CT 06115

DEVELOPER: HOME LAND TOWERS, LLC
ADDRESS: 9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

NOTE:
IF A VIOLATION OF NEW YORK STATE
EDUCATION LAW ARTICLE 142, SECTION
7209 IS FOR ANY PERSON, UNLESS
ACTING UNDER THE DIRECTION OF A
LICENSED PROFESSIONAL ENGINEER OR
LAND SURVEYOR, TO ALTER ANY ITEM IN
ANY WAY, IF ANY ITEM BEARING THE SEAL
OF AN ENGINEER OR LAND SURVEYOR IS
ALTERED, THE ALTERING ENGINEER OR
LAND SURVEYOR SHALL AFFIX TO THE
ITEM HIS SEAL AND THE NOTATION
"ALTERED BY" FOLLOWED BY THE
SIGNATURE AND THE DATE OF SUCH
ALTERATION AND A SPECIFIC
DESCRIPTION OF THE ALTERATION.

HOME LAND TOWERS
LAKE CASSE

SITE: 254 CROTON FALLS ROAD
ADDRESS: CARMEL, NY 10541

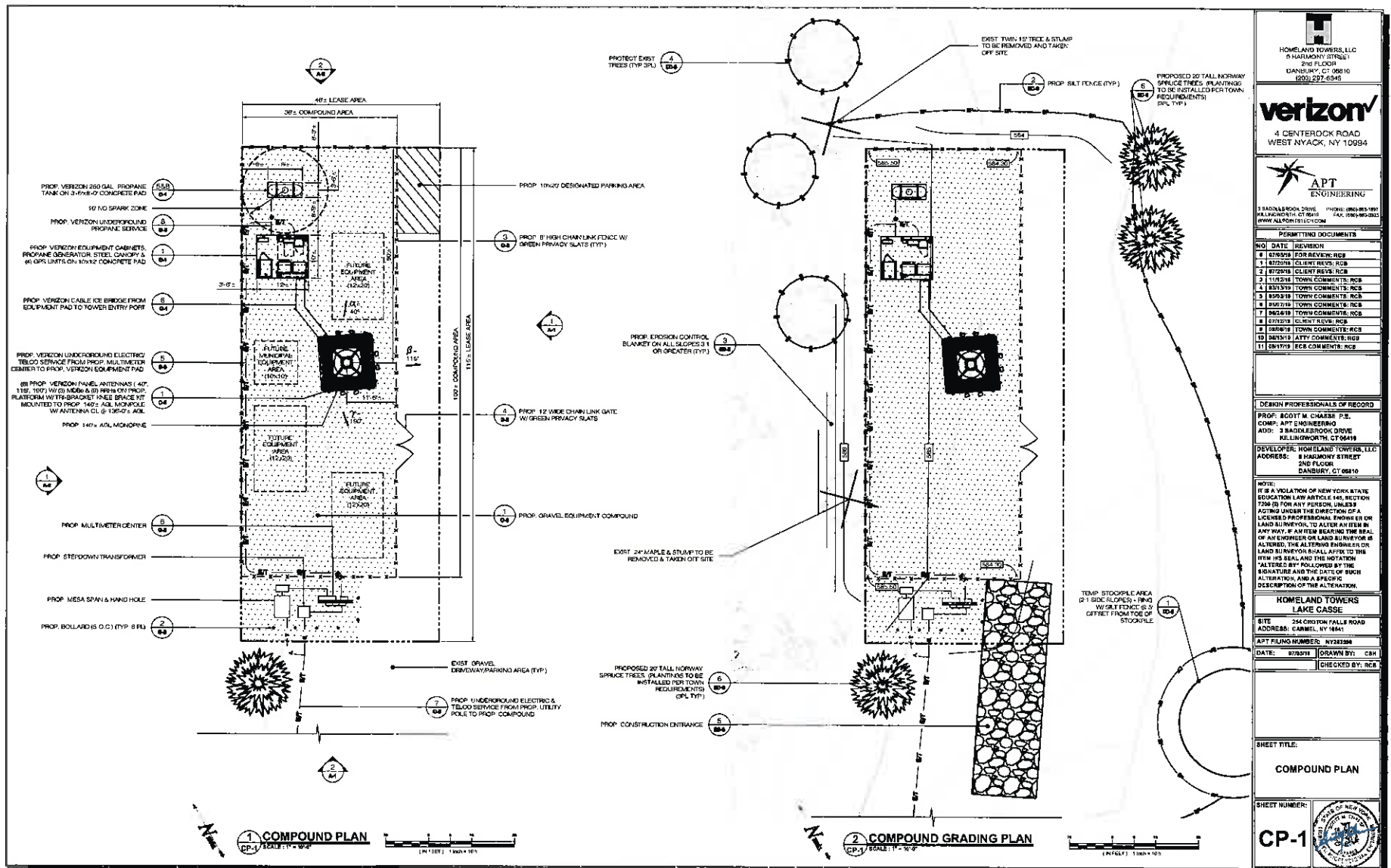
APT FILING NUMBER: NY183550

DATE: 01/06/18 DRAWN BY: CBN
CHECKED BY: RCB

SHEET TITLE:
TRUCK TURNING PLAN

SHEET NUMBER:
SP-5

STATE OF NEW YORK
OFFICE OF THE
COMMISSIONER OF
DEPARTMENT OF
TRANSPORTATION



HOMELAND TOWERS, LLC
8 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
(203) 297-6345

verizon
4 CENTERCROSS ROAD
WEST NYACK, NY 10994

APT ENGINEERING
3 RADCLIFF ROAD DRIVE, PHOENIX, ARIZONA 85018
3 RADCLIFF ROAD DRIVE, PHOENIX, ARIZONA 85018
WWW.APTENGINEERING.COM

PERMITTING DOCUMENTS

NO.	DATE	REVISION
1	07/20/19	FOR REVIEW: RCB
2	07/20/19	CLIENT REVIEW: RCB
3	11/05/19	TOWN COMMENTS: RCB
4	01/13/20	TOWN COMMENTS: RCB
5	05/28/20	TOWN COMMENTS: RCB
6	06/01/20	TOWN COMMENTS: RCB
7	06/26/20	TOWN COMMENTS: RCB
8	07/01/20	CLIENT REVIEW: RCB
9	07/01/20	TOWN COMMENTS: RCB
10	08/13/20	ATTY COMMENTS: RCB
11	08/17/20	ECB COMMENTS: RCB

DESIGN PROFESSIONALS OF RECORD

PROT. SCOTT M. CHASE, P.E.
COMP. APT ENGINEERING
ADD: 3 RADCLIFF ROAD DRIVE
PHOENIX, ARIZONA 85018

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 8 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

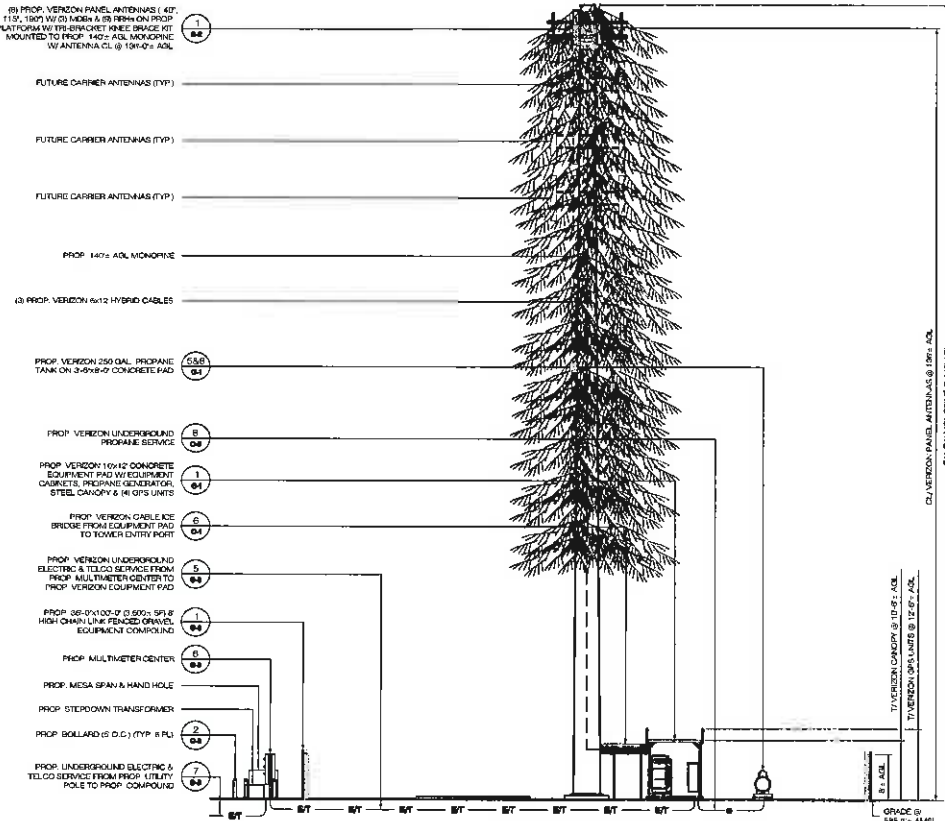
NOTE:
IF A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 148, SECTION 7206 IS FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THIS ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THE SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

HOMELAND TOWERS LAKE CASSE
SITE: 284 COUNTRY FALLS ROAD
ADDRESS: CARMEL, NY 12841
APT FILING NUMBER: NY283598
DATE: 07/20/19 DRAWN BY: CSH
CHECKED BY: RCB

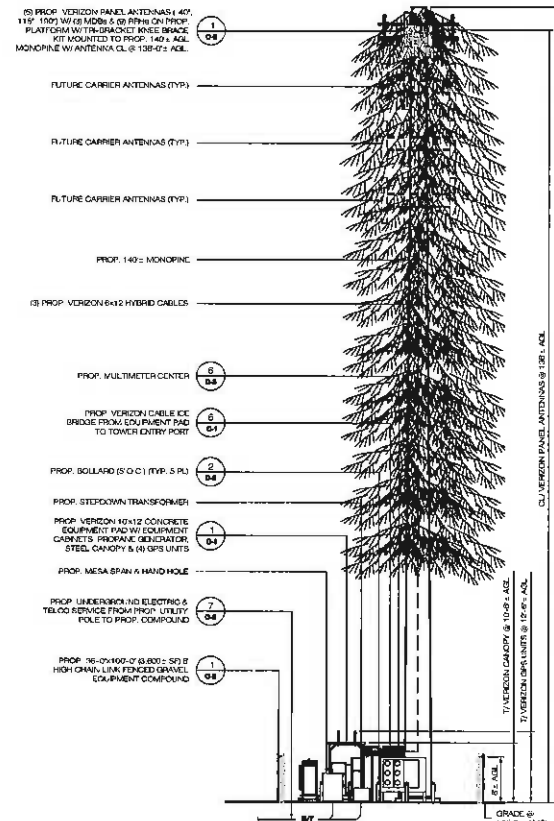
SHEET TITLE:
COMPOUND PLAN

SHEET NUMBER:
CP-1

SEAL:
SCOTT M. CHASE, P.E.
APR 2019
NEW YORK STATE
ENGINEER




1 EAST ELEVATION
A-1 SCALE: 1" = 10'-0"




2 SOUTH ELEVATION
A-1 SCALE: 1" = 10'-0"




ANTENNA SIZES TO BE PROVIDED ON ALL PROPOSED ANTENNAS



HOME LAND TOWERS, LLC
9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
(203) 207-6345



verizon
4 CENTEROCK ROAD
WEST NYACK, NY 10994



APT ENGINEERING
8 RADOLPH DRIVE, PHOENIX, AZ 85016-1007
PALMWOOD, CT 06465 FAX: (860) 455-0833
WWW.APTENGINEERING.COM

PERMITTING DOCUMENTS	
NO.	DATE / REVISION
1	07/05/18 FOR REVIEW, RCB
2	07/20/18 CLIENT REV., RCB
3	07/20/18 TOWN COMMENTS, RCB
4	07/21/18 TOWN COMMENTS, RCB
5	08/02/18 TOWN COMMENTS, RCB
6	08/24/18 TOWN COMMENTS, RCB
7	09/12/18 TOWN COMMENTS, RCB
8	09/12/18 TOWN COMMENTS, RCB
9	09/12/18 TOWN COMMENTS, RCB
10	09/12/18 TOWN COMMENTS, RCB
11	09/12/18 TOWN COMMENTS, RCB

DESIGN PROFESSIONALS OF RECORD


PROP. SCOTT M. CHASSE, P.E.
COMP. APT ENGINEERING
ADD: 3 RADOLPH DRIVE
PALMWOOD, CT 06465
ADDRESS: 9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

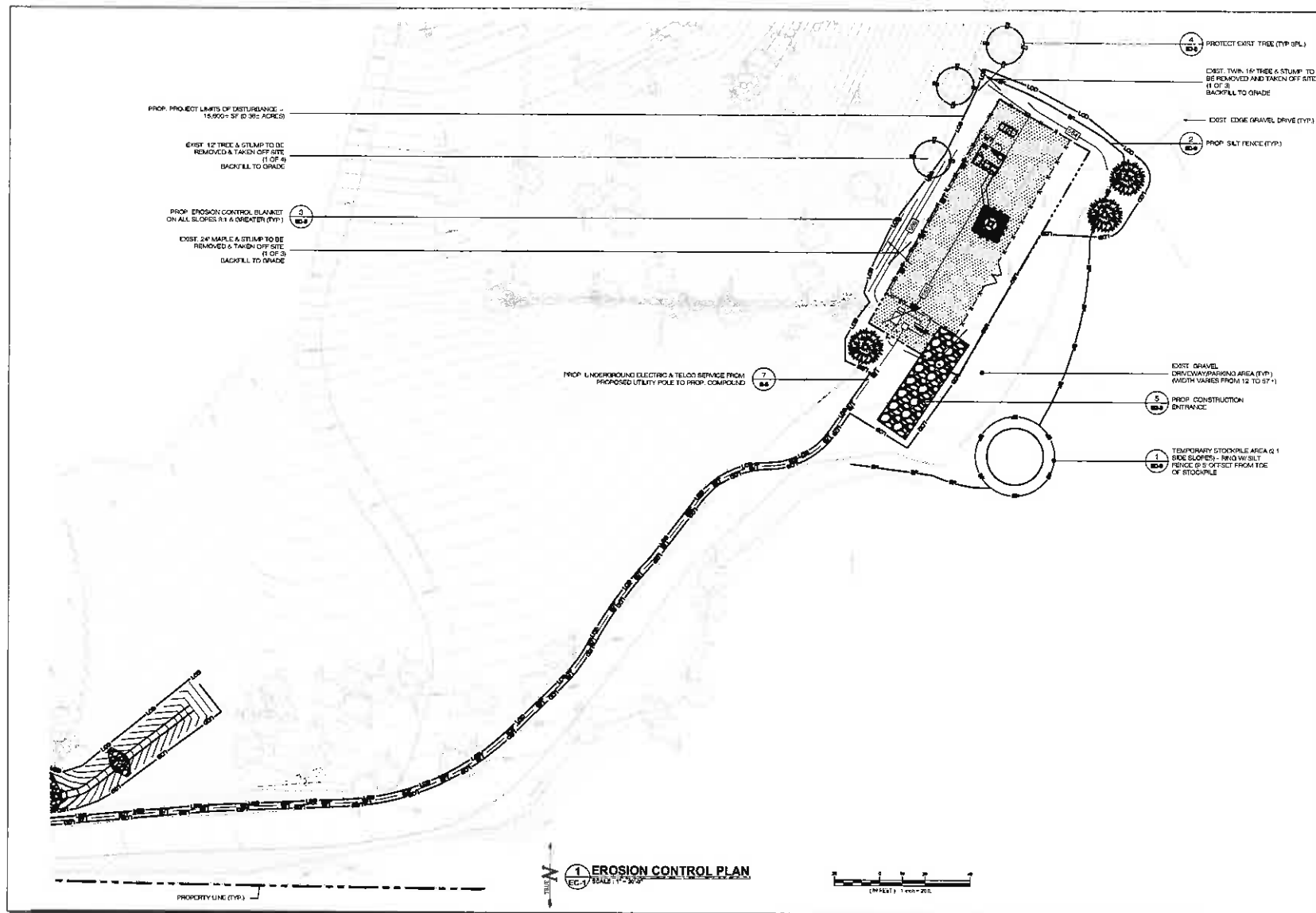
NOTE:
IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 145, SECTION 700 (2) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THE SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

HOME LAND TOWERS
LAKE CASSE
SITE: 284 CROTON FALLS ROAD
ADDRESS: DANBURY, NY 10541
APT FILING NUMBER: NY183840
DATE: 07/05/18 DRAWN BY: CMH
CHECKED BY: HSB

SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A-1





<p>HOMELAND TOWERS, LLC 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810 (203) 257-8345</p>																																								
<p>verizon 4 CENTEROCK ROAD WEST NYACK, NY 10994</p>																																								
<p>APT ENGINEERING 3 RADLERBROOK DRIVE HALLAMSBURY, CT 06418 PHONE: (860) 951-8100 FAX: (860) 951-8100 WWW.APTENGINEERING.COM</p>																																								
<p>PERMITTING DOCUMENTS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>8/19/18</td> <td>FOR REVIEW: RCB</td> </tr> <tr> <td>1</td> <td>8/22/18</td> <td>CLIENT REVIEW: RCB</td> </tr> <tr> <td>2</td> <td>8/22/18</td> <td>CLIENT REVIEW: RCB</td> </tr> <tr> <td>3</td> <td>11/23/18</td> <td>TOWN COMMENTS: RCB</td> </tr> <tr> <td>4</td> <td>12/13/18</td> <td>TOWN COMMENTS: RCB</td> </tr> <tr> <td>5</td> <td>12/20/18</td> <td>TOWN COMMENTS: RCB</td> </tr> <tr> <td>6</td> <td>12/20/18</td> <td>TOWN COMMENTS: RCB</td> </tr> <tr> <td>7</td> <td>6/26/19</td> <td>TOWN COMMENTS: RCB</td> </tr> <tr> <td>8</td> <td>12/12/19</td> <td>CLIENT REVIEW: RCB</td> </tr> <tr> <td>9</td> <td>12/12/19</td> <td>CLIENT REVIEW: RCB</td> </tr> <tr> <td>10</td> <td>6/24/19</td> <td>ATTY COMMENTS: RCB</td> </tr> <tr> <td>11</td> <td>08/17/19</td> <td>ECB COMMENTS: RCB</td> </tr> </tbody> </table>		NO.	DATE	REVISION	8	8/19/18	FOR REVIEW: RCB	1	8/22/18	CLIENT REVIEW: RCB	2	8/22/18	CLIENT REVIEW: RCB	3	11/23/18	TOWN COMMENTS: RCB	4	12/13/18	TOWN COMMENTS: RCB	5	12/20/18	TOWN COMMENTS: RCB	6	12/20/18	TOWN COMMENTS: RCB	7	6/26/19	TOWN COMMENTS: RCB	8	12/12/19	CLIENT REVIEW: RCB	9	12/12/19	CLIENT REVIEW: RCB	10	6/24/19	ATTY COMMENTS: RCB	11	08/17/19	ECB COMMENTS: RCB
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<p>HOMELAND TOWERS LAKE CASSE SITE 354 CROTON FALLS ROAD ADDRESS: CARMEL, NY 16541 APT FILING NUMBER: NY382559 DATE: 8/19/18 DRAWN BY: CMH CHECKED BY: RCB</p>																																								
<p>SHEET TITLE: EROSION CONTROL PLAN</p>																																								
<p>SHEET NUMBER: EC-1</p>																																								

EROSION AND SEDIMENT CONTROL PLAN NOTES

EROSION AND SEDIMENT CONTROL PLAN NOTES

- [illegible]

SEDIMENT & EROSION CONTROL NARRATIVE

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SUGGESTED CONSTRUCTION SEQUENCE

1. THE FOLLOWING SUGGESTED SEQUENCE OF CONSTRUCTION ACTIVITIES IS PROPOSED BASED UPON ENGINEERING A JESSANT AND ENVIRONMENTAL PRINCIPLES. THE CONTRACTOR MAY CHOOSE TO ALIATE THE SEQUENCE TO BEST MEET THE CONSTRUCTION SCHEDULE, THE EXISTING SITE ACTUALS AND WEATHER CONDITIONS. CONTRIBUTION TO THE SURVEYOR FOR PROJECT ACCOUNT AS THE PROJECT THROUGH CONSTRUCTION CONTINUES.
 2. CONTACT THE OWNER TO IDENTIFY A SAFE CONSTRUCTION METHOD. PHYSICAL IS FLAG THE SURVEYOR TO BE REMOVED IN THE FIELD AS NECESSARY TO FACILITATE THE PRE-CONSTRUCTION MEETING.
 3. CONDUCT A PRE-CONSTRUCTION MEETING TO DISCUSS THE PROPOSED WORK AND EROSION AND SEDIMENTATION CONTROL. THE CONTRACTOR SHOULD BE ATTENDED BY THE OWNER, THE ENGINEER/INSPECTOR, THE GENERAL CONTRACTOR, THE DISTRICT SUPERVISOR, TOWN REPRESENTATIVES AND THE DESIGN PROFESSIONAL. RESPONSIBILITY FOR THE DETERMINED SUB-CONSTRUCTION, MONITORING AND MAINTENANCE OF THE EROSION AND SEDIMENTATION MEASURES, THE PROJECT PROCEEDS FOR THE ENTIRE PROJECT SHALL BE THE OWNERS AND THE TOWN.
 4. NOTIFY THE OPERATOR, AT LEAST FORTY EIGHT (48) HOURS BEFORE NO CONSTRUCTION OR ANY ACTIVITIES. CONSTRUCTION OR REBUILDING ACTIVITIES ON THE PROJECT NOTIFY THE TOWN AT LEAST SEVEN (7) DAYS BEFORE (800) 862-7362.
 5. CLEAR AND GRUBS ARE REQUIRED TO INSTALL THE PERIMETER EROSION AND SEDIMENTATION CONTROL MEASURES AND, IF APPLICABLE, THE PROTECTION.
 6. PERFORM THE REMAINING CLEARING AND GRUBBING AS NECESSARY IN AREAS OF MUCKS AND FLUING ON THE SITES AND FOR THE FUTURE USE ON REMOVING OF SITE. REMOVE AND DISPOSING OF SPARKS/NOISE/CLASH OF SITE.
 7. TEMPORARILY SUE DISTURBED AREAS NOT UNDER CONSTRUCTION FOR NEXT SEVEN (7) DAYS OR MORE.
 8. EXCAVATE AND TROUGH GRADE EQUIPMENT COMPOUND.
 9. EXCAVATE FOR TROUGH FOUNDATION & EQUIPMENT PAD.
 10. PREPARE: SLURRIAGE AND INSTALL FORMS, STEEL REINFORCING, A CONCRETE FOR TROUGH FOUNDATION, EQUIPMENT PADS & EQUIPMENT SHELTER FOUNDATION.
 11. INSTALL BURED GROUND HENCE, GROUND HOSE, GROUND LEADS, UTILITY CONDUITS & UTILITY EQUIPMENT.
 12. BACKFILL TROUGH FOUNDATION.
 13. ERECT MONITORING.
 14. INSTALL TELECOMMUNICATIONS EQUIPMENT ON TOWER & COMPOUND.
 15. INSTALL COMPOUND GRASS, BURN OFFS.
 16. FINISH GRASS. INSTALL GRASS, BURN OFFS.
 17. INSTALL FENCING.
 18. CONSTRUCT DRINKING LEADS & LIGHTNING PROTECTION.
 19. FINAL GRADE AROUND COMPOUND.
 20. LEAD & BURN DISTURBED AREAS OUTSIDE COMPOUND, AS REQUIRED.
 21. TEST ALL NEW EQUIPMENT.
 22. AFTER THE SITE IS STABILIZED AND WITH THE APPROVAL OF THE OWNER, REMOVE PERIMETER EROSION AND SEDIMENTATION CONTROLS.
 23. POST OPERAL PROJECT CLEANUP.
- THE BEST PRACTICE FOR THE COMPLETION OF THE WORK IS APPROXIMATELY TWELVE (12) WEEKS. THE EXACT PROCESS MAY VARY BASED UPON THE ACTUALS OF THE SITE, THE EQUIPMENT AND THE WEATHER CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETION OF THE WORK.

Figure 1

CONSTRUCTION OPERATION AND MAINTENANCE PLAN

E&S MEASUREMENT

- | | |
|------------------------------|--|
| CONSTRUCTION ENTRANCE | DAILY |
| HAY BALE | WEEKLY & WITHIN 24 HOURS OF RAINFALL > 0.1 |
| SILT FUNGUS | WEEKLY & WITHIN 24 HOURS OF RAINFALL > 0.1 |
| SILT STACKS | WEEKLY & WITHIN 24 HOURS OF RAINFALL > 0.1 |
| TOPSOIL/DOCKPOND STOCKPILE | DAILY |
| WATER BARS | DAILY |
| TEMPORARY DIVERSION DITCHES | DAILY & WITHIN 24 HOURS OF RAINFALL > 0.1 |
| TEMPORARY SEDIMENT TRAPDINGS | WEEKLY & WITHIN 24 HOURS OF RAINFALL > 0.1 |
| TEMPORARY SILT PROTECTION | WEEKLY & WITHIN 24 HOURS OF RAINFALL > 0.1 |

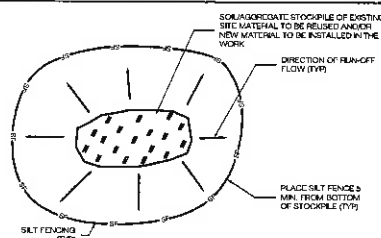
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PETROLEUM MATERIALS STORAGE & SPILL PREVENTION

- [illegible]

NECESSARY

[illegible]

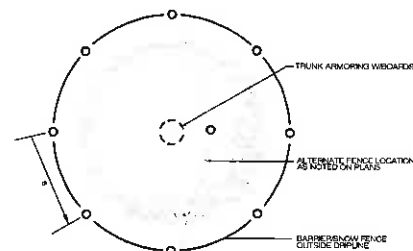


NOTES

1. ALL EXISTING EXCAVATED MATERIAL THAT IS NOT TO BE REUSED IN THE WORK IS TO BE IMMEDIATELY REMOVED FROM THE SITE AND PROPERLY DISPOSED OF.
2. SOLID/COMPACT STOCKPILE SITES TO BE WHERE SHOWN ON THE DRAWINGS.
3. RESTORE STOCKPILE SITES TO PRE-EXISTING PROJECT CONDITION AND RESEED AS REQUIRED.
4. STOCKPILE SLOPES MUST NOT EXCEED 3:1 STOCKPILE SLOPES MUST BE 2:1 ON FLATTER.
5. ANY SOIL IN STOCKPILES IN EXCESS OF SEVEN (7) DAYS SHALL BE SEED AND MULCHED OR COVERED.

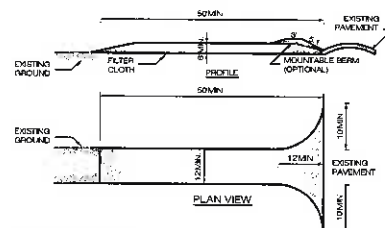
1 TEMPORARY STOCKPILE DETAIL

EC-3 SCALE: N.T.S.



2 GEOTEXTILE SILT FENCE DETAIL

EC-3 SCALE: N.T.S.



3 EROSION CONTROL BLANKET STEEP SLOPES

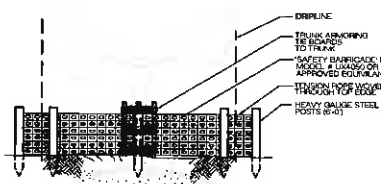
EC-3 SCALE: N.T.S.

CONSTRUCTION SPECIFICATIONS

1. STONE SIZE - USE 1-4 INCH STONE, OR RECYCLED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ACCESS SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTAIN BERM WITH 3:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

4 TREE PROTECTION

EC-3 SCALE: N.T.S.



5 CONSTRUCTION ENTRANCE DETAIL

EC-3 SCALE: N.T.S.

CONSTRUCTION SPECIFICATIONS

1. STONE SIZE - USE 1-4 INCH STONE, OR RECYCLED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
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9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

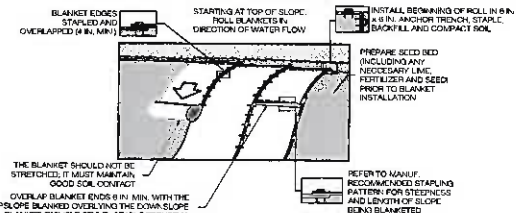
6 EVERGREEN TREE PLANTING

EC-3 SCALE: N.T.S.

1. PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECPs) INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED.
2. BEGIN AT THE TOP OF THE SLOPE BY ALIGNING THE RECPs IN A 6" DEEP X 4" WIDE TRENCH WITH APPROXIMATELY 12" OF RECPs EXTENDING BEYOND THE SLOPE PORTION OF THE TRENCH. AND THEN THE RECPs WITH A ROW OF STAPLES PLACED APPROXIMATELY 12" APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO THE COMPACTED SOIL, AND TIE THE REMAINING 12" PORTION OF RECPs BACK OVER THE SEED AND COMPACTED SOIL. SECURE RECPs OVER COMPACTED SOIL WITH A ROW OF STAPLES PLACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE RECPs.
3. ROLL THE RECPs DOWN HORIZONTALLY ACROSS THE SLOPE. RECPs WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL IN PHASE. ALL RECPs MUST BE REGULARLY FASTENED TO SOIL SURFACE BY PLACING STAPLES IN THE APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN SLIC.
4. THE CODES OF PARALLEL RECPs MUST BE STAPLED WITH APPROXIMATELY 2" - 3" OVERLAP DEPENDING ON THE RECPs TYPE.
5. CONSECUTIVE RECPs SPUN DOWN THE SLOPE MUST BE END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 2" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE RECPs WIDTH.

NOTES

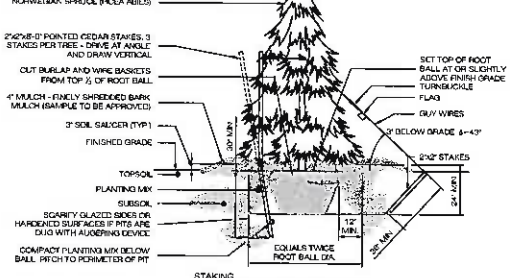
1. PROVIDE ANCHOR TRENCH AT TOP OF SLOPE IN SIMILAR FASHION AS AT TOP OF SLOPE.
2. SLOPE SURFACE SHALL BE FREE OF ROCKS, CLODS, STICKS, AND GRASS.
3. BLANKET SHALL HAVE GOOD CONTINUOUS CONTACT WITH UNDERLYING SOIL THROUGHOUT ENTIRE LENGTH. LAY BLANKET LOOSELY AND STAPLE TO MAINTAIN DIRECT CONTACT WITH SOIL. DO NOT STRETCH BLANKET.
4. THE BLANKET SHALL BE STAPLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
5. BLANKETED AREAS SHALL BE INSPECTED WEEKLY AND AFTER EACH RAINFALL EVENT UNTIL PERMANENT VEGETATION IS ESTABLISHED TO A MINIMUM LAWNIFORMITY. COVERAGE THROUGHOUT THE BLANKETED AREA. DAMAGED OR DISPLACED BLANKETS SHALL BE RESTORED OR REPLACED WITHIN 4 CALENDAR DAYS.



7 SHRUB PLANTING

EC-3 SCALE: N.T.S.

1. PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECPs) INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED.
2. BEGIN AT THE TOP OF THE SLOPE BY ALIGNING THE RECPs IN A 6" DEEP X 4" WIDE TRENCH WITH APPROXIMATELY 12" OF RECPs EXTENDING BEYOND THE SLOPE PORTION OF THE TRENCH. AND THEN THE RECPs WITH A ROW OF STAPLES PLACED APPROXIMATELY 12" APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO THE COMPACTED SOIL, AND TIE THE REMAINING 12" PORTION OF RECPs BACK OVER THE SEED AND COMPACTED SOIL. SECURE RECPs OVER COMPACTED SOIL WITH A ROW OF STAPLES PLACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE RECPs.
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4. THE CODES OF PARALLEL RECPs MUST BE STAPLED WITH APPROXIMATELY 2" - 3" OVERLAP DEPENDING ON THE RECPs TYPE.
5. CONSECUTIVE RECPs SPUN DOWN THE SLOPE MUST BE END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 2" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE RECPs WIDTH.



verizon

4 CENTEROCK ROAD
WEST NYACK, NY 10994

APT ENGINEERING

3 SADDLEBROOK DRIVE
HALLAMSBURY, CT 06033

PERMITTING DOCUMENTS	
NO.	DATE / REVISION
1	12/20/21 FOR REVIEW: RCB
2	1/10/22 CLIENT REVIEW: RCB
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9	8/15/22 TOWN COMMENTS: RCB
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11	10/15/22 TOWN COMMENTS: RCB

DESIGN PROFESSIONALS OF RECORD

PROF. SCOTT M. CHASSE, P.E.
CONF. APT ENGINEERING
ADD: 3 SADDLEBROOK DRIVE
HALLAMSBURY, CT 06033

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 8 HARMONY STREET
2ND FLOOR
STANBURY, CT 06810

NOTE:
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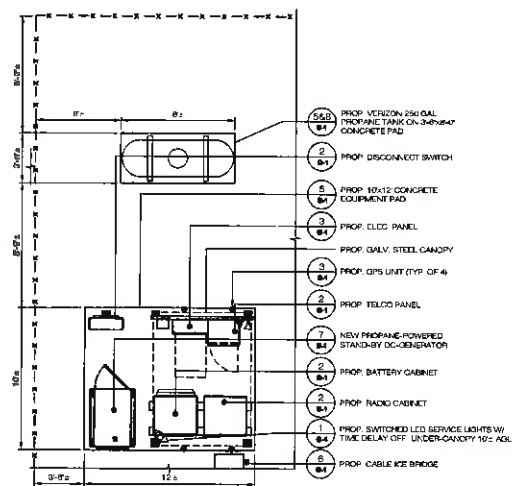
**HOMELAND TOWERS
LAKE CASSE**

SITE: 234 CROTON FALLS ROAD
ADDRESS: CARMEL, NY 12014

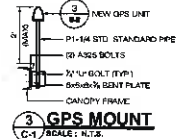
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DATE: 2/20/21 DRAWN BY: CSM
CHECKED BY: RCB

SHEET TITLE:
**EROSION CONTROL
DETAILS**

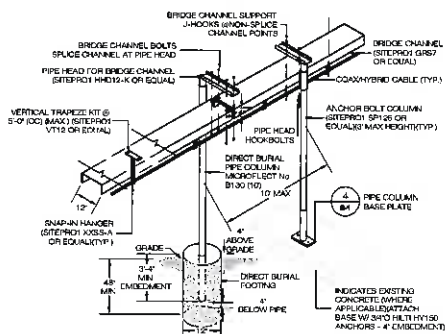
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EC-3



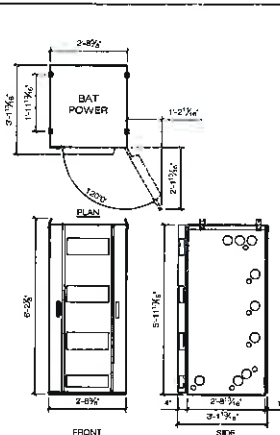
1 VERIZON EQUIPMENT AREA
C-1 SCALE: 1/2" = 1'-0"



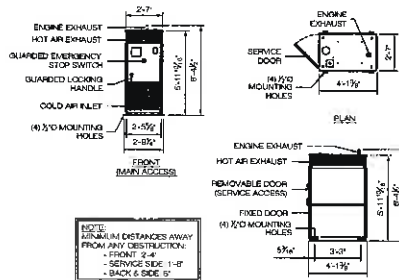
2 GPS MOUNT
C-1 SCALE: N.T.S.



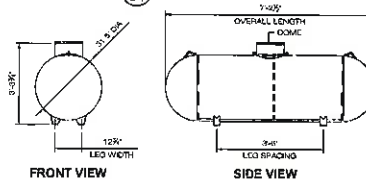
3 CABLE BRIDGE & COAX HANGER DETAIL
C-1 SCALE: 1/2" = 1'-0"



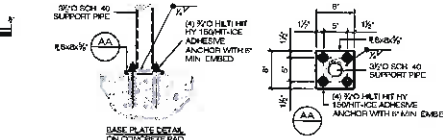
4 PIPE BASE PLATE
C-1 SCALE: N.T.S.



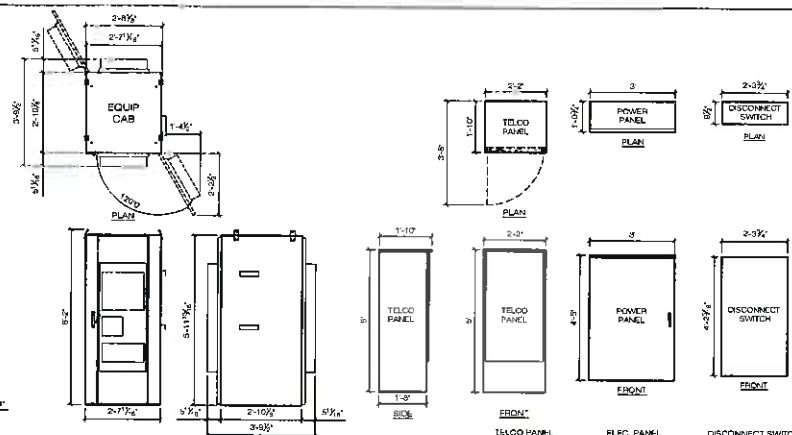
5 EQUIPMENT PAD
C-1 SCALE: N.T.S.



6 ABOVE GROUND PROpane TANK DETAIL
C-1 SCALE: 1/2" = 1'-0"



7 PROpane GENERATOR SCHEMATICS
C-1 SCALE: 1/2" = 1'-0"



8 EQUIPMENT DETAILS
C-1 SCALE: N.T.S.

HomeLand Towers, LLC
9 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
(203) 297-6445

4 CENTEROCK ROAD
WEST NYACK, NY 10984

APT ENGINEERING
2 BAKERBROOK DRIVE
MILLBURN, NJ 07041
PHONE: (908) 863-1807
FAX: (908) 863-0855
WWW.APTENGINEERING.COM

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DESIGN PROFESSIONAL OF RECORD

PROF. SCOTT M. CHASTE, P.E.
COMP. APT ENGINEERING
ADD: 3 BAKERBROOK DRIVE
MILLBURN, NJ 07041
PHONE: (908) 863-1807
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DEVELOPER: HOMELAND TOWERS, LLC
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DANBURY, CT 06810

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HOMELAND TOWERS

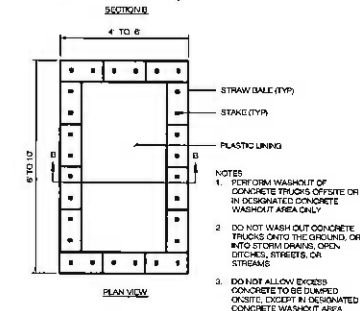
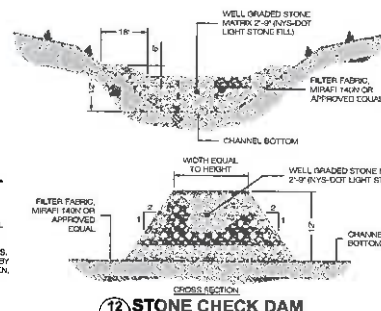
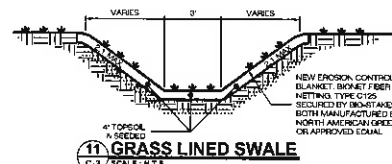
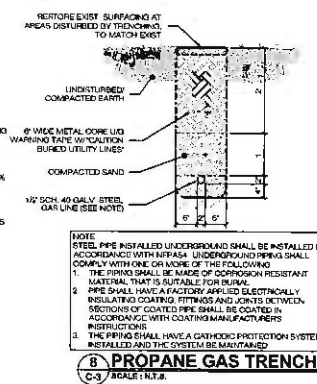
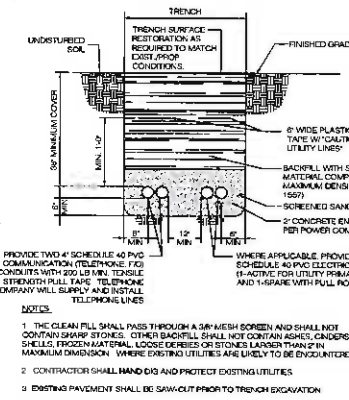
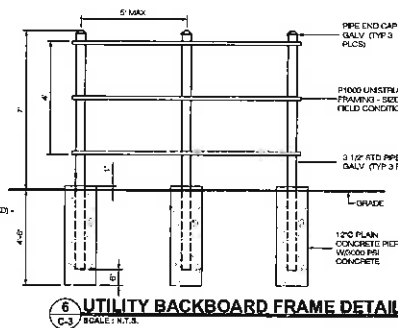
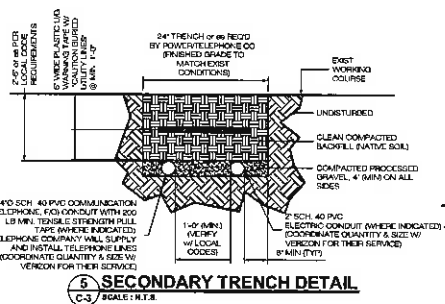
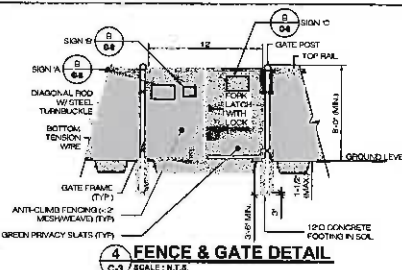
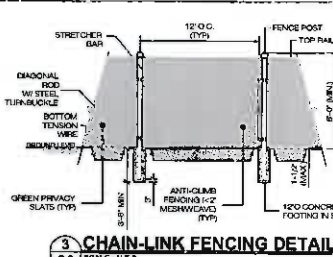
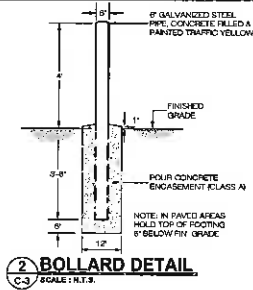
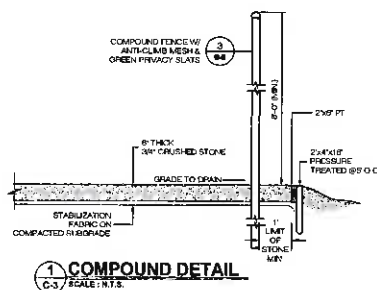
LAKE CASSE
SITE: 254 CROFTON FALLS ROAD
ADDRESS: DANBURY, NY 10541




APT FILING NUMBER: NY233558
DATE: 07/20/18 DRAWN BY: GSH
CHECKED BY: RCB

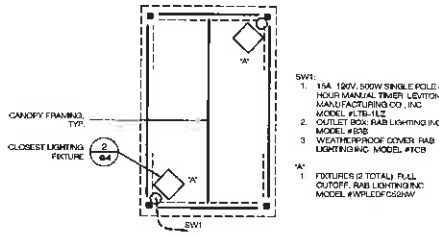
SHEET TITLE:

VERIZON EQUIPMENT PLAN & DETAILS

SHEET NUMBER: **C-1**

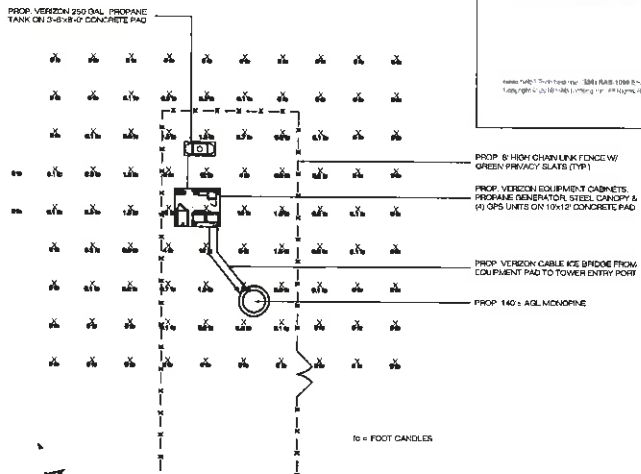


 HOME LAND TOWERS, LLC 9 HARMONY STREET 2ND FLOOR DANBURY, CT 06810 (203) 297-5349		
 verizon 4 CENTERCROSS ROAD WEST NYACK, NY 10954		
 APT ENGINEERING		
1 BROADLEAF DRIVE, DANBURY, CT 06810-1801 (203) 297-5349 FAX (203) 297-5349 WWW.APT-ENG.COM		
PERMITTING DOCUMENTS		
NO.	DATE	REVISION
1	8/27/2014	FOR REVIEW: RCB
2	8/27/2014	CLIENT REV: RCB
3	8/27/2014	CLIENT COMMENTS: RCB
4	9/11/2014	TOWN COMMENTS: RCB
5	9/29/2014	TOWN COMMENTS: RCB
6	10/02/2014	TOWN COMMENTS: RCB
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85	10/02/2014	TOWN COMMENTS: RCB
86	10/02/2014	TOWN COMMENTS: RCB



NOTE:
1. LIGHTING TO BE MOUNTED BELOW CANOPY, BOTTOM OF LIGHT FIXTURE AT APPROXIMATELY 9' AGL.

1 CANOPY LIGHTING
SCALE: 1" = 1' 0"



3 LIGHTING SPILL PLAN
SCALE: 1" = 1' 0"

WPLEDFC52NW



Technical Specifications

General:

- UL Listing: Listed for outdoor use
- DLC Listed: Listed for outdoor use
- Color Temperature: 5000K
- Color Rendering Index: 90
- Beam Spread: 120°
- Mounting: Flush mount
- Dimensions: 12" H x 12" W x 12" D

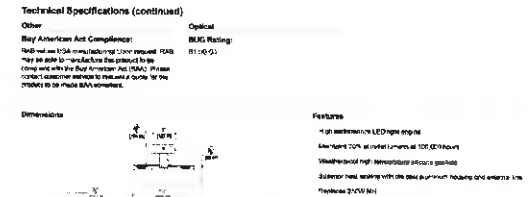
LED Info:

- Type: LED
- Power: 52W
- Current: 0.9A
- Voltage: 120V
- Frequency: 60Hz
- Life Span: 50,000 hrs

Other:

- Material: Aluminum
- Finish: White
- Weight: 17.8 lbs.

WPLEDFC52NW



Technical Specifications (continued)

Optical:

- Beam Spread: 120°
- Mounting: Flush mount
- Dimensions: 12" H x 12" W x 12" D

Other:

- Material: Aluminum
- Finish: White
- Weight: 17.8 lbs.

2 LIGHTING CUTSHEETS
SCALE: NONE

HOMELAND TOWERS, LLC
3 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810
(203) 297-8388

verizon
4 CENTERCROSS ROAD
WEST NYACK, NY 10994

APT ENGINEERING
3 BADDLEBROOK DRIVE
KALAMOGUE, CT 06454
(860) 963-0835
WWW.APTENGINEERING.COM

PERMITTING DOCUMENTS

NO.	DATE	REVISION
1	08/20/18	FOR REVIEW: RCB
2	08/20/18	CLIENT REVIEW: RCB
3	11/07/18	TOWN COMMENTS: RCB
4	02/02/19	TOWN COMMENTS: RCB
5	02/02/19	TOWN COMMENTS: RCB
6	02/02/19	TOWN COMMENTS: RCB
7	02/02/19	TOWN COMMENTS: RCB
8	02/02/19	TOWN COMMENTS: RCB
9	02/02/19	TOWN COMMENTS: RCB
10	02/02/19	TOWN COMMENTS: RCB
11	02/02/19	TOWN COMMENTS: RCB

DESIGN PROFESSIONALS OF RECORD

PROJ: SCOTT M. CHASE, P.E.
COMP: APT ENGINEERING
ADD: 3 BADDLEBROOK DRIVE
KALAMOGUE, CT 06454

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 3 HARMONY STREET
2ND FLOOR
DANBURY, CT 06810

NOTE:
IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW ARTICLE 140, SECTION 7209 (3) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED. THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THE SIGNATURE AND THE DATE OF EACH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

HOMELAND TOWERS
LAKE CASSE
SITE: 256 CROTON PARK ROAD
ADDRESS: DANBURY, CT 06810
APT FILING NUMBER: NY283582
DATE: 07/05/18
DRAWN BY: CAH
CHECKED BY: RCB

SHEET TITLE:
VERIZON EQUIPMENT LIGHTING DETAILS

SHEET NUMBER:
C-4

LAW OFFICES OF
SNYDER & SNYDER, LLP

94 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS

rgaudioso@snyderlaw.net

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445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

LESLIE J. SNYDER
ROBERT D. GAUDIOSO

DAVID L. SNYDER
(1956-2012)

NEW JERSEY OFFICE
ONE GATEWAY CENTER, SUITE 2600
NEWARK, NEW JERSEY 07102
(973) 824-9772
FAX (973) 824-9774

REPLY TO:

TARRYTOWN OFFICE

September 27, 2019

Honorable Chairman Craig Paepre
and Members of the Planning Board
Town of Carmel Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Re: Application for site plan and special permit approval for
Dixon Lake: 36 Dixon Road, Carmel, New York

Honorable Chairman Craig Paepre and Members of the Planning Board:

We are the attorneys for Homeland Towers LLC and New York SMSA Limited Partnership d/b/a Verizon Wireless (collectively, the "Applicants") in connection with their request for site plan and special permit approval to locate a public utility wireless telecommunications facility ("Facility") at the above captioned property ("Property"). The proposed Facility consists of a 110-foot tower designed to resemble a tree, and a fenced 52' x 65' compound for related equipment.

In support of the foregoing and in response to the latest comments including those received on September 10, 2019, we are pleased to enclose five (5) copies of the following materials:

1. SHPO Concurrence that there are No Historic Properties in the Area of Potential Effects.
2. United State Fish and Wildlife Service letter, dated February 19, 2019.
3. New York State Department of Environmental Conservation letter, dated January 25, 2019.
4. EBI letter confirming no adverse impact to Eagles.
5. Letter from Klaus Wimmer, dated September 17, 2019, confirming that the six alternative locations suggested by the residents' counsel are not feasible alternative locations and are

not available for the installation of the Facility.

6. Letter from Klaus Wimmer, dated August 21, 2019, confirming that the Town McDonough Park is not available as an alternative location.
7. Lane Appraisal letter, dated September 19, 2019, in response to unsupported broker letters. It is important to note that the Lane Appraisal Report previously submitted concludes that “the installation, presence, and/or operation of the proposed Facility will not result in the diminution of property values or reduce the marketability of properties in the immediate area,” based on numerous paired sales analyses throughout Orange, Putnam, Westchester and Rockland counties over an extended time period. Numerous state and federal courts have relied on paired sales analyses performed by Lane Appraisals, similar to the Lane Appraisal Report submitted to this Honorable Board. In *T-Mobile v. Town of Ramapo*, 701 F. Supp. 2d 446 (S.D.N.Y. 2009), the Southern District Court of New York found that the Planning Board’s conclusion that the tower would lower property values was almost entirely conclusory in contrast to the comparative sales analysis submitted by T-Mobile that concluded the tower would not adversely affect property values. Similarly, in *Sprint v. Cestone*, 00 Civ. 4828 (S.D.N.Y. 2001), the Southern District Court held that “[g]eneralized concerns about a potential decrease in property values stemming from the construction of the proposed communications antenna, especially in light of the expert reports contained in this record before the Court, are not adequate to support the conclusion that a special use permit be denied.” *Cestone*, 00 Civ. 4828 at 11 (citing e.g. *Cellular Telephone Co. v. Town of Oyster Bay*, 166 F.3d 490, 497 (2d Cir. 1999)). In reversing the ZBA’s denial of the cell site application, the *Cestone* court pointed to the carrier’s compelling paired sales analysis, like the Lane Appraisal Report prepared for the instant case, to support a conclusion that the antennas would not reduce nearby property values. *Cestone*, 00 Civ. 4828 at 9-10. See also, *Orange County-Poughkeepsie Ltd. Partnership d/b/a Verizon Wireless & Homeland Towers, LLC v. Town of E. Fishkill*, 84 F. Supp.3d 274 (SDNY 2015), *aff’d sub nom Orange County—County Poughkeepsie Ltd. Partnership v. Town of E. Fishkill*, 632 Fed.Appx. 1 (2d Cir. 2015).

Likewise, the Supreme Courts of the State of New York for the Counties of Putnam and Westchester have also relied on similar Lane Appraisal Reports to uphold the approval of wireless towers in Kent and New Castle. See *Bruenn et al. v. Town of Kent and Homeland Towers* (Index No. 1023/2013) and *Lindenthal et al. v. Town of New Castle, Homeland Towers, LLC and New York SMSA Limited Partnership d/b/a Verizon Wireless* (Index No. 14/3069). The residents’ counsel unsuccessfully represented the neighbors in both of the foregoing matters.

8. Response from PierCon Solutions, dated September 23, 2019, regarding Verizon Wireless' significant gap in service, online marketing maps, and details related to the propagation maps, drive test maps and KPI data.
9. Letter from APT, dated September 19, 2019, detailing that there will be no significant adverse impacts related to fire dangers from the Facility.
10. Please note that the facility meets all of the Zoning Code setback requirements and there are no publically accessible locations within close proximity to the facility. The Memorandum in Opposition from the residents' counsel includes a letter from Dennis Rogers, dated March 28, 2013. This letter was originally submitted to the Town of Kent on behalf of an opposition group represented by Mr. Campanelli. Submitted herewith is the response from Tectonic Engineering, dated April 8, 2013, detailing the false assumptions contained in the Rogers letter.
11. Visual renderings of the Facility located at an alternative location on the Property adjacent to McDonough Park and further from residences for the Board's consideration.
12. Site Plan Sketch of the Facility located at an alternative location on the Property adjacent to McDonough Park and further from residences for the Board's consideration.
13. Freshwater Wetland Survey signed by the DEC.

Please note that as requested by the Town Engineer, the Applicants acknowledge that the Town Code has removal bond and performance bond provisions. In response to the incorrect comments of the residents' counsel, please note that the correct separation distance between antenna arrays is 10 feet from the centerline of the antennas and not from the tip to the tail of the antennas. *See Site Plan.* Please also note that despite the incorrect and unsupported comments by the residents' counsel, and as testified to by the President of Homeland Towers Manuel Vicente, Homeland Towers did not seek to construct the Facility on speculation and the Facility is expressly required by Verizon Wireless to provide personal wireless services.

We thank you for your consideration, and look forward to discussing this matter at the Planning Board hearing on October 9, 2019.

If you have any questions or require any additional documentation, please do not hesitate to contact me at 914-333-0700.

Snyder & Snyder, LLP

By: 

Robert D. Gaudio

RDG:cae

Enclosures

cc: Homeland Towers

Verizon Wireless

Zoning Board (1 full size and 11 copies)

z:\ssdata\wpdata\ss3\rdg\homelandtowers\carmel\058 (dixon)\pb letter 9-11-19.rtf

Alexis Green

From: towernotifyinfo@fcc.gov
Sent: Friday, August 03, 2018 3:15 PM
To: Alexis Green
Subject: Section 106 Notification of SHPO/THPO Concurrence- Email ID #3062829
Categories: Upload to RPM/E106, Email People About

This is to notify you that the Lead SHPO/THPO has concurred with the following filing:

Date of Action: 08/03/2018

Direct Effect: No Historic Properties in Area of Potential Effects (APE)

Visual Effect: No Historic Properties in Area of Potential Effects (APE)

Comment Text: NY SHPO concurs with the proposed determination of effects. Reviewed by Daniel Bagrow, dan.bagrow@parks.ny.gov

File Number: 0008304799

TCNS Number: 173678

Purpose: New Tower Submission Packet

Notification Date: 7AM EST 08/03/2018

Applicant: Homeland Towers, LLC

Consultant: EnviroBusiness, Inc. d/b/a EBI Consulting (6118002650)

Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No

Site Name: Dixon Lake / NY058

Site Address: 36 Dixon Road

Detailed Description of Project: 6118002650 Proposed construction of a new telecommunications monopine and compound resulting in ground disturbance

Site Coordinates: 41-25-9.3 N, 73-43-27.5 W

City: Carmel

County: PUTNAM

State: NY

Lead SHPO/THPO: New York State Historic Preservation Office

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, New York 13045



February 19, 2019

Mr. Jason Stayer
Mr. Tony Maguire
EBI Consulting
21 B Street
Burlington, MA 01803

Dear Mr. Stayer and Mr. Maguire:

This responds to your January 2, 2019, letter regarding a telecommunications facility proposed at 36 Dixon Road, Town of Carmel, Putnam County, New York. As you are aware, Federal agencies, such as the Federal Communications Commission (FCC), have responsibilities under Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to consult with the U.S. Fish and Wildlife Service (Service) regarding projects that may affect federally listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally proposed species or adversely modify proposed critical habitat. We understand that all FCC licensees, applicants, tower companies, and their representatives have been designated the FCC's non-federal representative for the purposes of completing informal consultation pursuant to Section 7(a)(2) of the ESA.

On behalf of the FCC, EBI Consulting determined that the proposed project "may affect, but is not likely to adversely affect," the federally listed Indiana bat (*Myotis sodalis*; Endangered). The Service concurs with your determination given the location (no known summer or winter habitat nearby), a small amount of trees (approximately 0.50 acre) containing potential suitable roosting habitat are proposed for removal, and the following conservation measures will be incorporated into the project area to avoid and minimize impacts to these bat species:

- Tree removal will occur between October 31 and March 31, when bats are in hibernation; and
- Bright orange construction fencing and/or flagging (or similar) will be used to demarcate trees to be protected compared with those to be cut prior to the initiation of any construction.

EBI also determined the proposed project "may affect" the federally listed northern long-eared bat (*Myotis septentrionalis*; Threatened) but that the project complies with the ESA Section 4(d)

rule¹ for this species (50 CFR § 17.40(o)). Given the project description and location (no known roosts within 150 feet or hibernacula within 0.25 mile) of the proposed project, we agree that any taking that may occur incidental to the proposed project is not prohibited.

EBI also determined that the proposed project will have no impact on the federally listed bog turtle (*Clemmys* [= *Glyptemys*] *muhlenbergii*; Threatened) as no suitable habitat was present for this species. The Service acknowledges this determination.

Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you check our website regularly from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.*

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for your time. If you require additional information or assistance please contact Noelle Rayman-Metcalf at 607-753-9334. Future correspondence with us on this project should reference project file 18I2674.

Sincerely,

A handwritten signature in dark ink, appearing to read "David A. Stilwell". The signature is fluid and cursive, with the first name "David" and last name "Stilwell" clearly distinguishable.

David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

cc: NYSDEC, New Paltz, NY (Env. Permits)

¹ For more information about the 4(d) rule, please see:
<http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

January 25, 2019

Jason Stayer
EBI Consulting
21 B Street
Burlington, MA 01803

Re: Dixon Lake / NY058 -- proposed communications facility at 36 Dixon Road (EBI Project No. 6118002650)
County: Putnam Town/City: Carmel

Dear Mr. Stayer:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

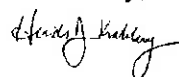
We have no records of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity. Our database does not currently contain bat locations within the 5-mile reporting distance that we apply.

Bald eagle (*Haliaeetus leucocephalus*, NYS-listed as Threatened) has been documented nesting within 0.8 mile of the project site. For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 3 Office at dep.r3@dec.ny.gov.

For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the Permits staff at the NYSDEC Region 5 Office as described above.

Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program



RE: Proposed Communications Facility and proximity of Bald Eagle Nest

Site Identifier: Dixon Lake / NY058

Site Address: 36 Dixon Road, Carmel, Putnam County, NY 10512

Latitude / Longitude: 41° 25' 9.3079" / 73° 43' 27.4998"

EBI Project No. 6118002650

EBI Consulting (EBI) has prepared a response to the New York State Department of Environmental Conservation (NYS DEC) letter dated January 25, 2019.

According to the letter the NYS DEC confirmed a Bald eagle (*Haliaeetus leucocephalus*) (T) to be located within 0.8 mile of the Project Site. Although the exact location of the nesting site, EBI assumes the nest is located approximately 0.8 miles to the east in the area overlooking the West Branch Reservoir or approximately 0.8 miles to the south west overlooking Long Pond. This assumption is made on known Bald eagle preference of nesting near open water and high elevations.

Homeland Towers, LLC proposes to construct a tower facility on the northern portion of the Subject Property. The facility will consist of installing a 110-foot monopine tower and associated support equipment located within a 57-foot by 65-foot fenced area on a 70-foot by 65-foot lease area.

According to the Migratory Bird Treaty Act (MBTA) and ESA, the tower is to be constructed utilizing "Recommended Best Practices for Communications Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning" (<https://www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance.pdf>) which includes the tower to be constructed as a monopole (no guyed lines), at 110 feet (under 200 feet) with no lighting. As such, the proposed tower meets most of the USFWS's tower siting and design recommendations and is therefore not anticipated to adversely affect migratory birds, including the Bald eagle.

Further, based on the completion of the NEPA dated February 20, 2019 completed by EBI Consulting, EBI recommended tree clearing only between October 31 and March 31 to avoid disturbance of the Indiana Bat (*Myotis sodalists*) which would also avoid tree clearing during known Bald eagle nesting time.

Therefore, based on the distance of the site from open water, type of tower to be constructed, the height and since there is no lighting and the timing restrictions in place for tree clearing, it is considered unlikely that the proposed tower will have an Adverse Effect on the Bald eagle.

Sincerely,



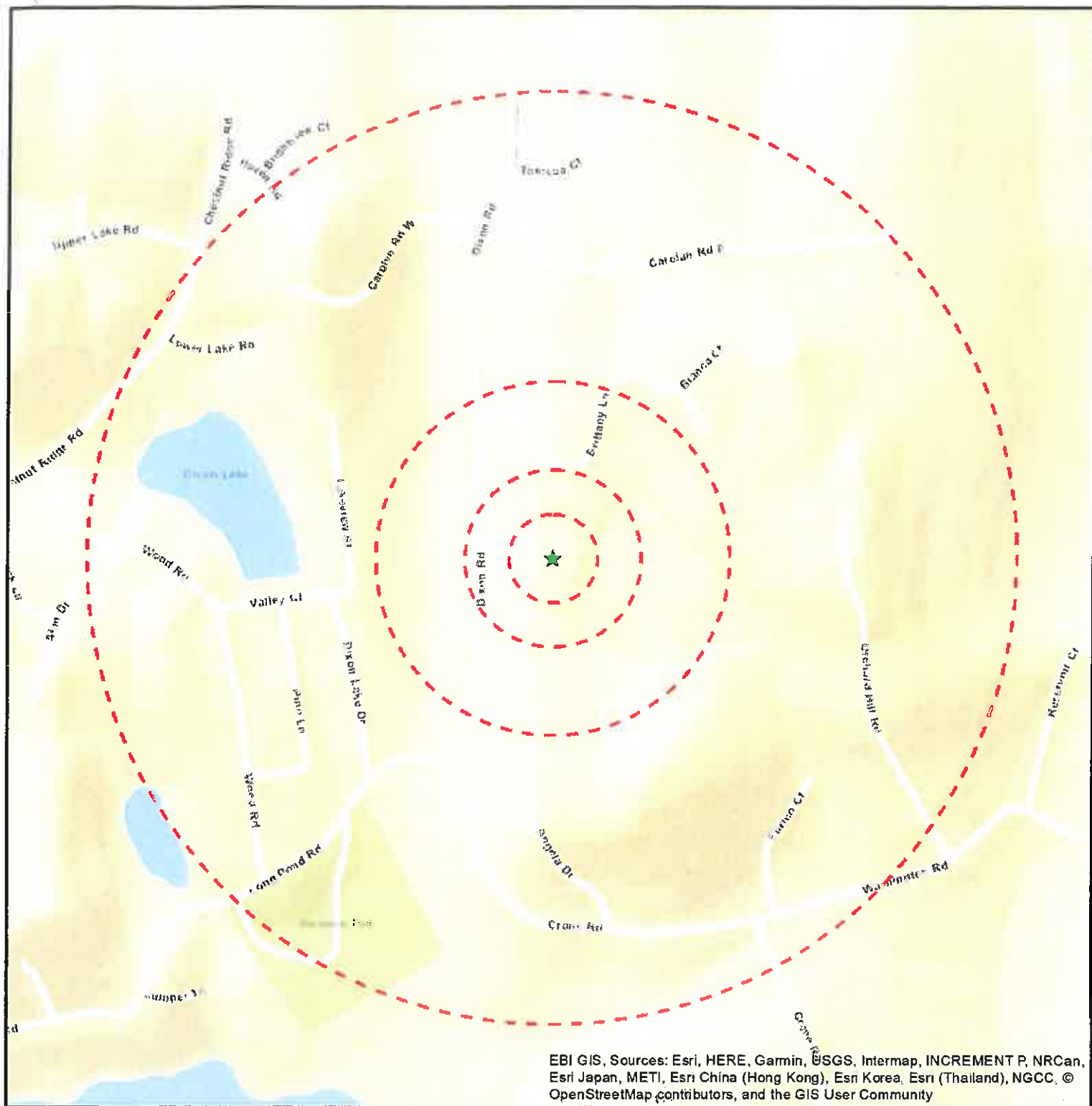
Ms. Elaine Langer
Program Manager/ Biologist



Mr. Jason Stayer®
Biologist

Attachments: Figures & Drawings
 Supporting Documentation

FIGURES & DRAWINGS



Legend

- ★ Project Site
- Site Radius at 250', 500', 1000' and 1/2 mile

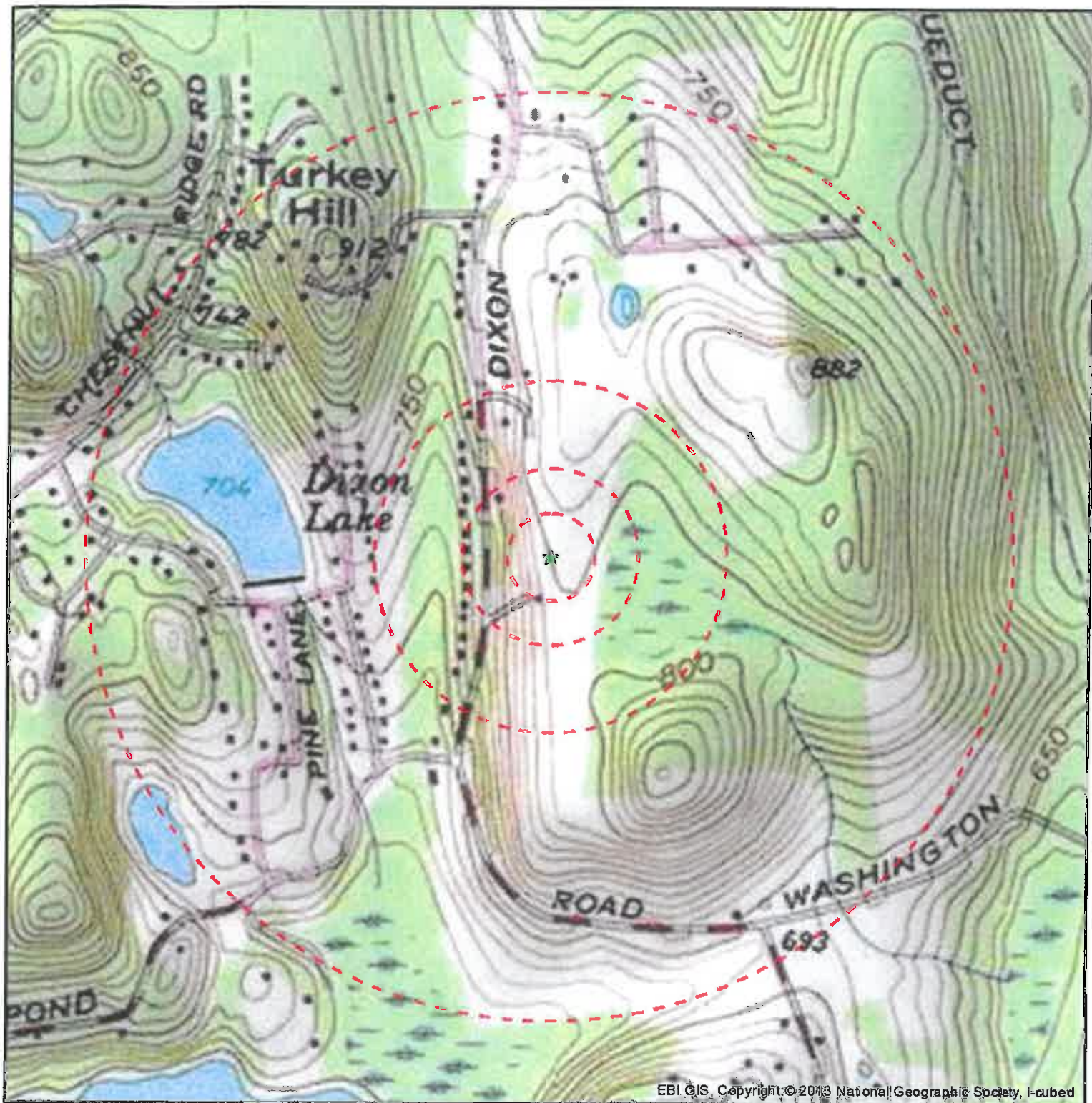
Date: 3/27/2018

Figure 1: Site Location Map

NY058 DIXON LAKE
36 DIXON ROAD
CARMEL, NY 10512

PN: 6118002650





Legend

- ☆ Project Site
- Site Radius at 250', 500', 1000' and 1/2 mile

USGS 24K Quad: Lake Carmel, NY 1982

Date: 3/27/2018

Figure 2 - Topographic Map

**NY058 DIXON LAKE
36 DIXON ROAD
CARMEL, NY 10512**

PN: 6118002650

SUPPORTING DOCUMENTATION

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

January 25, 2019

Jason Stayer
EBI Consulting
21 B Street
Burlington, MA 01803

Re: Dixon Lake / NY058 -- proposed communications facility at 36 Dixon Road (EBI Project No. 6118002650)
County: Putnam Town/City: Carmel

Dear Mr. Stayer:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity. Our database does not currently contain bat locations within the 5-mile reporting distance that we apply.

Bald eagle (*Haliaeetus leucocephalus*, NYS-listed as Threatened) has been documented nesting within 0.8 mile of the project site. For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 3 Office at dep.r3@dec.ny.gov.

For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the Permits staff at the NYSDEC Region 5 Office as described above.

Sincerely,



Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program





HOMELAND TOWERS

September 17, 2019

Honorable Chairman Paepre and
Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

RE: Homeland Tower / Verizon Telecommunications Facility at 36 Dixon Rd Parcel ID: 54.-1-6
response to Memorandum of Opposition submitted by Attorney Campanelli

Hon. Chairman Paepre and Members of the Planning Board:

I am the Regional Manager for Homeland Towers, LLC. This letter is being submitted in response to Attorney Campanelli's Memorandum of Opposition where on page 9 he states that *"there are superior alternative locations"* to the proposed site at 36 Dixon Rd, which would be (a) more in compliance with the Zoning Ordinance, (b) would be of a *"higher priority"* within the meaning of Par 156-62(i)(1) and (c) would *"inflict far less significant adverse impacts .."*

Listed below are the properties in order mentioned by Mr. Campanelli:

1. Undeveloped Property located directly to the West of Jimmy McDonough Park:
Although not identified by Mr. Campanelli this appears to be Parcel ID 53.12-1-27.2 this property is zoned residential and was evaluated but ruled out as it is mostly designated wetlands and therefore not suitable for development. As the site is zoned residential, this site is NOT "more in compliance with the Zoning Ordinance" and would NOT be "be of a 'higher priority' within the meaning of Par 156-62(i)(1)" as incorrectly claimed by Mr. Campanelli. Therefore, this site is not a less intrusive feasible alternative site (see attached Exhibit A) .
2. Undeveloped property at 820 Long Pond Road, Parcel ID 54.9-1-39: This property is owned by the Town of Carmel, is zoned residential and was evaluated but ruled out as it is mostly designated wetlands and therefore not suitable for development. As the site is zoned residential, this site is NOT "more in compliance with the Zoning Ordinance" and would NOT be "be of a 'higher priority' within the meaning of Par 156-62(i)(1)" as incorrectly claimed by Mr. Campanelli. Therefore, this site is not a less intrusive feasible alternative site (see attached Exhibit B).
3. Undeveloped property at 300 Wixon Pond Road, Parcel ID 54.13-1-8: This property is zoned residential and owned by the Girl Scout Council and used as a camp. This property was evaluated, but ruled out as a lease agreement could not be reached. As the site is zoned residential, this site is NOT "more in compliance with the Zoning Ordinance" and would NOT be "be of a 'higher priority' within the meaning of Par 156-62(i)(1)" as



HOMELAND TOWERS

incorrectly claimed by Mr. Campanelli. Therefore, this site is not a less intrusive feasible alternative site (see Exhibit C).

4. 199 Gipsy Trail Road, Kent, NY Parcel, Parcel ID 43.-2-56: This property is in the Town of Kent and approximately 1.8 miles from the proposed site. There is an existing tower at 21 Smokey Hollow Ct, at which Verizon is located, which is about 1.5 miles from the proposed site. Mr. Campanelli should be aware of the tower at Smokey Hollow Court as he unsuccessfully represented the residents opposed to that tower when it was approved. Because the alternative site proposed by Mr. Campanelli in Kent is further from the significant gap in Carmel than the existing site at 21 Smokey Hollow Court, Kent, NY, it cannot remedy the gap in service in Carmel and is not a feasible alternative to the proposed site (see Exhibit D).
5. 20 E. Boyds Road, Kent, NY. This property is in the Town of Kent and approximately 2.5 miles from the proposed site. There is an existing tower at 21 Smokey Hollow Ct, at which Verizon is located, which is about 1.5 miles from the proposed site. Mr. Campanelli should be aware of the tower at Smokey Hollow Court as he unsuccessfully represented the residents opposed to that tower when it was approved. Because the alternative site proposed by Mr. Campanelli in Kent is further from the significant gap in Carmel than the existing site at 21 Smokey Hollow Court, Kent, NY, it cannot remedy the gap in service in Carmel and is not a feasible alternative to the proposed site (see Exhibit E).
6. Property directly "East of the Park". At the September 11 meeting Mr. Campanelli mentioned this property and we believe that he is referring to Town of Carmel park property. The Town Board has informed us that it is not interested in leasing park property as previously outlined in my letter of August 21, 2019.

Respectfully,

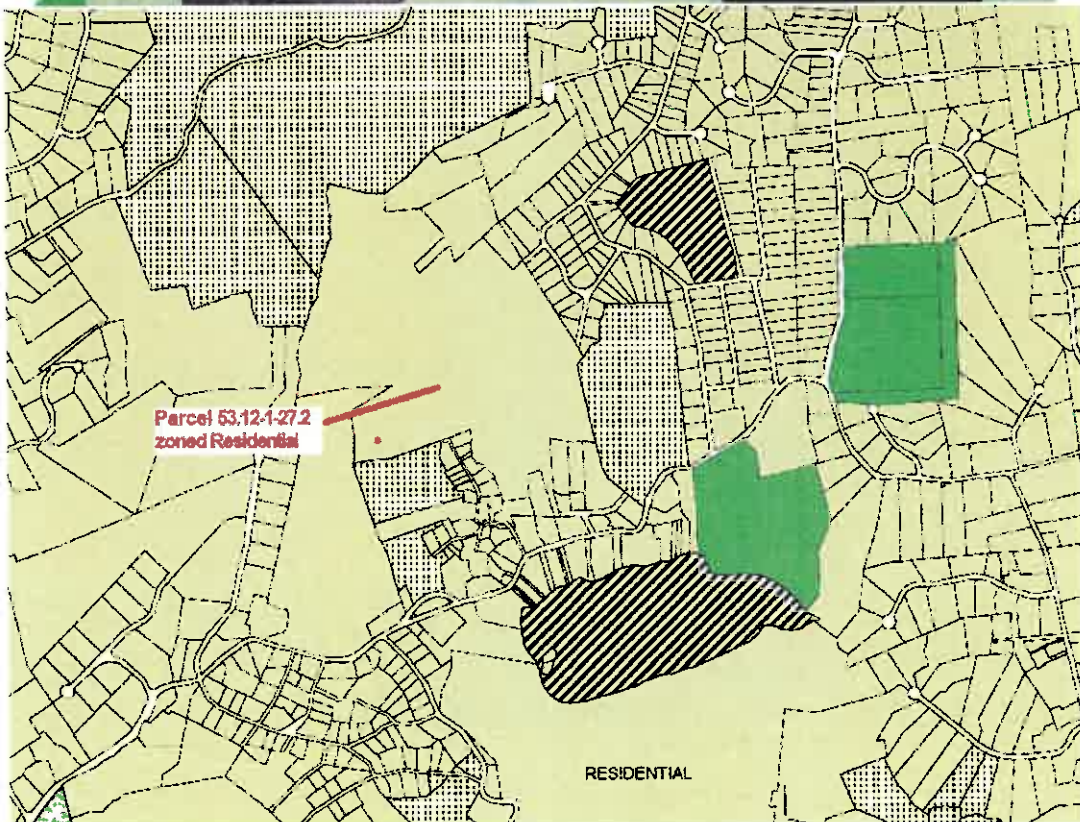
Klaus Wimmer
Regional Manager
Homeland Towers, LLC.

EXHIBIT A

PARCEL ID 53.12-1-27.2



Parcel ID
53.12-1-27.2



Parcel 53.12-1-27.2
zoned Residential

RESIDENTIAL

EXHIBIT B

820 Long Pond Road, Parcel ID 54.9-1-39

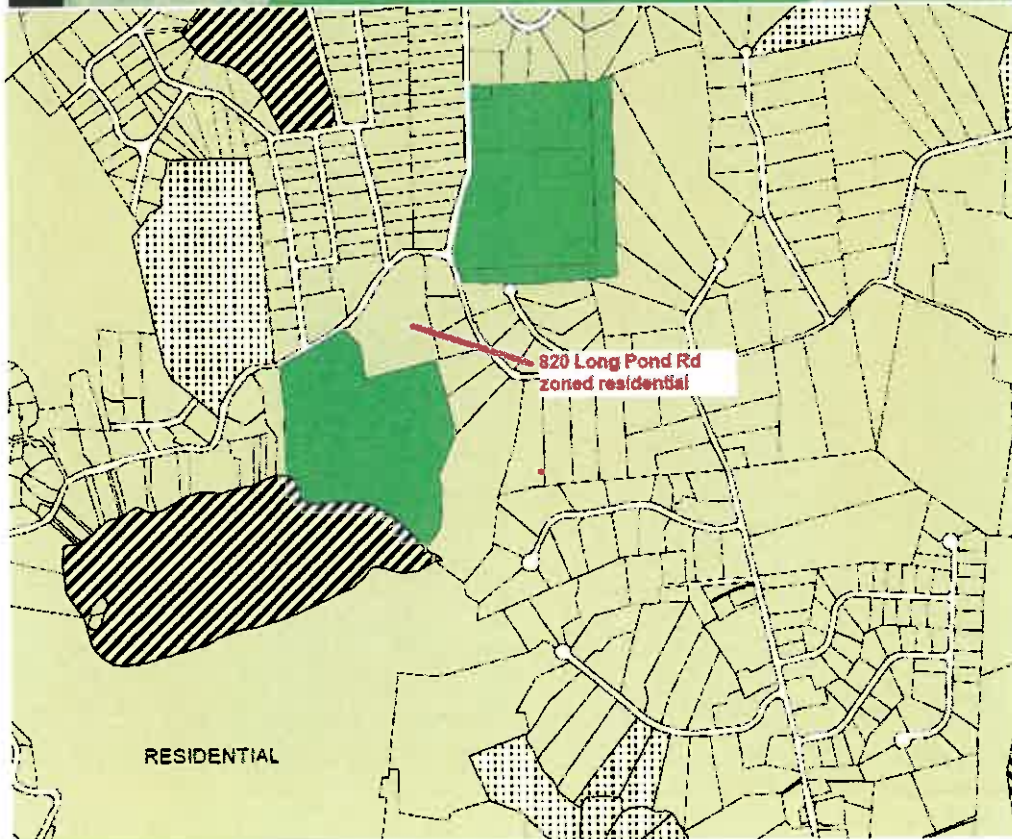


EXHIBIT C

300 Wixon Pond Road, Parcel ID 54.13-1-8

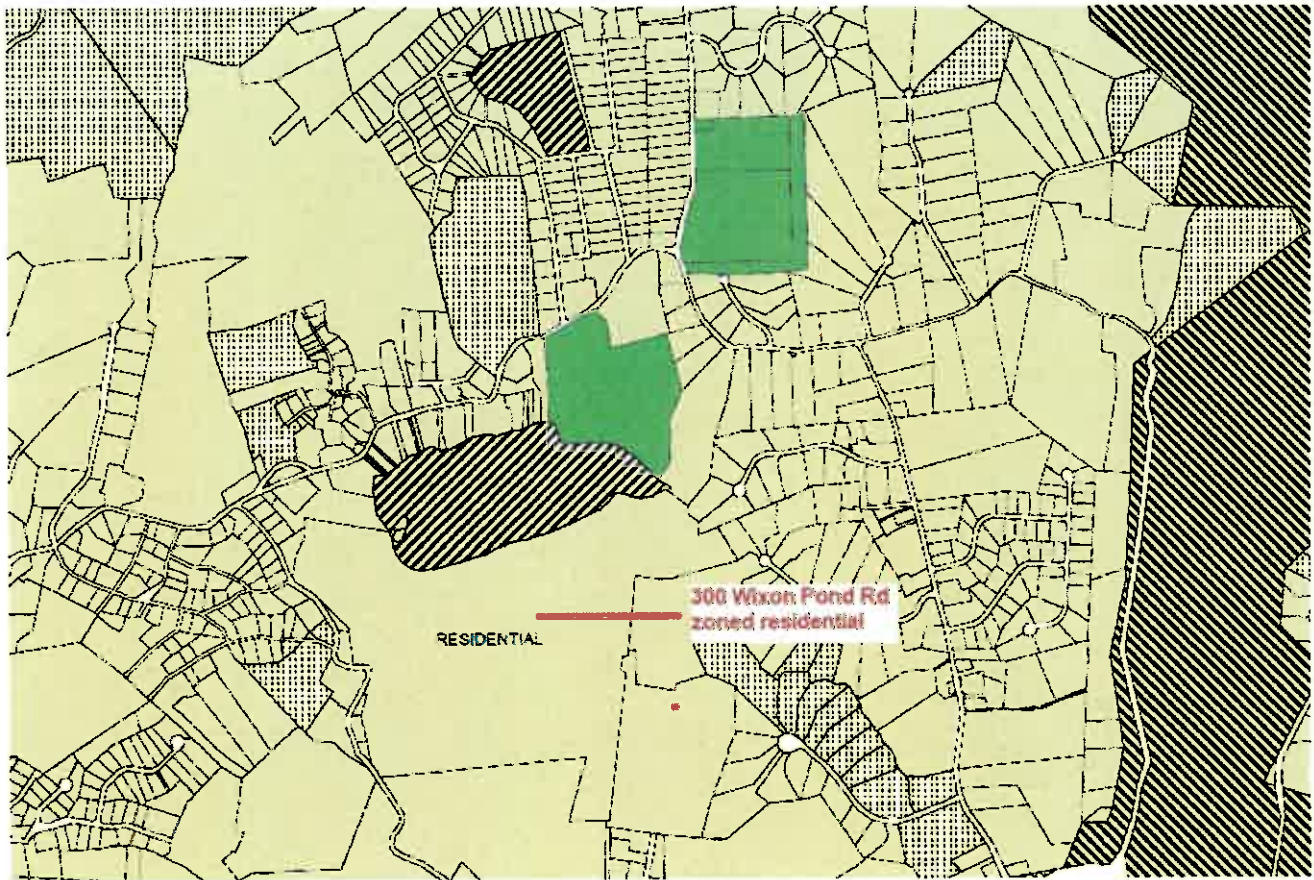


EXHIBIT D

199 Gipsy Trail Rd, Kent, NY

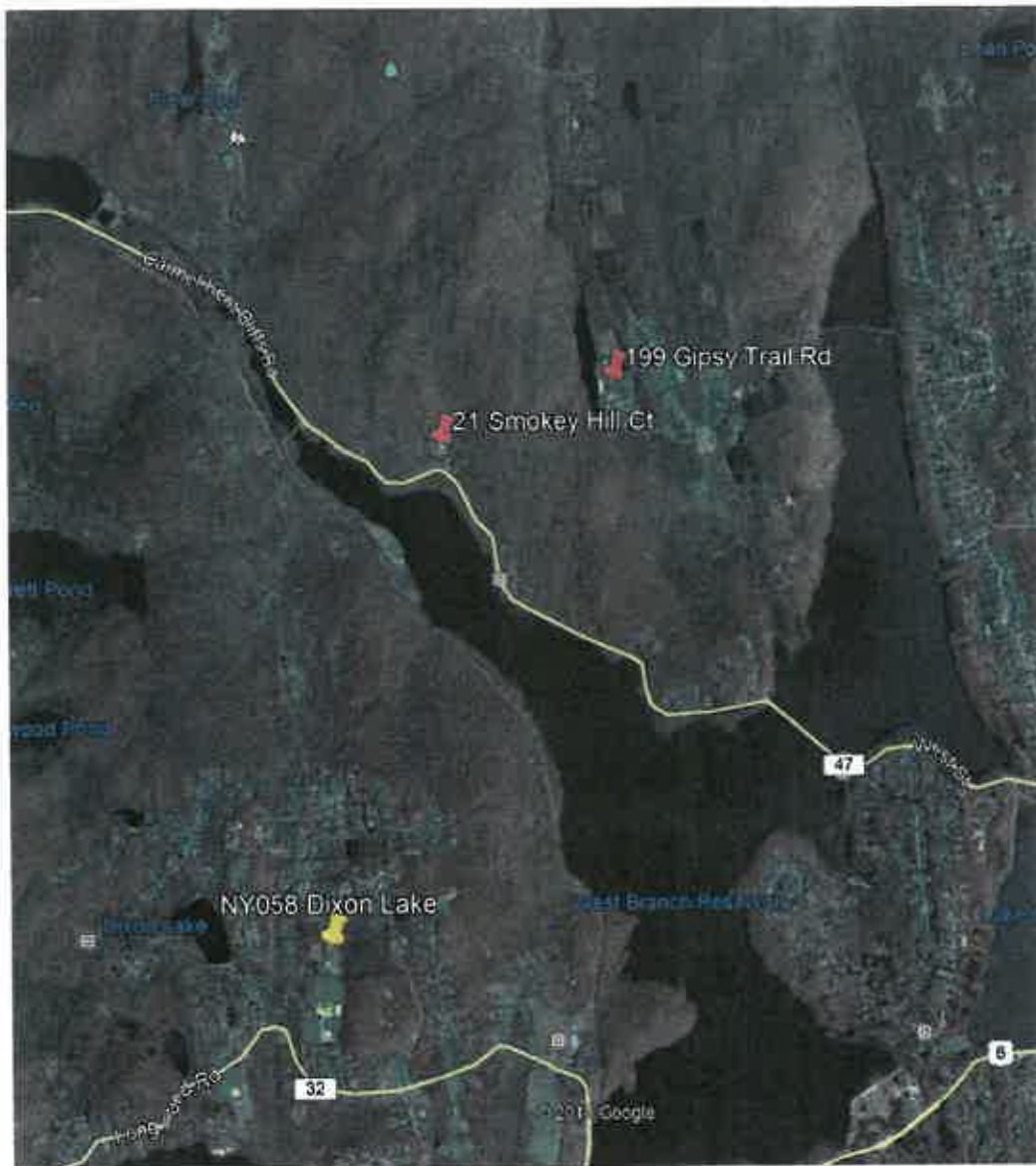
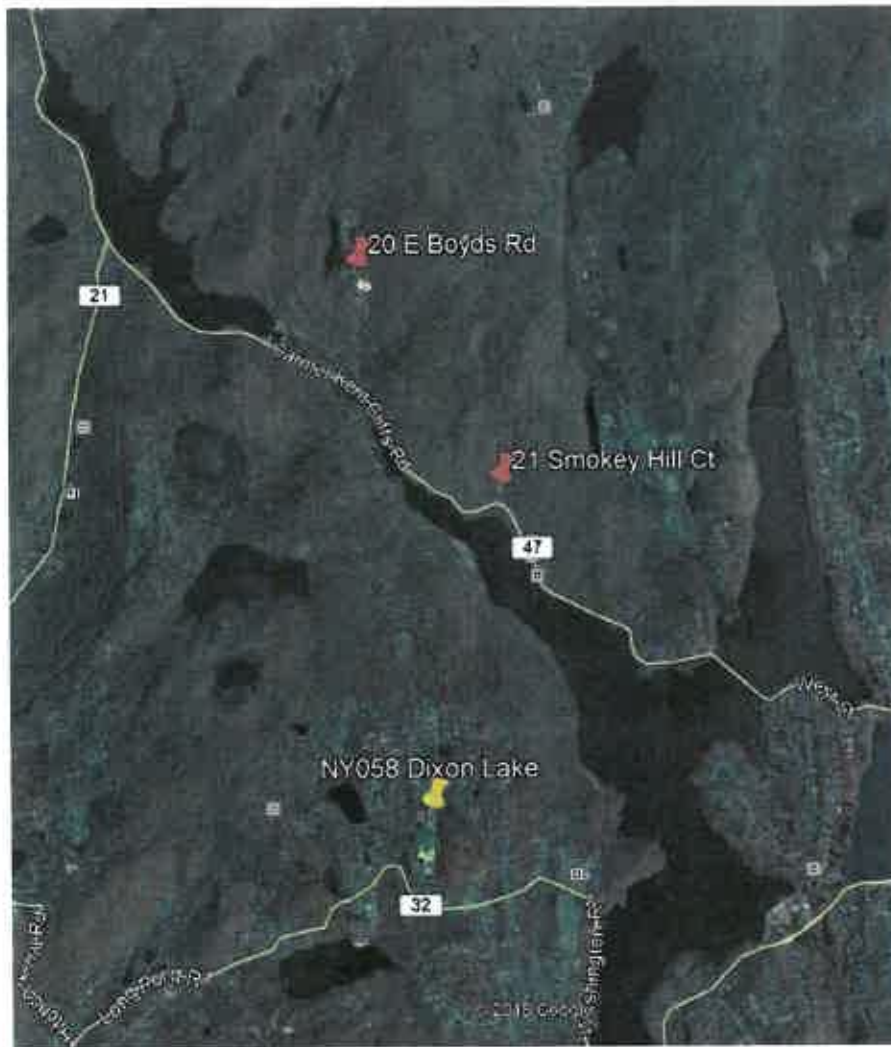


EXHIBIT E

20 E Boyds Rd, Kent, NY





August 21, 2019

Honorable Chairman Praeprer
and Members of the Planning Board
60 McAlpin Avenue
Mahopac, NY 10541

Re: Homeland Towers Wireless Facility application / NY058 Dixon Lake
Parcel ID # 54.-1-6 / 36 Dixon Rd

Dear Honorable Chairman Praeprer and Members of the Planning Board:

I would like to document our efforts to enter a lease agreement with the Town of Carmel for a wireless facility at McDonough Park, which is adjacent to the facility at 36 Dixon Rd currently under consideration of your Board. Please note that copies of respective communications are attached hereto in Exhibit A.

In October 2017 a proposal was sent to Supervisor Schmitt. In a subsequent follow up call I was informed that the Town was not interested.

In September 2018 I received a call from Supervisor Schmitt stating that the Town is interested in making its properties, including McDonough Park, available to improve the cell service in Town. After a subsequent meeting with members of the Town Board and consulting staff it was decided to prepare an initial design for a facility at McDonough Park and to evaluate other Town properties.

In December 2018 a preliminary design for a wireless facility at McDonough Park was prepared and submitted for review to the Town Board and Recreation and Parks Advisory Committee.

In February 2019 attorney Folchetti informed us that the Town Board decided not to pursue a wireless facility at McDonough Park.

Please contact me with any questions.

Respectfully,

Klaus Wimmer
203-297-6345
Cell # 201-289-6750
kw@homelandtowers.us

EXHIBIT A



HOMELAND TOWERS

October 3, 2017

Via Certified Mail
Town of Carmel
Kenneth Smith, Supervisor
60 McAlpin Avenue
Mahopac, NY 10541

Re: Homeland Towers Wireless Facility NY058 Dixon Lake
Parcel ID # 54.-1-8 --306 Crane Road -athletic fields
Parcel ID # 54.1-1-7 --20 Dixon Road -athletic fields
Parcel ID # 54.9-1-40 --790 Long Pond Road -Town Park

Dear Supervisor Smith,

This proposal letter is being sent to your attention in hopes that you will be interested in leasing a small portion of one of the above noted Town properties for the purpose of a wireless facility. Homeland Towers has identified these properties as potential wireless siting solutions that will create an additional revenue stream for the Town. In addition to enhanced cellular coverage in the area, the proposed facility will provide critical infrastructure for public safety in this area of Mahopac/Carmel.

The principals of Homeland Towers have a combined 40 years of experience providing wireless solutions utilized by AT&T, Verizon, Sprint and T-Mobile throughout the Northeast. Homeland Towers maintains a proven track record of partnering with Municipalities, Private Landlords, and Organizations to maximize the value of their property. Our expertise in real estate, zoning administration, construction and site management provides a fluid process that will benefit the Town.

All project costs associated with our proposal, including municipal and state approvals along with construction costs are at the sole expense of Homeland Towers. Once construction is complete, we take full responsibility for managing the site and coordinating its use by telecommunications providers.

Please contact me at your earliest convenience to discuss the above proposal. I look forward to speaking with you.

Sincerely,

Klaus Wimmer
203-297-6345
cell# 201-289-6750
kw@homelandtowers.us



October 11, 2018

Town of Carmel
Kenneth Smith, Supervisor
60 McAlpin Avenue
Mahopac, NY 10541

Re: Homeland Towers Wireless Facility / NY058 Dixon Lake
Parcel ID # 54.-1-8 --306 Crane Road -athletic fields

Dear Supervisor Schmitt,

Thank you for meeting with us last week. I would like to follow up on the location at 306 Dixon Rd, Parcel ID 54.-1-8 (flag lot) as a potential alternate location for our proposed site. One of the main concerns for this site would be the difficult access as well as the potential requirement for parkland alienation from NY State legislature.

As we briefly discussed at the meeting we would look to the Town to construct the driveway to the site and cover the costs related thereto. Also, as discussed, we would anticipate that we would not have to go through Planning and or Zoning Board approval but would process the site under the Monroe Balancing test. If this is agreeable I would like to propose the following lease terms:

Lease Area: +/- 4,500 sqft. plus an easement over the town access road
Access drive: to be constructed by Town
Option Payment: \$ 1,000 (3 1 year options per standard agreement)
Rent: the greater of \$ 1,800 or 25 % of the net income
Escalator: 2% annually
Term: 5 year term with 8 - 5 year renewals
We would invite the Town emergency services antennas to co-locate on the tower free of charge

All project costs associated with our proposal (other than driveway), including municipal and state approvals along with construction costs are at the sole expense of Homeland Towers. Once construction is complete, we take full responsibility for managing the site and coordinating its use by telecommunications providers.

Please note that this proposal is provided in good faith and without waiving any rights we may have. Moreover, action by the Town would need to occur in a reasonable time frame so that our pending application is not unreasonably delayed.

Please contact me at your earliest convenience to discuss the above proposal. I look forward to speaking with you.

Sincerely,

Klaus Wimmer

Klaus Wimmer
203-297-6345
cell# 201-289-6750
kw@homelandtowers.us



January 2, 20019

Honorable Supervisor Kenneth Schmitt
and Members of the Town Board
60 McAlpin Avenue
Mahopac, NY 10541

Re: Homeland Towers Wireless Facility / NY058 Dixon Lake
Parcel ID # 54.-1-7 – 20 Dixon Rd / McDonough Park

Dear Honorable Supervisor Schmitt and Members of the Town Board:

I would like to follow up our discussions and site visits regarding a potential wireless facility at McDonough Park at 20 Dixon Rd, Parcel ID 54.-1-7. In furtherance of the foregoing, enclosed please find a draft lease for the Town's consideration. The lease contains the following terms:

Lease Area: +/- 3,278 square feet plus an easement over the town access road (see Exhibit B of the lease)
Access drive: to be constructed by the Town pursuant to its proposed expansion plan
Option Payment: \$ 1,000 (Three 1-year options per standard agreement)
Rent: the greater of \$ 2,000.00 or 30 % of the gross income
Escalator: 10% per term
Term: 10-year term with nine 5-year renewals
Homeland Towers would allow the Town emergency services to co-locate on the tower free of charge

If the Town would like to move forward with this location we respectfully request to be placed on the Town Board's first available meeting in January for the Town Board's consideration of the lease.

Please note that this lease proposal is provided in good faith and without waiving any rights we may have. Please note that Town's approval would need to occur in a reasonable time frame so that our pending Planning Board application is not unreasonably delayed.

Please contact me with any questions.

Respectfully,

Klaus Wimmer
Klaus Wimmer
203-297-6345
Cell # 201-289-6750
kw@homelandtowers.us



February 11, 2019

Honorable Supervisor Kenneth Schmitt
and Members of the Town Board
60 McAlpin Avenue
Mahopac, NY 10541

Re: Homeland Towers Wireless Facility / NY058 Dixon Lake
Parcel ID # 54.-1-7 – 20 Dixon Rd / McDonough Park

Dear Honorable Supervisor Schmitt and Members of the Town Board:

In furtherance of our lease proposal for a potential wireless facility at McDonough Park at 20 Dixon Rd, Parcel ID 54.-1-7, submitted to the Town on January 3, 2019, we respectfully request to be placed on the February 13, 2019 Town Board agenda for discussion of the lease proposal and to be placed on the February 20, 2019 Town Board agenda for consideration on the lease proposal for this facility.

In the event the Town Board cannot meet this timeline we regretfully have to assume the Town Board is not interested in this alternative site and proceed with the balloon test at 36 Dixon Road in order to avoid further unreasonable delays.

Please note that our lease proposal was extended on the condition that the Town's approval would occur in a reasonable timeframe so that our pending Planning Board application for 36 Dixon Road is not unreasonably delayed. To that end, I have attached a timeline of the communications and site visits outlining our efforts dating back to October 2017 to finalize our proposal and feel that more than ample time has been allowed for the Town's consideration of our proposal (attached hereto as Exhibit A).

Please note that we are still willing to consider leases for wireless facilities at other Town properties currently being evaluated should the Town Board elect not to go ahead with the lease proposal for the McDonough Park site.

Please contact me with any questions.

Respectfully,

Klaus Wimmer
Klaus Wimmer
203-297-6345
Cell # 201-289-6750
kw@homelandtowers.us



HOMELAND TOWERS

EXHIBIT A

10/3/17: Proposal letter sent to Supervisor Schmitt

10/26/17: I called Supervisor Schmitt's office - spoke with Bella Cimadomo and she indicated that she discussed the offer with the Supervisor and the Town is not interested.

9/25/18: I received a call from Supervisor Ken Schmitt indicating that he just found my proposal letter that I sent about a year ago regarding Sagamore park and the Crane Road Fields. He suggested we use these Town properties and other town properties throughout the town to "improve the cell service". He suggested that we meet next week Tuesday 10/2 to discuss. He will have another Town board member and someone from planning or engineering attend.

10/3/18: I attended a meeting with Supervisor Schmitt, Mike Barile, Suzanne McDonough, Town Attorney, Town Engineer, Planner, and others.

10/4/18: I received an email from the Town Engineer with a list of Town Parcels including Parks

10/11/18: I emailed a proposal for site at "Crane Fields" McDonough Park to Supervisor Schmitt, Mr. Barile, Town Attorney and Engineer

10/17/18: I received a call back from Bella indicating that Supervisor Schmitt thanks us for our proposal and he will discuss w Town Board. Could take 30 days or less but they will call me back after they discuss.

10/18/18: I received a call from Supervisor Schmitt to ask if we can attend an executive session on 10/24 at 6:15 pm

10/24/ 18: I attended an Executive Session with the Town Board

10/25/18: I sent a list of Town properties we would like to evaluate to Supervisor Schmitt, Mr. Barile and the Town Attorney, including McDonough Park

11/5/18: I received an email from Supervisor Schmitt asking to coordinate with the Town of Carmel Engineering Dept., Rich Franzetti Town Engineer, regarding a site visit to McDonough Park (Crane Fields)

11/5/18: I called the Town Engineer Rich Franzetti and left a message re site visit to park

11/8/19: I attended a site visit to the Park with Supervisor Schmitt, Suzanne McDonough, the Town Engineer, Parks Commissioner, and other

11/9/18 I spoke to Supervisor Schmitt at 2:25pm to discuss design; he requested 2 layouts:

- A in lower area behind the new fields using the new access road and HT construct access from there to compound
- B replace light pole with Pole and attach light array also using new access road

11/20/18: I attended a design visit at the Park with the Town Engineer, Mike Barile and Parks Commissioners; Mr. Barile suggested that only the light pole replacement location was feasible; suggested that access to alternate location A was too costly to build.

12/5/18: I emailed the design for the Park to Supervisor Schmitt, Mike Barile, the Town Engineer and Planner

12/6/18: I received an email from Supervisor Schmitt thanking us for layout of the facility at the Park and the Town Board will be reviewing/considering the preliminary layout and asking if we are considering any other Town of Carmel properties and to share/ identify these locations with the Board and consultants

12/6/18: I responded that yes we will move ahead with our due diligence of other Town parcels in parallel and asked that the Board let us know ASAP if the design for the Park works

12/18/18: I called Supervisor Schmitt to follow up on proposal for Park – left message

12/21/18: I called Supervisor Schmitt to follow up on proposal for Park – left message

12/28/18: I called Supervisor Schmitt to follow up on proposal for Park – left message

12/28/18: I received a call from Supervisor Schmitt stating that we have to correspond through attorneys



HOMELAND TOWERS

1/3/19: I emailed (and hand delivered) Lease Draft and proposal to Town Board and Attorney and requested that we be placed on the next available Town Board meeting for consideration of the lease in January, 2019

1/4/19: I received email from Supervisor Schmitt that the Town Board is in receipt of draft lease for Park and the Board will be discussing our proposal/draft lease in the very near future

1/12/19: Robert Gaudioso received email from Town Attorney that he is reviewing lease, and "will get my comments to you shortly", and that "Town Board wishes to address negotiations and discuss for any and all other parcels that are of interest to your client simultaneously with the finalization of the potential McDonough Park lease."

1/15/19 3: I made calls to Supervisor Schmitt and Rich Franzetti to schedule site visits and left messages

1/15/19: I sent an email to Supervisor Schmitt and the Town Engineer Rich Franzetti requesting to schedule site visit to the other Town properties

1/15/19: I received a call from Supervisor Schmitt that our attorney needs to respond to Town Attorney's email

1/15/19: Homeland Towers' attorney Robert Gaudioso responds to Town Attorney's email of 1/12/19

1/17/19: I received a call from Supervisor Schmitt and Police John Dearman asking to coordinate drive test for Police at Croton Falls Rd site and stating that he now can talk to me again directly

1/31/19: I called Supervisor Schmitt to follow up on proposal for Park and other Town sites – left message

1/31/19: I emailed Supervisor Schmitt and the Town Board to follow up on our proposal for the Park and requesting that we be placed on next available Town Board meeting for consideration of the lease. No response

1/31/19: I emailed Supervisor Schmitt, Mike Barile, Town Attorney, Engineer and Planner. No response

2/7/19: I received a call from Town engineer Richard Francetti that Supervisor Schmitt has directed him to evaluate the Town properties and that he will schedule visits later in February and that the proposal for the site at McDonough Park is already with the Board.

Klaus Wimmer

Subject: RE: Homeland Towers proposed location McDonough Park (Crane Fields) / Dixon Lake

From: Gregory Folchetti [<mailto:GFolchetti@costellofolchetti.com>]

Sent: Thursday, February 14, 2019 10:22 AM

To: Robert Gaudio <rgaudio@snyderlaw.net>

Subject: FW: Homeland Towers proposed location McDonough Park (Crane Fields) / Dixon Lake

Good morning Rob:

Sorry for delay in responding I was on trial in Putnam Supreme this week. The Town is still interested in pursuing lease agreement(s) with Homeland for multiple properties, but at this time is holding off on further consideration of the Crane Road Ballfields site. I know that there were at least two other parcels identified that were at least of preliminary interest to Homeland. We can meet next week to discuss site visits and moving forward on those parcels if you and your client wish.

Please let me know.

Regards.

Greg

Gregory L. Folchetti
Costello & Folchetti, LLP
1875 Route Six
Carmel, NY 10512
845-225-1900
845-228-4228 Fax

PRIVILEGED/CONFIDENTIAL COMMUNICATION: This e-mail, the information contained herein, and any attachments hereto, may be confidential and legally privileged and is intended only for the use of the individuals or entities shown as the intended recipient above. If you are not the intended recipient, you are hereby notified that any forwarding, dissemination, use, distribution or copying of this e-mail, its contents, and/or its attachments, or the taking of any action in reliance on the contents thereof is strictly prohibited. If you have received this e-mail in error, please notify our office immediately.

-----Original Message-----

From: Robert Gaudio <rgaudio@snyderlaw.net>

To: Gregory Folchetti (GFOLCHETTI@aol.com) <GFOLCHETTI@aol.com>

Sent: Fri, Feb 8, 2019 7:25 am

Subject: FW: Homeland Towers proposed location McDonough Park (Crane Fields) / Dixon Lake

Good morning Greg.

Do you know if the Town intends to proceed? Since Homeland's outreach there has been no response or timeline provided for the Crane Fields site.

Thanks

Robert D. Gaudioso

Snyder & Snyder, LLP
94 White Plains Road
Tarrytown, New York 10591
(914) 333-0700-Phone
(914) 333-0743-fax

Confidentiality Notice: This communication contains privileged and confidential information intended only for the use of the addressee. If you are not the intended recipient, be advised that the unauthorized dissemination of this communication is strictly prohibited. If you have received this communication in error, kindly notify sender by collect-call for further instructions.

From: Klaus Wimmer [mailto:kw@homelandtowers.us]

Sent: Thursday, January 31, 2019 6:11 PM

To: Schmitt, Kenneth <ks@ci.carmel.ny.us>; Michael Barile <mike@lynll.com>; Michael Barile (mb10541@comcast.net) <mb10541@comcast.net>; Gregory Folchetti (GFOLCHETTI@aol.com) <GFOLCHETTI@aol.com>

Cc: Robert Gaudioso <rgaudioso@snyderlaw.net>; Manny Vicente <mv@homelandtowers.us>; Franzetti, Richard <rjf@ci.carmel.ny.us>; Patrick Cleary (cleary@optonline.net) <cleary@optonline.net>

Subject: RE: Homeland Towers proposed location McDonough Park (Crane Fields) / Dixon Lake

Supervisor,

Please let me know where we stand with these properties and if there is any interested in leasing to us

Thank you

Klaus Wimmer
Regional Manager



HOMELAND TOWERS

9 Harmony Street, 2nd Floor
Danbury, CT 06810

Office: (203) 297-6345 | **Cell:** (201) 289-6750

Email: kw@homelandtowers.us

This message originates from the firm of Homeland Towers, LLC. The information contained in this e-mail and any files transmitted with it may be a confidential communication or may otherwise be privileged and confidential and part of the work product doctrine. If the reader of this message, regardless of the address or routing, is not an intended recipient, you are hereby notified that you have received this transmittal in error and any review, use, distribution, dissemination or copying is strictly prohibited. If you have received this message in error, please delete this e-mail and all files transmitted with it from your system and immediately notify Homeland Towers, LLC by sending a reply e-mail to the sender of this message. Thank you.

From: Klaus Wimmer

Sent: Tuesday, January 15, 2019 1:12 PM

To: 'Schmitt, Kenneth' <ks@ci.carmel.ny.us>; 'Michael Barile' <mike@lynll.com>; 'Michael Barile (mb10541@comcast.net)' <mb10541@comcast.net>; 'Gregory Folchetti (GFOLCHETTI@aol.com)' <GFOLCHETTI@aol.com>

Cc: 'rgaudioso@snyderlaw.net' <rgaudioso@snyderlaw.net>; Manny Vicente <mv@homelandtowers.us>; 'Franzetti, Richard' <rjf@ci.carmel.ny.us>; 'Patrick Cleary (cleary@optonline.net)' <cleary@optonline.net>

Subject: RE: Homeland Towers proposed location McDonough Park (Crane Fields) / Dixon Lake

Hi Supervisor,

I want to circle back to the list of properties we had previously sent where coverage is needed and we would be interested in leasing.

As mentioned previously there are more than one property in certain areas so we would have to evaluate which one would work best. Please review and let us know which of these properties the Town is interested in leasing.

Rich, please let me know when you would like to schedule at your earliest convenience.

Please contact me with any questions.

Thanks

Klaus Wimmer
Regional Manager



HOMELAND TOWERS

9 Harmony Street, 2nd Floor
Danbury, CT 06810

Office: (203) 297-6345 | **Cell:** (201) 289-6750

Email: kw@homelandtowers.us

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From: Klaus Wimmer

Sent: Thursday, December 6, 2018 12:19 PM

To: 'Schmitt, Kenneth' <ks@ci.carmel.ny.us>; Michael Barile <mike@lynll.com>; Michael Barile (mb10541@comcast.net) <mb10541@comcast.net>; Gregory Folchetti (GFOLCHETTI@aol.com) <GFOLCHETTI@aol.com>

Cc: 'rgaudio@snnyderlaw.net' <rgaudio@snnyderlaw.net>; Manny Vicente <mv@homelandtowers.us>;

Franzetti, Richard <rjf@ci.carmel.ny.us>; Patrick Cleary (cleary@optonline.net) <cleary@optonline.net>

Subject: RE: Homeland Towers proposed location McDonough Park (Crane Fields) / Dixon Lake

Hi Kenny,

Yes we would like to move ahead with our due diligence in parallel so we'd appreciate if you can let us know if this design works for the Town as soon as possible.

And yes we are interested in some of the other sites on the list I previously sent you and will reach out to Rich to schedule initial site visits hopefully next week.

Thanks

Klaus Wimmer
Regional Manager



HOMELAND TOWERS

9 Harmony Street, 2nd Floor
Danbury, CT 06810

Office: (203) 297-6345 | **Cell:** (201) 289-6750

Email: kw@homelandtowers.us

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From: Schmitt, Kenneth <ks@ci.carmel.ny.us>
Sent: Thursday, December 6, 2018 10:35 AM
To: Klaus Wimmer <kw@homelandtowers.us>; Michael Barile <mike@lynlii.com>; Michael Barile <mb10541@comcast.net> <mb10541@comcast.net>; Gregory Folchetti <GFOLCHETTI@aol.com>
Cc: 'rgaudio@snnyderlaw.net' <rgaudio@snnyderlaw.net>; Manny Vicente <mv@homelandtowers.us>; Franzetti, Richard <rjf@ci.carmel.ny.us>; Patrick Cleary <cleary@optonline.net> <cleary@optonline.net>
Subject: RE: Homeland Towers proposed location Dear Supervisor Schmitt / Dixon Lake

Hello Klaus,

Thank you for sharing with the Town Board and our consultants your preliminary layout of the proposed cell tower at McDonough Park. the Town Board and others will be reviewing/considering the preliminary layout provided by Homeland. Will you be moving forward with your feasibility analysis of the proposed site ?

Is Homeland Tower considering any other Town of Carme owned/municipal sites for additional cell towers at this time ? if so can you share/identify those locations with the Town Board/consultants.

Regards,
Kenny

Kenneth Schmitt

Town of Carmel Supervisor
60 McAlpin Avenue
Carmel, NY 10541
phone 845.628-1500
fax 845.628.6837

From: Klaus Wimmer [<mailto:kw@homelandtowers.us>]
Sent: Wednesday, December 5, 2018 1:07 PM
To: Schmitt, Kenneth; Michael Barile; Michael Barile <mb10541@comcast.net>; Gregory Folchetti <GFOLCHETTI@aol.com>
Cc: 'rgaudio@snnyderlaw.net'; Manny Vicente; Franzetti, Richard; Patrick Cleary <cleary@optonline.net>
Subject: Homeland Towers proposed location Dear Supervisor Schmitt / Dixon Lake

Dear Supervisor Schmitt,

Attached please the preliminary layout for the proposed location at the McDonough Park (Crane Fields) for the proposed replacement of a light pole as discussed. As you know, at the site visit it with Councilman Barile and Town Engineer Franzetti it was determined that the alternate location in the back of the woods would not be viable. Please note this proposed light pole replacement is still subject to our feasibility analyses.

Kindly review and let us know if this might work for the Town and please contact me with any questions and comments. We are looking forward to finalizing this.

Thank you

Klaus Wimmer
Regional Manager



HOMELAND TOWERS
9 Harmony Street, 2nd Floor
Danbury, CT 06810
Office: (203) 297-6345 | **Cell:** (201) 289-6750
Email: kw@homelandtowers.us

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From: Schmitt, Kenneth <ks@ci.carmel.ny.us>
Sent: Monday, November 5, 2018 1:17 PM
To: Klaus Wimmer <kw@homelandtowers.us>; Michael Barile <mike@lynll.com>; Michael Barile <mb10541@comcast.net> <mb10541@comcast.net>; Gregory Folchetti <GFOLCHETTI@aol.com> <GFOLCHETTI@aol.com>
Cc: 'rgaudio@snnyderlaw.net' <rgaudio@snnyderlaw.net>; Manny Vicente <mv@homelandtowers.us>; Franzetti, Richard <rjf@ci.carmel.ny.us>; Patrick Cleary <cleary@optonline.net> <cleary@optonline.net>
Subject: RE: Town of Carmel properties

Hello Klaus,

Please coordinate with the Town of Carmel Engineering Dept. Rich Franzetti Town Engineer regarding a site visit to McDonough Park (Crane Fields) . the Town Board along with the Engineering Dept. and the Town Planner with be reviewing the list of Town Properties that you have identified as potential locations for a cell Tower and get back to you to further discuss.

Regards,
Kenny

Kenneth Schmitt,

Town of Carmel Supervisor
60 McAlpin Avenue
Carmel, NY 10541
phone 845.628-1500
fax 845.628.6837

From: Klaus Wimmer [<mailto:kw@homelandtowers.us>]
Sent: Wednesday, October 31, 2018 3:44 PM
To: Schmitt, Kenneth; Michael Barile; Michael Barile <mb10541@comcast.net>; Gregory Folchetti <GFOLCHETTI@aol.com>
Cc: 'rgaudio@snnyderlaw.net'; Manny Vicente
Subject: RE: Town of Carmel properties

Dear Supervisor Schmitt,

Attached please see a list of Town properties that we would like to evaluate. These properties are in areas where we have a current need for coverage and/or see the need in the near future. Please note that there are more than one property in certain areas so we would have to evaluate which one would work best.

Kindly review and let me know which properties the Town would be interested in leasing to us. Also I'd like to schedule a visit to the Crane Fields at the earliest opportunity to determine a location as discussed.

Please let me know who I should contact to coordinate a visit.

Thanks in advance

Klaus Wimmer
Regional Manager



HOMELAND TOWERS

9 Harmony Street, 2nd Floor

Danbury, CT 06810

Office: (203) 297-6345 | **Cell:** (201) 289-6750

Email: kw@homelandtowers.us

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From: Klaus Wimmer

Sent: Thursday, October 11, 2018 1:59 PM

To: Schmitt, Kenneth <ks@ci.carmel.ny.us>; 'Michael Barile' <mike@lynlii.com>; Michael Barile (mb10541@comcast.net) <mb10541@comcast.net>; Gregory Folchetti (GFOLCHETTI@aol.com) <GFOLCHETTI@aol.com>

Cc: 'rgaudio@snnyderlaw.net' <rgaudio@snnyderlaw.net>; Manny Vicente (mv@homelandtowers.us) <mv@homelandtowers.us>

Subject: Crane Fields - Homeland Towers NY058 Dixon Lake - Proposal

Dear Supervisor Schmitt,

Good meeting with you last week. We certainly appreciate your proactive approach to make the Town properties available to improve safety and wireless service throughout the Town. We are accessing the various properties and will get back to you as soon as possible.

That said we would like you to consider our attached proposal for a site at Crane Fields for our needed coverage in that area as we discussed at the meeting.

Thanks again and we are looking forward to working with you.

Klaus Wimmer
Regional Manager



HOMELAND TOWERS

9 Harmony Street, 2nd Floor

Danbury, CT 06810

Office: (203) 297-6345 | **Cell:** (201) 289-6750

Email: kw@homelandtowers.us

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LANE APPRAISALS, INC.

Real Estate Valuation Consultants

EDWARD J. FERRARONE, MAI
PAUL A. ALFIERI, III, MAI
STEVEN BAMBACE
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914-834-1400
FAX 914-834-1380

E Mail : lane.app@verizon.net

JOHN W. LANE, MAI (1907-1993)

September 19, 2019

Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

Re: Proposed Wireless Telecommunications Facility
Dixon Lake, NY-058
36 Dixon Road, Carmel, NY

Dear Members of the Planning Board:

We are in receipt of a Memorandum in Opposition from Andrew J. Campanelli, an un-dated letter ("Carmel Letter"), in connection with the proposed public utility wireless telecommunications facility ("Facility") by Homeland Towers, LLC ("Homeland") at 36 Dixon Road, Carmel, New York ("Property"). The Carmel Letter states that it is in response to Lane Appraisals Inc.'s report ("Lane Report"), previously submitted to this Planning Board.

The Lane Report analyzed property values near cell towers in similar areas to the Property. Based upon such data, the Lane Report concluded that the proposed Facility will not result in the diminution of property values or reduce the marketability of properties in the immediate area. New York courts have upheld our analyses in connection with wireless facilities in locations throughout the state (similar to the Facility), finding that they present substantial evidence to establish that these facilities will not reduce the value of nearby property. *See, e.g., Sprint Spectrum LP v. Cestone*, N.Y.L.J. 2/5/01 p. 21 (S.D.N.Y. 2001); *T-Mobile Northeast LLC v. Town of Ramapo*, 701 F.Supp.2d 446, 463 (S.D.N.Y.2009); *Orange County-Poughkeepsie Limited Partnership v. Town of East Fishkill*, 61 Communications Reg. (P & F) 1433, 2015 WL 409260 (S.D. N.Y. 2015).

Importantly, reports from Lane Appraisals are not influenced by guess work or unsupported opinions. Our firm's method is to obtain the sale price of neighborhood homes ((i) those with a view of an existing cell tower, and (ii) those without a view of the cell tower) in the same neighborhood a/k/a geographic area, during a limited period of time, and compare price per square foot with regard to same. Sales are obtained from the local Multiple Listing Service and from the NYS sales recording service, and they are plotted on a map. The neighborhood is visited, mostly in the fall and winter, and properties are visited to ascertain if the tower can or can not be seen from the property. Our basis for comparison is a winter view from the property not necessarily the dwelling. Google Earth and topographical maps are used to judge topography and sight lines. In rare cases, these resources are used to reasonably judge if a property can or can not see a tower, if the property driveway extends a

distance from the street.

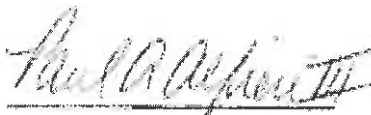
In the Lane Report, I analyzed numerous properties both with and without a view of a cell tower. The large number of comparables and the average they provide negates the need to account for the smaller differences. Simply put, because the sample size is larger, the minor differences tend to average themselves out. Moreover, as noted above, the comparables for each of the existing cell towers reviewed in the Lane Report are from a small geographical area, specifically, near an existing cell tower, which also limits the differences in amenities that are likely to exist. Homes within the same geographical area a/k/a neighborhood, tend to have similar characteristics/amenities, further negating the need to seek out and adjust for minor differences.

Our firm's method also negates the possibility that the samples were cherry picked to conveniently support a theory. The large sample size of homes that are within the same small geographic area (near an existing cell tower) and sold during a finite amount of time, limits the pool of comparables to choose from, negating any ability to "cherry pick" to support a theory. We included virtually all sales within an area during a certain time period, excepting only sales of non-typical dwellings such as uninhabited dwellings, tear downs or of estate quality property out of the area norm.

Despite the misstatements of Mr. Campanelli, the Lane report evaluated four towers in the Town of Carmel. Mr. Campanelli relies solely on real estate broker letters which are unsupported opinions absolutely devoid of any data or objective proof what so ever. Such broker letters also fail to state the methodology used to form the broker's opinion. Such opinions are so unsupported and so extreme, and lack any validation or methodology, that they should be given no credence.

In conclusion, the Lane Report uses actual data from known properties near cell towers sold on specific dates to demonstrate that sales within sight of a tower facility fall within similar average price per square foot ranges as other sales in the neighborhood, and that there has not been a diminution of the value due to the construction of similar facilities in the Putnam County area. The Lane Report is based on accepted methodology and includes the underlying data. The Lane Report provides substantial evidence to sustain its finding that "the installation, presence, and/or operation of the proposed Facility will not result in diminution of property values or reduce the marketability of properties in the immediate area."

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul A. Alfieri III", is written over a horizontal line.

Paul A. Alfieri III, MAI
Certified General Appraiser
State of New York #46-9780
September 19, 2019

Supplemental Report
In Response to Campanelli & Associates, P.C
Memorandum

Site ID: “NY058 Dixon Lake”

36 Dixon Road
Carmel, NY
Putnam County

Prepared for
New York SMSA Limited Partnership d/ b/ a Verizon Wireless

By

Pier Con Solutions, LLC
September 23, 2019

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REGARDING PROBATIVE EVIDENCE SUFFICIENT TO ESTABLISH A
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- III. CONCLUSION**
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I. PURPOSE AND SCOPE

1. PierCon Solutions LLC, an engineering firm specializing in wireless communications, reviewed the Memorandum by Campanelli and Associates. This report addresses comments and requests raised by Campanelli to the Town of Carmel Planning Board.

II. RESPONSE to CAMPANELLI AND ASSOCIATES COMMENTS REGARDING PROBATIVE EVIDENCE SUFFICIENT TO ESTABLISH A NEED

2. In regards to the actual locations of 4G LTE service gaps, propagation maps and scan drive tests were provided in the PierCon reports dated July 31, 2018 and June 24, 2019. A review of the existing sites reveals the proposed location is centrally located with respect to Verizon's existing wireless facilities. Based on the CW test results and propagation maps, a significant gap in reliable 4G LTE in building service is shown to exist in the vicinity of the proposed site. The proposed site is heavily surrounded by trees and located on higher ground elevation in reference to Dixon Road, Crane Road and Long Pond Road in order to remedy a large portion of the gaps mentions in the July 31, 2018 Report. Therefore, the proposed wireless facility is the least intrusive means to remedy the gap in 4G LTE service.
3. The suburban in-building coverage gap targeted for the Dixon Lake project includes the following for 700 MHz:
 - Dixon Road from Dioso Road to Long Pond Road (1.25 mi)
 - Crane Road from Dixon Road to Washington Road (0.43 mi)
 - Long Pong Road from Rodcris Drive to Dixon Road (1.45 mi)
 - The group of roads to the west of Dixon Road including Alan Drive, Rick Lane, Chestnut Ridge Road, Wood Road, Lakeview Street, Valley Court, Pine Court, Dixon Lake Drive, Lower Lake Drive, Upper Lake Road, Upper Lake Road North, Haven Road, Brightview Court, and West Carolyn Road (Combined approximately 3.32 mi)
 - Carolyn Road East (0.47 mi)
 - Brittany Lane (0.38 mi)

The in-building suburban coverage gap areas described above contain approximately 949 residents according to a 2010 US census.

4. The in-vehicle coverage gap targeted for the Dixon Lake project for 700 MHz includes:
 - Dixon Road from Brittany Lane to Long Pond Road (0.39 mi)
 - Sections of Long Pond Road from Rodcris Drive to Dixon Road 0.75 mi)

5. In reviewing the coverage gaps for the 2100 MHz in Report 1, the gap in coverage for Verizon Wireless is a very large area. Therefore, the in-building suburban coverage gap targeted for the Dixon Lake project for 2100 MHz includes:
- Dixon Road from Dioso Road to Long Pond Road (1.25 mi)
 - Crane Road from Dixon Road to Washington Road (0.43 mi)
 - Long Pong Road from Rodcris Drive to Dixon Road (1.45 mi)
 - The group of roads to the west of Dixon Road including Alan Drive, Rick Lane, Chestnut Ridge Road, Wood Road, Lakeview Street, Valley Court, Pine Court, Dixon Lake Drive, Lower Lake Drive, Upper Lake Road, Upper Lake Road North, Haven Road, Brightview Court, and West Carolyn Road (Combined approximately 3.32 mi)
 - Carolyn Road East (0.47 mi)
 - Brittany Lane (0.38 mi)

The in-building suburban coverage gap areas described above contain approximately 949 residents according to a 2010 US census.

6. The in-vehicle coverage gap targeted for the Dixon Lake project for 2100 MHz includes:
- Dixon Road from Dioso Road to Long Pond Road (1.25 mi)
 - Crane Road from Dixon Road to Washington Road (0.43 mi)
 - Long Pong Road from Rodcris Drive to Dixon Road (1.45 mi)
 - The group of roads to the west of Dixon Road including Alan Drive, Rick Lane, Chestnut Ridge Road, Wood Road, Lakeview Street, Valley Court, Pine Court, Dixon Lake Drive, Lower Lake Drive, Upper Lake Road, Upper Lake Road North, Haven Road, Brightview Court, and West Carolyn Road (Combined approximately 3.32 mi)
 - Carolyn Road East (0.47 mi)
 - Brittany Lane (0.38 mi)
7. Despite Campanelli's incorrect statements, the industry leading Atoll propagation model takes into account, without limitation, the following factors: frequency band, topography, transmit power, antenna height, antenna patterns and foliage.
8. In PierCon's Supplemental report dated June 24, 2019, results of a scan drive test, conducted on April 27, 2019 was submitted. The report provides the raw data plotted on drive test maps and states due to the fact the data was collected in April where the leaves were not completely present on the trees, a foliage factor was used to represent worst conditions. Foliage attenuates radio frequency signal. In the supplemental report provided the formula used is a diffraction loss (commonly known as shadow loss) formula found in William C. Lee's highly respected industry standard book called

Mobile Cellular Communications. Scientific formulas are derived and used to calculate factors in order to draw conclusions in cases where certain conditions are not present such as loss due to foliage. Since the drive test was performed during the time of year with minimal foliage, the test results will be overstated, and require a foliage factor to account for losses due to dense foliage that will be present during the summer. Therefore, this is not a manipulation as suggested by Campanelli but rather standard engineering practice. The diffraction loss formulas used are attached in this letter based on a conservative average tree height (65ft) above terrain. PierCon conservatively did not apply a vegetation growth. Diffraction losses calculated varied between 5db and 10 db. 5db was used and is a reasonable and conservative level of attenuation of foliage.

9. CW test factor was applied to the CW signal strength to convert to RSRP. This is not a manipulation as misstated by Campanelli. 4G LTE signal strength is in RSRP. RSRP (Reference Signal Received Power) is by definition the average received power of a single resource element (RE). There are 84 resource elements in a single resource block in LTE. RSSI (Receive signal strength indicator) is defined as the power measured over the entire bandwidth of occupied resource blocks. RSRP is equal to $RSSI - 10 \log(12 \cdot N)$ where N is the number of resource blocks as per Channel Bandwidth. The channel bandwidth per frequency can vary per wireless carrier, therefore the LTE signal strength RSRP can vary per wireless carrier. In addition, the actual transmit power and antenna (omni antenna vs directional panels) at the wireless facility will also differ from the CW drive test. It is therefore incorrect that a CW drive test in raw data format (RSSI) is a representative of 4G LTE signal.
10. The received signal strength collected is an actual representation of the radio waves propagation pathloss between the transmitting antenna and the receiver used during the CW drive test at that particular path. As previously mentioned above, the pathloss collected required a foliage factor to account for full foliage which was not present at the time.
11. PierCon Solutions Report dated July 31, 2018, correctly states that the height requirement is also influenced by mean ground elevation at the site, the wireless carrier's coverage objective, surrounding topography, tree heights and expected user traffic. It is also mentioned that the proposed site at 36 Dixon Road has a ground elevation of greater than 800' and is between neighborhoods with the ability to cover a large number of individuals.
12. In addition to confirming that Verizon Wireless has a significant gap in 4G LTE coverage with Drive Test Maps and Coverage Maps, an evaluation of Verizon Wireless's Key System Performance Indicator Data ("KPI Data") has been provided. The KPIs utilized consist of call drop call failure rates and access failure rates from Verizon's existing antennas providing signal facing the gap area identified in and surrounding the proposed site. Drop all rate and call access failure rate are two performance indicators of a wireless network having a gap in reliable service. The KPI charts were created in Excel using Pivot tables based on the 1% criteria for dropped calls and 2% criteria for access failures. The data requested from the Performance tool was for the % of access failures and % of Drop calls per sector for the existing facilities by the hour for the hours between 6am and 8pm over a 3-month span. The Performance tool (ALPT) automatically calculates the % based on the number of call attempts/number of failures.

13. Regarding the Chart, Campanelli refers to "Carmel 3-Gamma (245) Sector, the graph drawn is a point to point line chart based on the high % drop call rate that day. It is incorrect to state that it is a sign wave. The horizontal section of the line graph at 100% indicates the days reference on the horizontal axis below, each of those days experienced a high of 100%. A line is drawn point to point from that day to the next day to indicate both days experienced 100% dropped calls. Therefore, it is not an indication that it is in excess of 100% as misstated by Campanelli but an indication that 2 or more days in a row experienced a high of 100% drop calls. This creates the straight line across.
14. Verizon's interactive online coverage map, as referenced by Campanelli in Exhibit L, cannot be used to compare to the propagation map or drive test maps in the PierCon Reports. In review of the interactive map on the Verizon website, a disclaimer is located on the bottom right. Attached below.

Coverage Disclaimer

These Coverage Locator depictions apply to the following calling plans:
National Calling Plans, Mobile Broadband and Prepaid.

International rates for voice and data will apply.

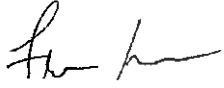
These maps are not a guarantee of coverage and contain areas of no service, and are a general prediction of where rates apply based on our internal data. Wireless service is subject to network and transmission limitations, including cell site unavailability, particularly near boundaries and in remote areas. Customer equipment, weather, topography and other environmental considerations associated with radio technology also affect service and service may vary significantly within buildings. Some information on service outside the Verizon Wireless proprietary network, and we cannot vouch for its accuracy. Some devices may not be compatible with extended coverage areas depicted in the map.

15. The tool used to generate the propagation maps provided in the PierCon Report is an industry standard engineering tool intended to demonstrate Verizon's existing and proposed reliable in building coverage. The online interactive map provides no indication on type of service, even indicating in the disclaimer that service may vary significantly within buildings. While the online interactive map may be helpful to consumers, these maps are not definitive and as detailed as the propagation coverage maps or drive test data that Verizon Wireless uses to determine network reliability, plan network integrity and expansion based on technical products, application advancements and consumer demand. The result is that the online coverage interactive maps do not show the precision and depth of detail of the propagation coverage maps or the drive test data. Therefore, online coverage interactive maps cannot be utilized to determine whether Verizon Wireless requires a new cell site at a particular location.

III. CONCLUSION

16. Therefore, based upon the responses herein, drive test data and KPI data, PierCon concludes that Verizon Wireless' significant gap in service can be filled with a minimum tower height of 110ft (106ft antenna center line) in order to provide reliable service within the Town of Carmel. Without the proposed facility, Verizon Wireless will be materially inhibited from providing its services.

Report Prepared by:

A handwritten signature in black ink, appearing to read 'Frances Boschulte', written in a cursive style.

Frances Boschulte
RF Manager
PierCon Solutions LLC
September 23, 2019

IV. APPENDIX

Diffraction Loss Formulas

$$v = -hp \sqrt{\frac{2}{\lambda} \left(\frac{1}{r_1} + \frac{1}{r_2} \right)}$$

$$1 \leq v \quad L = 0 \text{ dB}$$

$$0 \leq v < 1 \quad L = 20 \log(0.5 + 0.62v)$$

$$-1 \leq v < 0 \quad L = 20 \log(0.5e^{0.95v})$$

$$-2.4 \leq v < -1 \quad L = 20 \log(0.4 - \sqrt{0.1184 - (0.1v + 0.38)^2})$$

$$v < -2.4 \quad L = 20 \log\left(-\frac{0.225}{v}\right)$$

$$\text{RSRP} = \text{RSSI} - 10 \log (12 \cdot N)$$

Where,

N = Number of RBs as per Channel Bandwidth

= 6 (for 1.4 MHz), 15 (for 3 MHz), 25 (for 5 MHz),

50 (for 10 MHz), 75 (for 15 MHz), 100 (for 20 MHz)



Honorable Chairman Craig Paepre
and Members of the Planning Board
Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

September 19, 2019

RE: Homeland Towers Site Name: Dixon Lake NY058
36 Dixon Road
Carmel, NY 10512
Fire Letter

Honorable Chairman and Members of the Board:

Homeland Towers, LLC, is proposing the construction of an unmanned wireless telecommunications facility at the above referenced site. We offer the following information relative to fire safety and accessibility at the proposed facility.

There are over 300,000 similar towers nationwide and the limited number of fires reported is a rare occurrence. In fact, many telecommunications towers are expressly used to support emergency service antennas and equipment. Overall, fire impacts are limited based on the non-combustible/fire-resistant nature of steel monopine towers, the implementation and enforcement of best management practices required during welding, the installation of lightening suppression systems and provisions for emergency service access.

The wireless telecommunications tower proposed for this project is a monopine, consisting of a steel monopole tower outfitted with faux branching and foliage intended to mimic a pine tree. A monopole is constructed of non-combustible hollow sections of metal which provide for telecommunication lines to be routed within the structure. The faux branching and foliage are classified as fire resistant having met the testing requirements of ASTM D635 and NFPA 701, respectively. While monopinees are non-combustible/fire resistant, some materials located within the structure are flammable.

On the rare occasion that a fire does occur, it is generally fueled by the outer jacketing surrounding the telecommunications coaxial cables inside the pole due to a welding accident. Welding on a tower site occurs in very rare circumstances when structural upgrades are being made to the tower itself. The tower being proposed at this location is structurally designed to handle the proposed Verizon installation along with the loading for (3) future carriers; therefore, the likelihood that the tower will need to be structurally reinforced is very low. In response to such concerns, all welding at this site will be performed in accordance with OSHA Guidelines and the local Fire Department will be notified prior to welding activities occurring. Some OSHA guidelines that will be followed should welding need to take place on the site shall include any combustibles shall be protected with fire blankets or wet down to help

APT ENGINEERING

X 3 SADDLEBROOK DRIVE · KILLINGWORTH, CT 06419 · PHONE 860-663-1697 · FAX 860-663-0935

□ 116 GRANDVIEW ROAD · CONWAY, NH 03818 · PHONE 603-496-5853 · FAX 603-447-2124

prevent ignition of material. Adequate sources of water will be available. Installation of temporary 3/4" plywood covers over ice bridges and vulnerable equipment to protect against possible fire and falling materials. Coax cables (internal and external) will be bundled to maintain a minimum 6 inches of clearance from the surface of any section to be cut or take other measures to protect cables from heat, sparks, embers, and flames.

Another potential fire source could be a lightning strike. However, the tower will be bonded and grounded thus lightning strikes are not a significant concern.

Finally, the facility has been designed to provide access for emergency service vehicles. The proposed tower facility will be accessed along an existing 12' wide paved access driveway which runs approximately 250' from Dixon Road to the proposed access driveway and then approximately 540' along a proposed gravel/paved access driveway to the proposed facility. The access driveway is satisfactory for emergency service vehicles, including fire apparatus (Drawing SP-5 Vehicle Turning Plan has been added to the revised Zoning Drawings). Access to the potential alternative site located along the southern portion of the subject site will be by way of the existing 12' wide paved access driveway which runs approximately 650' to the 52'+/- long section of proposed gravel access way terminating at the proposed alternative facility location (refer to Site Plan LE-1 dated August 14, 2019). With minor improvements, the alternative access driveway is satisfactory for emergency service vehicles, including fire apparatus.

Based on the very rare occurrence of fire at wireless facilities, the non-combustible/fire-resistant nature of the monopine tower, compliance with welding best management practices and associated OSHA regulations, bonding and grounding the tower and facility to protect against lightning strikes, and the fact that the facility is fully accessible to emergency service vehicles, there will be no significant adverse effects related to fire.

Should you have any questions, please do not hesitate to call me at (860) 663-1697 x206.

Sincerely,

APT Engineering

A handwritten signature in dark ink, appearing to read 'R. C. Burns', with a long horizontal flourish extending to the right.

Robert C. Burns, P.E.
Program Manager



CORPORATE OFFICE
Mountainville, NY (800) 829-6631

1278 Route 300
Newburgh, NY 12550

(845) 587-6656
www.tectonicengineering.com

Honorable Supervisor Doherty and
Members of the Town Board
Town of Kent
25 Sybil's Crossing
Kent Lakes, NY

April 8, 2013

RE: W.O. 4506.NY181
HOMELAND TOWERS, LLC
21 SMOKEY HOLLOW CT.
KENT LAKES, NY 10512

Honorable Supervisor and Members of the Town Board:

Tectonic Engineering Consultants & Surveyors, P.C. (Tectonic) has been provided a copy of "An Analysis of Cell Tower Ice Falls" prepared by Mr. Dennis Rogers dated March 28, 2013.

Based on the review of the said letter we would like to offer the following:

1. Mr. Rogers incorrectly assumes an antenna size of 2 x 1 meters (6'-6" x 3'-3"). These values translate into a surface area of 21.5 sqft. A more realistic antenna size for one of the major wireless carriers (Verizon Wireless) is approximately 8ft x 1ft, which has a surface area of 8 sqft. This value is significantly less than the area used in the analysis referenced above.
2. Mr. Rogers assumes an ice thickness of 6 cm (2.36 inches) which would result in a piece of ice weighing approximately 108 kg (237 lbs). The proposed installation is governed by ANSI/TIA.

Per the latest version of the TIA publication, ANSI/TIA-222-G-2005, "Structural Standard for Antenna Supporting Structures and Antennas", published by the Telecommunications Industry Association. Standard, the Maximum Basic Design Ice Thickness for Putnam County is listed as 0.75 inches. The code also requires that the ice be escalated with height when calculating the ice weight and wind on ice loads. Therefore the radial ice calculated at 150' (top of the proposed pole) is approximately 1.75 inches. Utilizing this ice thickness and an area of 8 sqft, the mass of potential ice would be reduced to approximately 66 lbs. See attached calculations for determination of radial ice based on the TIA standard which is lower than the arbitrary thickness assumed by Mr. Rogers.

3. In our professional opinion, the photo of Cell Tower ice build up found in the summary of Mr. Rogers is not a proper representation of typical conditions found in the northeast. Our research indicates that this photo is available on the World Wide Web and is most likely of a self-support tower located in Cordova Alaska. It should also be noted that the structure shown in the photo is of a self-support lattice structure and not a monopole structure that is proposed at this location. As noted in

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Homeland Towers
4506.NY181

2



April 8, 2013

the Tectonic letter dated March 15, 2013; the proposed structure has significantly less surface area capable of accumulating ice, thereby significantly decreasing the potential for ice accumulation.

In conclusion, the photograph presented by Mr. Rogers is not relevant to the proposed facility in the Town of Kent. It's our professional opinion that based on the design of the facility as a monopole, its location within a secured fenced compound at a Town-owned Highway Garage, and the minimal possibility of ice accumulation and fall, we believe there is not a significant risk to persons or property from ice fall in this situation.

If you should have any further questions, please do not hesitate to call us.

Sincerely,

TECTONIC

Kavish Zavar P.E.
Sr. Project Manager



cc: Manny Vicente-Homeland Towers, LLC
Robert Gaudioso-Snyder & Snyder

G:\Newburgh\Projects\4506-Homeland Towers\4506.NY181 Kent Smokey Hollow Court\Letters\NY181 Sup ice Letter 4-8-13.doc



Photograph Information

Date	April 5 2019
Time	9:00 am
Focal Length	50mm
Camera	Canon EOS 6D Mark II
Photo	41° 24' 55.6744" N
Location	73° 43' 28.8444" W
Distance	690 Feet

To appear at the correct scale this photograph is intended to be viewed: 18 inches from the reader's eye when printed on 11"x17" paper

Existing Condition
VP1B - Jimmy McDonough Memorial Park

LABATOCIA
ASSOCIATES

Figure A0-4
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Open Gate
301 Oliver Road
Garden City, NY 11530



Photograph Information

Date	April 5 2019
Time	9:00 am
Focal Length	50mm
Camera	Canon EOS 80D Mark II
Photo	41° 24' 58.6744" N
Location	73° 43' 28.6444" W
Distance	690 Feet

To appear at the correct scale this photograph is intended to be viewed 16 inches from the reader's eye when printed on 11" x 17" paper.

Simulated Condition – 110 ft Monopole
VP15 - Jimmy McDonough Memorial Park

EXXAMICA
ASSOCIATES

Figure 15-15
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER

T
HOMELAND TOWERS

Location
36 Dixon Road
Canterbury, NY 12517



Photograph Information

Date: April 5 2019
Time: 9:00 am
Focal Length: 50mm
Camera: Canon EOS 6D MarkII
Photo: 41° 24' 58.8744" N
Location: 73° 43' 28.8444" W
Distance: 690 Feet

To appear at the correct scale this photograph is intended to be viewed 18 inches from the reader's eye when printed on 11"x17" paper.

Simulated Condition - 110 ft Monopole
VP16 - Jimmy McDonough Memorial Park

SARATOGA
ASSOCIATES

Figure A6-c
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Dixon Lake
38 Dixon Road
Camden, NY 10512



Photograph Information

Date	April 5, 2019
Time	10:24 am
Focal Length	50mm
Camera	Canon EOS 6D Mark II
Photo	41° 25' 18.6564 N
Location	73° 43' 24.6144 W
Distance	1,340 Feet

Existing Condition
VPTB - Brittany Lane near #42

VARADOLA
ASSOCIATES

Figure A1-4
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Brittany Lane
30 Dixon Road
Canine, NY 10812

To appear at the correct scale this
photograph is intended to be viewed
18 inches from the reader's eye when
printed on 11" x 17" paper



Photograph Information

Date	April 5, 2019
Time	10:24 am
Focal Length	50mm
Camera	Canon EOS 6D Mark II
Photo Location	41° 25' 18.6564" N 73° 43' 24.6144" W
Distance	1340 Feet

To appear at the correct scale this photograph is intended to be viewed 18 inches from the reader's eye when printed on 11 x 17" paper

Simulated Condition - 110.5 Monopole
VP18 - Brittany Lane near #42

CARABEA
ASSOCIATES

Path #74
Visual Roadway Alignment
PROPOSED TELECOMMUNICATIONS TOWER


HOMELAND TOWER

Oliver Lyle
36 Duane Road
Camden, NY 12512



Photograph Information

Date: April 5, 2019
Time: 10:24 am
Focal Length: 50mm
Camera: Canon EOS 6D Mark II
Photo: 41° 25' 18.6564" N
Location: 73° 43' 24.6144" W
Distance: 1,340 Feet

To appear at the correct scale this photograph is intended to be viewed 18 inches from the reader's eye when printed on 11"x17" paper.

Simulated Condition - 110 ft Monopole
VP18 - Brittany Lane near #42

SARATOGA
ASSOCIATES

Figure A7-c
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Dixon Lake
38 Dixon Road
Carmel, NY 10512



Photograph Information

Date	April 5 2019
Time	9:05 am
Focal Length	50mm
Camera	Canon EOS 6D Mark II
Photo	41° 25' 14.3184" N
Location	73° 43' 27.6256" W
Distance	900 Feet

To appear at the correct scale this photograph is intended to be viewed: 18 inches from the reader's eye when printed on 11"x17" paper

Existing Condition
VP22 - Brittany Lane near #30

KARADOLA
ASSOCIATES

Figure A-11
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER


HOMELAND TOWERS

Dixon Lane
30 Dixon Road
Carmel, NY 12032



Photograph Information

Date	Apr 15 2019
Time	9:05 am
Focal Length	50mm
Camera	Canon EOS 6D Mark II
Photo	41° 25' 14.3164" N
Location	73° 43' 27.8256" W
Distance	900 Feet

Simulated Condition - 110 ft Monopole
VP22 - Britany Lane near #30

KARADICA
ASSOCIATES

Figure A-1
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER

T
HOMELAND TOWERS

Tower Site
On Canton Road
Canton, NY 12013

To appear at the correct scale this
photograph is intended to be viewed
18 inches from the reader's eye when
printed on 11 x 17" paper



Photograph Information

Date: April 5 2019
Time: 9:05 am
Focal Length: 50mm
Camera: Canon EOS 6D Mark II
Photo Location: 41° 25' 14.3184" N
73° 43' 27.8256" W
Distance: 900 Feet

To appear at the correct scale this photograph is intended to be viewed 18 inches from the reader's eye when printed on 11"x17" paper.

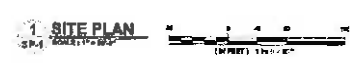
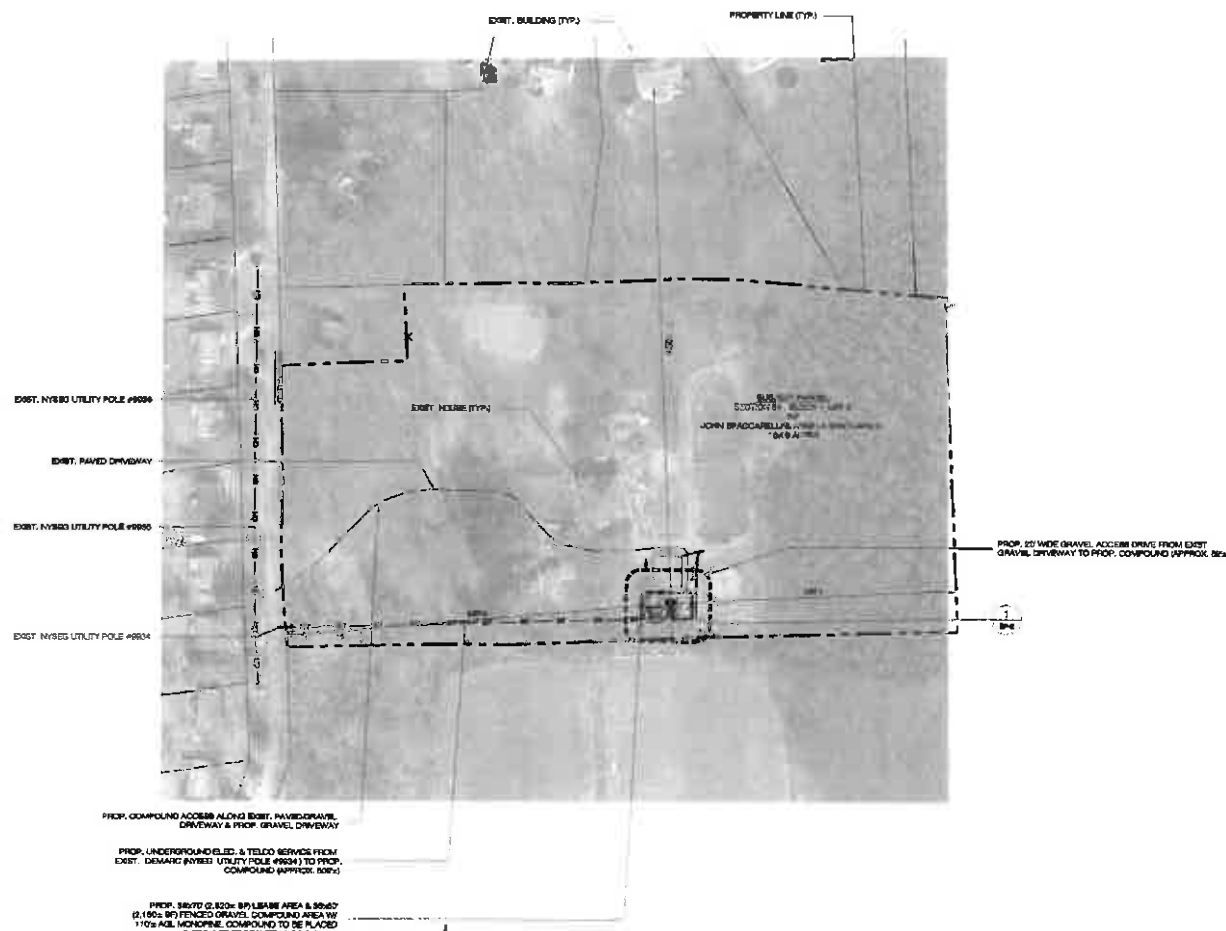
Simulated Condition - 110 ft Monopole
VP22 - Britany Lane near #30

SAASTOCK
ASSOCIATES

Figure A8 c
Visual Resource Assessment
PROPOSED TELECOMMUNICATIONS TOWER



Dixon Lake
38 Dixon Road
Carmel, NY 10512



homeland towers llc
1 CENTERCOURT STREET
DANBURY, CT 06810
761.247.5347

verizon
1 CENTERCOURT ROAD
WEST NYACK, NY 10994

APT ENGINEERING
1200 LEBRON DRIVE PHONE 761.247.5347
1100 WILSON STREET FAX 761.247.5347
WWW.APTENGINEERING.COM

PERMITTING DOCUMENTS	
NO.	DATE / REVISION
1	06/09/10 FOR REVIEW FOR
2	06/09/10 TOWER HST REV FOR
3	
4	
5	
6	

DESIGN PROFESSIONALS OF RECORD

PROF. SCOTT M. CHASE P.E.
COMP. APT ENGINEERING
ADD. 3 BARKLEBROOK DRIVE
KILLBUCK, NY 12529

DEVELOPER: HOMELAND TOWERS, LLC
ADDRESS: 9 LARSON STREET
2ND FLOOR
DANBURY, CT 06810

NOTE:
IT IS A VIOLATION OF NEW YORK STATE
EDUCATION LAW ARTICLE 134, SECTION
FIVE (5) FOR ANY PERSON UNLAWFUL
ACTING UNDER THE DIRECTION OF A
LICENSED PROFESSIONAL ENGINEER OR
LAND SURVEYOR TO ALTER ANY ITEM IN
ANY DRAWING OR ANY ITEM BEARING THE SEAL
OF AN ENGINEER OR LAND SURVEYOR IS
ALTERED. THE ALTERING ENGINEER OR
LAND SURVEYOR SHALL AFFIX TO THE
DRAWING HIS SEAL AND THE NOTATION
"ALTERED BY" FOLLOWED BY THE
SIGNATURE AND THE DATE OF SUCH
ALTERATION AND A BRIEF
DESCRIPTION OF THE ALTERATION.

**HOMELAND TOWERS
DIXON LAKE**

SITE 24 DIXON ROAD
ADDRESS: DANBURY, CT 06810

APPROVAL NUMBER: 1702300

DATE: 06/09/10 DRAWN BY: JTB

CHECKED BY: JTB

SHEET TITLE

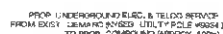
SITE PLAN

SHEET NUMBER

LE-1



15-2 CONFIDENTIAL



2 SOURCE
A.B.D. NOTULE - 111 - 111-111



SITE PLAN

1. *Introduction*
