

TOWN OF WARWICK

DEPARTMENT OF POLICE

132 KINGS HIGHWAY
WARWICK N.Y. 10990
(845) 986-5000

THOMAS F. MCGOVERN, JR. N.A.
CHIEF OF POLICE

11th December 2018

RECEIVED

DEC 11 2018

Town of Warwick
Town Clerk

MEMO

To: Supervisor Michael Sweeton, Town Board
From: Chief Thomas F. McGovern, Jr. 
Re: Budget Deposit

Please accept this check from the Town of Woodbury for Officer Co'ssentino, in the amount of \$284.08 for working at the Woodbury Commons and deposit into the Police full time overtime line.

If you have any questions, do not hesitate to contact me.

Thank you.

cc: Ana Kanz & Eileen Astorino

TM/km



**Department of
Public Service**

RECEIVED

NOV 26 2018

Town of Warwick
Town Clerk

Public Service Commission
John B. Rhodes
Chair and
Chief Executive Officer

Gregg C. Sayre
Diane X. Burman
James S. Alesi
Commissioners

Thomas Congdon
Deputy Chair and
Executive Deputy

John J. Sipos
Acting General Counsel

Kathleen H. Burgess
Secretary

Office Locations

3 Empire State Plaza, Albany, NY 12223-1350
90 Church Street, 4th Floor, New York, NY 10007-2929
295 Main Street, Suite 1050, Buffalo, NY 14203-2508
125 East Bethpage Road, Plainview, NY 11803

www.dps.ny.gov

November 20, 2018

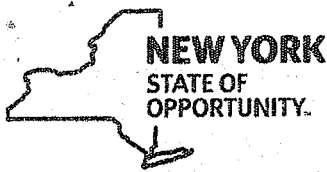
Dear Community Leader/Elected Official:

On November 9, 2018, the Department of Public Service (DPS), Orange and Rockland Utilities, Inc. (O&R) and other parties filed a Joint Proposal regarding three year electric and gas rate plans for O&R. The Company serves over 300,000 customers in Rockland County and parts of Orange and Sullivan counties.

To ensure full public participation, the Commission will hold public statement hearings throughout O&R's service territory to solicit input and public comments regarding the Joint Proposal. Prior to the hearing an Administrative Law Judge will describe the rate case process and explain how individuals can participate. The public comments received regarding the proposal will be considered by the Commission in deciding this case.

The enclosed fact sheet provides an overview of the Joint Proposal, information on how to participate in the public statement hearings and available options to submit comments on the O&R rate proceedings. Information about the rate proposals can be found at the Commission's www.dps.ny.gov web site. From the homepage, click on "Search," and enter the case number (18-E-0067 for electric rates and 18-G-0068 for gas rates) in the "Search by Case Number" field.

The public statement hearing dates and locations for the O&R Joint Proposal are as follows:



**Orange and Rockland Utilities, Inc.
Proposed Rate Increase**

Case 18-E-0067 & 18-G-0068

In January 2018, Orange and Rockland Utilities, Inc. (O&R) requested that the New York State Public Service Commission approve a proposed increase in its electric and gas delivery service rates. O&R serves over 300,000 customers in Rockland County and parts of Orange and Sullivan counties.

The Company's filing included the utility's proposed new rates and the supporting documentation to justify its proposal. Once the filing was received, formal rate case proceedings were initiated. Department of Public Service (DPS) staff began an analysis of the company's request to evaluate whether – or to what extent – a rate increase is justified. DPS staff represents the public interest in rate proceedings and evaluates such requests with the goal of ensuring safe and reliable service at just and reasonable rates.

On November 9, 2018 DPS, O&R and other parties to the proceedings entered into a Joint Proposal (JP) that sets forth the terms for electric and gas rate plans for a three-year period from January 1, 2019 through December 31, 2021. Under New York State Law, the Commission must consider a utility's proposal and may adopt or reject it in whole or in part, or modify it by adopting changes proposed by participating parties, the general public or the Commission.

SUMMARY OF THE RATE CASE

O&R's new electric and gas delivery rates would be effective January 1, 2019. According to the filing, the company's proposal will enable O&R to continue to provide safe and reliable electric and gas service.

Proposed Rates:

An electric or gas bill consists of two parts: delivery and supply. The *delivery* charge is the cost to transport the electricity or gas to customers throughout the utility's system. This charge is regulated by the Commission. The *supply* charge is the cost of the electricity or gas itself. This cost is determined by the competitive marketplace and is not controlled by the Commission or the utility.

Electric Rates: The JP proposes the following delivery service increases over the three-year rate plan: approximately \$8.61 million in the first rate year (RY1), \$12.06 million in the second rate year (RY2) and \$12.17 million in the third rate year (RY3). In each year of the rate plan, this electric delivery revenue increase results in an average monthly bill increase of approximately \$3 (2.4% increase on the total bill) for a residential customer using 600 kWh per month. Low income customers discount levels will range from \$35-\$76 based on the implementation of the Affordability Policy under Case 14-M-0565.

An Administrative Law Judge is presiding over the gathering of public comments and all evidence relating to the JP. The JP and formal record, including public comments, will be presented to the Commission for consideration. The Commission may adopt or reject the JP in whole or in part. An Administrative Law Judge (ALJ) will preside over the gathering of public comments and all evidence relating to the rate request.

There are several ways to provide comments on the Joint Proposal.

Via Public Statement Hearings: The Commission will hold hearings in multiple locations in O&R's service territory in December 2018. Interested members of the public are invited to attend the public statement hearings and provide comments regarding the proposal. Prior to the hearings an Administrative Law Judge will explain the rate case process and how individuals can participate. It is not necessary to make an appointment in advance or present written material in order to speak at the hearings.

Via the Department's Website: Comments may also be entered directly into the case via the www.dps.ny.gov website. Enter the associated case numbers (18-E-0067 or 18-G-0068) in the "Search by Case Number" field on the homepage of the website. After clicking to open the case, enter comments in the "Post Comments" section located at the top of the page.

Via Mail/E-Mail: Submit comments electronically to Kathleen H. Burgess, Secretary, at secretary@dps.ny.gov or by mail or delivery to Secretary Burgess at the Department of Public Service, Three Empire State Plaza, Albany, New York 12223-1350. Comments delivered in these manners should reference "Orange and Rockland Rate Case" (18-E-0067 or 18-G-0068).

Via Toll-Free Opinion Line: Individuals may choose to comment by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. Callers should leave comments about Cases 18-E-0067 and 18-G-0068 "Orange and Rockland Rate Case." Comments received via the Opinion Line are not transcribed, but a summary is provided to the ALJs and to the Commission for its consideration.

Comments received by the Department will become part of the record considered by the Commission. Comments will be accepted at any point while these proceedings are pending, but are requested by **January 11, 2019**.

X

RECEIVED

Warwick Town Clerk

DEC 03 2018

From: Kirk Rother <krother@kirkrother.com>
Sent: Thursday, November 29, 2018 7:20 PM
To: 'Pawliczak, Sarah A (DEC)'; John Petronella
Cc: 'dec.sm.DEP.R3'; 'Masi, Lisa M (DEC)'; 'Orzel, Brian A CIV USARMY CENAN (US)'; 'Drumm, Brian R (DEC)'; silberconstruction@gmail.com; Warwick Town Clerk; clerk@villageofwarwick.org
Subject: RE: 3-3354-00628_00001 (SD) & _00002 (WQC) PERMIT MOD REQUEST - ROBERT SILBER - VILLAGE VIEW SUBDIVISION.pdf

Town of Warwick
Town Clerk

Good Afternoon Sarah,

I left you a voicemail today. It seems there are two items to address: ownership and a change in the project.

Ownership has not changed. The property has been owned by Village View Estates, LLC since September of 2001. Robert Silber is the managing member of Village View Estates, LLC. I've asked him to provide me with a copy of the LLC's Articles of Formation which I will forward for your records.

With regard to the statement that there is a change in the design of the culvert, this is incorrect. We are requesting an extension of the permit that was issued by your Department in September of 2013 for a 28 lot single family subdivision of the property. That subdivision was the subject of an EIS, a findings statement was issued, preliminary approval granted by the Village of Warwick of Planning Board and the Stream Crossing permit in question issued by your Department. That exact project, the plans being the identical plan that was approved by your Department, is what we are requesting the permit extension for. The applicant has been keeping the 28 lot subdivision approval in full force and effect over the past several years by reappearing before the Village of Warwick Planning Board every 90 days requesting extensions of the subdivision approval.

Although on the same parcel of land, the 45 lot cluster subdivision that is the subject of a new EIS, and that is presently being reviewed by the Village of Warwick Planning Board and other involved agencies, including the DEC, is unrelated to the 28 lot subdivision that was previously approved. It is understood that the 45 lot cluster plan eliminates one of the stream crossings, revises the second stream crossing, and would therefore be subject to a new stream crossing permit application. The 45 lot cluster plan also requires the annexation of land from the Town of Warwick to the Village of Warwick and the payment of a fee, possibly as much as \$50,000 per lot, to the Village of Warwick for the increase in density. Given the uncertainties associated with these latter two items it is unknown for sure whether the 45 lot cluster plan will ultimately be approved.

In consideration of the uncertainties associated with the 45 lot cluster subdivision, the applicant is keeping the already approved 28 lot subdivision plan in full force and effect. If the 45 lot cluster subdivision ends up being approved, the 28 lot plan will be abandoned and new application for stream disturbance for the 45 lot cluster plan will be submitted to your Department. If the 45 lot subdivision application falls through however, the owner will instead perfect the 28 lot subdivision plan that already has its approvals in place. For this reason the owner requests the extension of the stream crossing permit that was issued for the 28 lot plan for an additional five years.

Hopefully the above more adequately explains the matter at hand. If you have any further questions, please ask. If you need me to put this in a more formal letter, please let me know.

Kirk

From: Pawliczak, Sarah A (DEC) <Sarah.Pawliczak@dec.ny.gov>

Sent: Thursday, November 29, 2018 3:29 PM

To: krother@kirkrother.com

Cc: dec.sm.DEP.R3 <DEP.R3@dec.ny.gov>; Masi, Lisa M (DEC) <lisa.masi@dec.ny.gov>; Orzel, Brian A CIV USARMY CENAN (US) <Brian.A.Orzel@usace.army.mil>; Drumm, Brian R (DEC) <brian.drumm@dec.ny.gov>; silberconstruction@gmail.com; clerk@townofwarwick.org; clerk@villageofwarwick.org

Subject: 3-3354-00628_00001 (SD) & _00002 (WQC) PERMIT MOD REQUEST - ROBERT SILBER - VILLAGE VIEW SUBDIVISION.pdf

3-3354-00628_00001 (SD) & _00002 (WQC) PERMIT MOD REQUEST - ROBERT SILBER - VILLAGE VIEW SUBDIVISION.pdf

Hard copy is in the mail. ECC for your records.

Thank you,



Sarah Pawliczak

Environmental Analyst, Division of Environmental Permits

New York State Department of Environmental Conservation

21 South Putt Corners Road, New Paltz, NY 12561

P: (845) 256-3050 | F: (845) 255-4659 | sarah.pawliczak@dec.ny.gov

www.dec.ny.gov |  | 



Department of State

Division of Local Government Services

Winter Webinar Series

When:

December 2018 and January 2019

Where:

Attend from wherever you are. You will need a computer with speakers or a mobile device.

Courses:

Solar Energy Regulation, The Comprehensive Plan & Government Efficiency, State Environment Quality Review Act (SEQRA) Basics with Updates to Regulations, Zoning Board of Appeals Overview, Planning Board Overview

Who:

Planning Board Members, Zoning Board of Appeals Members, Governing Board Members, Planning Staff, Code Enforcement Officers, Other Local Officials

More Training Information:

<http://www.dos.ny.gov/lg/lut/index.html>

To Register:

Click on each course below that you want to attend to register.

Once registered, you will receive a confirmation email with instructions for joining each session.

December 6, 2018

Solar Energy Regulation
6:00 PM – 8:00 PM

December 13, 2018

The Comprehensive Plan
& Government Efficiency
2:00 PM – 3:30 PM

December 20, 2018

State Environmental
Quality Review Act
(SEQRA) Basics with
Updates to Regulations
6:00 PM – 8:00 PM

January 10, 2019

Planning Board Overview
6:00 PM – 8:00 PM

January 17, 2019

Zoning Board of Appeals
Overview
6:00 PM – 8:00 PM

DEC 03 2018

Warwick Town Clerk

From: Elizabeth Knight <eknight@teawithfriends.com>
Sent: Monday, November 26, 2018 11:30 AM
To: Michael Sweeton; Town Supervisors Confidential Secretary; Warwick Town Clerk
Subject: Repair Cafe Second Anniversary story & photos
Attachments: Group shot 1.jpg; Barry Mayor Town.jpg

Town of Warwick
Town Clerk

Repair Cafe Second Anniversary story & photos. All photos courtesy of Dave Erfer - there are plenty more excellent images available for posting to your website. Just ask!

Warwick's Repair Café, the first in Orange County, celebrated its second anniversary Saturday, November 17, 2018. The all-volunteer team was honored and delighted to receive certificates acknowledging their efforts to repair, rather than toss broken items in the landfill. Barry Cheney, Representative 8th Legislative District, and John Vero Representative 10th Legislative District presented the Distinguished Service Award of the County of Orange "In recognition of your 2 year anniversary for outstanding community service and dedicated individual efforts." Michael Sweeton, Town Supervisor, presented a Town of Warwick Certificate of Appreciation on behalf of the residents of the Town of Warwick, "...sincere thanks to the many volunteers of the Warwick repair Café. Your time and individual talents helped make the Repair Café a successful program in the Town of Warwick." Michael Newhard, Mayor Village of Warwick, presented a Certification of Appreciation "We celebrate the café for its contribution to repair the 'beloved but broken items' and to create a community crossroads, showing us all that fixing can be fun!"

The all-volunteer team hails from Florida, Chester, Monroe, Westtown, Greenwood Lake, Campbell Hall, Warwick, NY and Vernon, NJ. The Repair Café, sponsored by Sustainable Warwick, is located in Warwick and is open to all no matter where they live. On November seventeen the team served at least seventy people seeking repairs. According to the "job tickets" returned to the check-in table, folks traveled to the Senior Center, Warwick Town Hall Complex, from Chester (2), Florida (2), Goshen (2), Greenwood Lake (2), Middletown (2), Monroe (4), New Milford (2), Warwick (49), NY and Clifton, NJ (1).

The expert fixers worked on enough lamps to stock a store - an angel-shaped night light "no longer sparkles," "3 way is a 1 way" and a "heater to lamp conversion." One lamp that the customer said needed to be re-wired really only needed a cleaning. The small electrics brought in for repairs included a fan, three vacuum cleaners, five clocks, a jewelry/music box, an air compressor, a Mr. Coffee machine "Not hot enough? Coffee is too weak," an adding machine "When you turn it on it just runs & you can't type in anything," and an immersion blender. Jim P worked on some things that I wish I'd seen - "woman pumpkin head skeleton mechanics - colors don't change - lady goes off and stalls?" From the same person, "item for repair - skating pond figures should move & they don't."

Other volunteer coaches tended to watches, necklaces and assorted jewelry, a pair of rosaries, a pair of wooden tables, a stool, a piano bench, wind chimes, a mirror, an and an Ethiopian ceramic cook pot. They altered, seamed, stitched, or mended torn bathrobes, shirts, sweaters, coats, pants, curtains, a rug, a canvas log carrier, and created one large blanket from two vintage Army blankets.

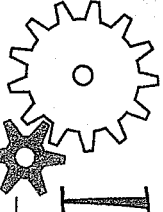
The owner of a hair-dryer that was beyond repair donated it to the adult-staffed Kids-Take-Apart Table. "It's like a reuse play station!" In anticipation of Thanksgiving, more people than usual brought more dull knives and scissors, than usual, to be sharpened. A number of the paper job tickets bore slashes - evidence of testing the newly-sharpened blades! The Warwick Repair Café is held the third Saturday of every OTHER month. The next one will be January, 19, 2019.

Elizabeth

Elizabeth Knight Moss
17 Deer Pond Drive
Warwick, NY 10990
Tel. 845-544-1056

Do what you can, with what you have, where you are. Teddy Roosevelt



 **Repair Cafe**
Toss it? No way!

Certificate of Appreciation
THE REPAIR CAFE
For the outstanding service and dedication shown by the recipient of this award, the Board of Directors of the County of Orange is pleased to present this award to the recipient of this award.
Presented to: [Name]
Date: [Date]

Distinguished Service Award
COUNTY OF ORANGE
Presented to: [Name]
Date: [Date]

TOWN OF WARWICK
CERTIFICATE OF APPRECIATION
The Warwick Repair Cafe Volunteers
The Board of the Town of Warwick is pleased to present this award to the recipient of this award for their outstanding service and dedication shown by the recipient of this award.
Presented to: [Name]
Date: [Date]



ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

Erik Denega, P.E., P.M.P.
Commissioner

Peter S. Hammond
Deputy Commissioner

Steven M. Neuhaus
County Executive

P.O. Box 637, 2455-2459 Route 17M
Goshen, NY 10924-0637
www.orangecountygov.com/efs
Tel: (845) 291-2640 Fax: (845) 291-2665

November 20, 2018

RECEIVED

NOV 21 2018

Town of Warwick
Town Clerk

RE: Single Stream Update

Dear Solid Waste Hauler/Municipality/School:

This notice is an update to the November 15th notice regarding Single Stream Recycling. The County was able to negotiate an extension prior to the Single Stream Recycling rate change. The Single Stream Rate will change December 6, 2018 instead of November 23 and will be \$104/ton for all commercial and municipal Single Stream Recycling accepted at Orange County transfer stations. Residents may still bring their dual stream recycling for free (cardboard/paper and bottles/cans/plastic). The County is also still accepting commercial and municipal paper and cardboard at the current rates.

Best regards,

Peter S. Hammond
Deputy Commissioner

Warwick Town Clerk

From: Laraia, Regina <RLaraia@orangecountygov.com>
Sent: Tuesday, November 20, 2018 2:53 PM
To: Beezer Town of Cornwall; Blooming Grove; Charlie Romer; City of Newburgh; City of Newburgh Public Works; dpw Cornwall-on-hudson; dpw of harriman; DPW Village of Warwick; Goshen Highway; info@villageofchesterny.com; Middletown; port jervis; T of Hamptonburgh Hwy; T of Monroe; T of Montgomery Highway; T of Montgomery Highway; T of New Windsor; T. of Monroe Hwy; Town of Blooming Grove; town of Chester (lzappala@thetownofchester.org); Town of Crawford; Town of Deerpark; town of Goshen; Town of Greenville; Town of Hamptonburgh; Town of Highlands; Town of Minisink; Town of Newburgh; Town of Wallkill; Town of Wallkill General; Warwick Town Clerk; Town of Wawayanda; Town of Woodbury; Tuxedo Highway; v of maybrook; V. of Warwick dpw; Village of Florida; Village of Goshen; Village of Greenwood Lake (clerk@villageofgreenwoodlake.org); Village of Kiryas Joel (kjfd@frontiernet.net); Village of Maybrook; Village of Monroe; Village of Montgomery; Village of Otisville; Village of South Blooming Grove clerk; Village of Unionville; Village of Walden; Village of Warwick; Village of Woodbury; Washingtonville; Washingtonville DPW
Subject: Single Stream Recycling Update
Attachments: Single Stream Update 11-20-18.pdf

Please see attached notice regarding Orange County's Single Stream Recycling Policy.

Thank you,

Regina

*REGINA LARAIA
SECRETARY ADMINISTRATIVE ASSISTANT II
ENVIRONMENTAL FACILITIES & SERVICES
PHONE (845) 291-2664
FAX (845) 291-2665*

This message has been scanned for malware.



ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENVIRONMENTAL FACILITIES & SERVICES

Erik Denega, P.E., P.M.P.
Commissioner

Peter S. Hammond
Deputy Commissioner

Steven M. Neuhaus
County Executive

RECEIVED
DEC 03 2018
Town of Warwick
Town Clerk

P.O. Box 637, 2455-2459 Route 17M
Goshen, NY 10924-0637
www.orangecountygov.com/efs
Tel: (845) 291-2640 Fax: (845) 291-2665

Orange County
Recycling Clarification Notice

Residential customers bringing in source separated paper/cardboard and bottles, cans and glass will continue to be accepted free of charge.

All other customers will be charged \$104 per ton for single stream recycling starting December 6th.

Paper and cardboard from any customers except commercial haulers will continue to be accepted free of charge. Commercial Haulers will continue to pay \$15 per ton.

Another option for any of our customers for either single stream or source separated bottles, cans and glass is the Republic recycling facility in Beacon*. They change the rate each month for material brought to their facility based on market conditions. Currently, the single stream rate at the facility is \$65 per ton. The rate for source separated bottles, cans and glass without paper mixed in is currently \$40 per ton.

*John Formisano (914) 760-2622 or jformisano@republicservices.com

KEVIN SHUBACK
229 MT. EVE ROAD
GOSHEN, NEW YORK 10924

RECEIVED
NOV 15 2018
Town of Warwick
Town Clerk

November 5, 2018

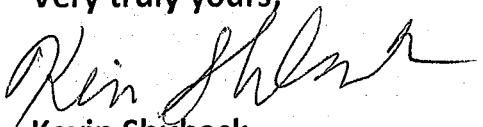
Town of Warwick
Eileen Astorino
Town Clerk
132 Kings Highway
Warwick. NY 10990

Dear Ms. Astorino:

As per your letter dated November 1, 2018, please be advised that I am requesting reappointment to the Zoning Board. Please feel free to contact me at (845) 234-6947 with any questions.

Thank you and I look forward to hearing from the Town Board.

Very truly yours,


Kevin Shuback

KS/jrc

X

TOWN OF WARWICK

DEPARTMENT OF POLICE

132 KINGS HIGHWAY
WARWICK N.Y. 10990
(845) 986-5000

THOMAS F. MCGOVERN, JR. N.A.
CHIEF OF POLICE

5th December 2018

MEMO

To: Supervisor Michael Sweeton, Town Board
From: Chief Thomas F. McGovern, Jr. 
Re: Budget Deposit

ORIGINAL

RECEIVED

DEC 06 2018

Town of Warwick
Town Clerk

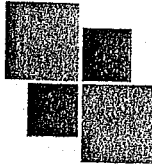
Please accept this check from Property Room.com in the amount of \$4,058.75, for a seized vehicle and deposit into the Police Narco line.

If you have any questions, do not hesitate to contact me.

Thank you.

cc: Ana Kanz & Eileen Astorino

TM/km



LEHMAN & GETZ
CONSULTING ENGINEERS

RECEIVED

DEC 11 2018

Town of Warwick
Town Clerk

December 10, 2018

Supervisor Sweeton
Town of Warwick Town Board
132 Kings Highway
Warwick, NY 10990

RECEIVED

DEC 10 2018

Town of Warwick

Re: Mazzola Subdivision

Section 47, Block 1, Lot 77.11
Bellvale Lakes Road
L&G #2130

Dear Mr. Sweeton and Town Board Members:

My client, Joann Mazzola, has received Planning Board approval of a two-lot subdivision on Bellvale Lakes Road. The subdivision includes a shared common driveway, which must be paved its entire length, and one of the conditions of approval is for the Mazzolas to post an \$80,500 bond to guarantee completion of the driveway, and pay a 4% inspection fee of \$3,220 prior to the Planning Board Chairman signing the plans. This is a substantial sum that the Mazzolas cannot pay at this time, since they are not planning on building on either lot for several years. They are asking that the Town Board consider allowing them to post the bond and pay the inspection fee when they apply for a building permit, or if they sell the property, whichever happens first.

The Planning Board attorney, John Bollenbach, has asked that if the Board grants this request, that the driveway declaration include language that the bond and fees be paid prior to the issuance of an building permit, or the sale of the lot(s). He will review and approve the amended declaration prior to its filing.

I am attaching a copy of the approved plan, as well as the cost estimate, which was approved by the Town Engineer.

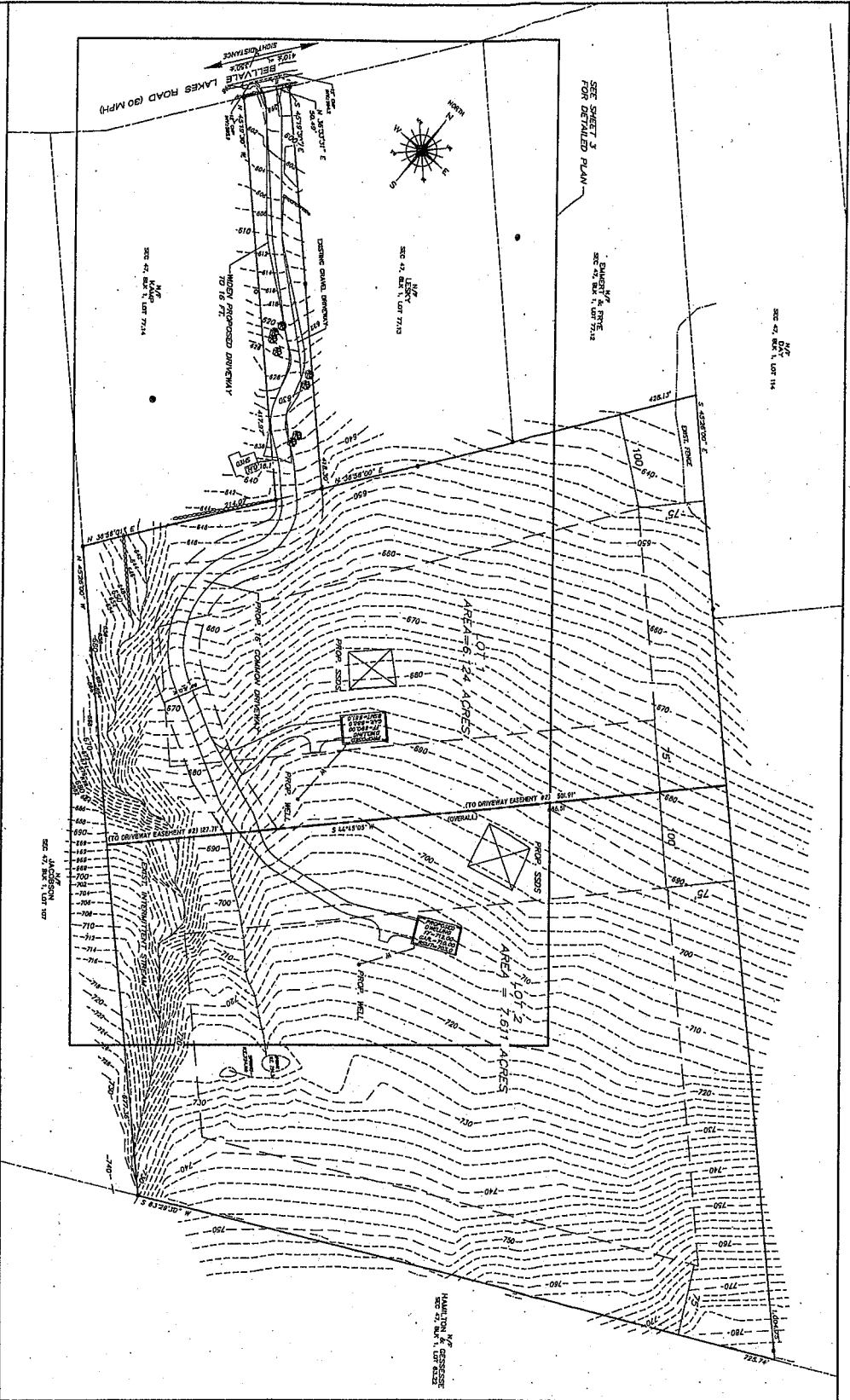
We ask that you place the Mazzola request on your next agenda for consideration. Thank you.

Sincerely,

Karen H. Emmerich

Lehman & Getz, P.C.
Karen H. Emmerich, AICP

Motion to allow the ^{approval} Mazzola subdivision to post performance bond and inspection fees prior to issuance of building permit or sale of the lot(s) provided language to that effect be included in the declared driveway declaration, subject to final review by the Town Attorney.



SUMMARY OF ZONING REQUIREMENTS

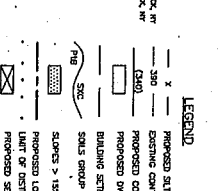
REQUIREMENT	EXISTING LOT 1	EXISTING LOT 2	PROPOSED LOT 1	PROPOSED LOT 2
MINIMUM LOT AREA	5.1 ACRES	6.1 ACRES	5.1 ACRES	6.1 ACRES
MINIMUM LOT WIDTH	300 FT	300 FT	300 FT	300 FT
MINIMUM FRONT YARD SETBACK	50 FT	50 FT	50 FT	50 FT
MINIMUM SIDE YARD SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM REAR YARD SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM FRONT SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM SIDE SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM REAR SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM FRONT SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM SIDE SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM REAR SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM FRONT SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM SIDE SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM REAR SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM FRONT SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM SIDE SETBACK	25 FT	25 FT	25 FT	25 FT
MINIMUM REAR SETBACK	25 FT	25 FT	25 FT	25 FT

311 ADDRESSES

LOT 1 - 30 BELLAIR LAKES ROAD, WARREN, MI	42-1-7114 1000 - 22 BELLAIR LAKES ROAD, WARREN, MI
LOT 2 - 30 BELLAIR LAKES ROAD, WARREN, MI	42-1-7114 1000 - 22 BELLAIR LAKES ROAD, WARREN, MI
LOT 3 - 30 BELLAIR LAKES ROAD, WARREN, MI	42-1-7114 1000 - 22 BELLAIR LAKES ROAD, WARREN, MI

LEGEND

	PROPOSED SALT DIKE
	PROPOSED CONTOUR
	PROPOSED EASEMENT
	BOULDER STRUCTURE (MOUNTAIN LAKE)
	SLOPES > 15%
	PROPOSED LOT LINE
	PROPOSED SERVICE RESERVOIR SYSTEM
	TEST PIT LOCATION
	PCC TEST LOCATION
	EXISTING WELL
	REROUTING SIGNAL



DESIGNER INFORMATION

DESIGNER	LEHMAN & GEITZ, P.C.
DATE	APRIL 15, 2014
PROJECT NO.	17141000
DATE OF PLAN	APRIL 15, 2014
SCALE	AS SHOWN
DATE	APRIL 15, 2014

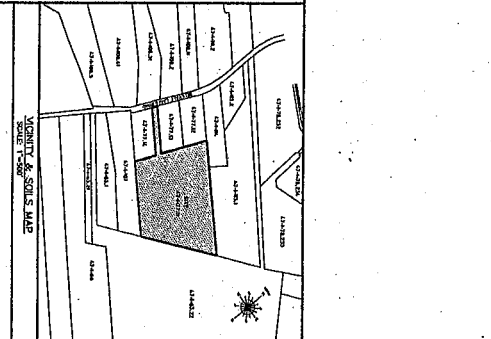
GENERAL NOTES

1. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
5. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.

LIST OF DRAWINGS

NO.	DATE	DESCRIPTION
1	12-15-13	PRELIMINARY
2	1-15-14	REVISED
3	2-15-14	REVISED
4	3-15-14	REVISED
5	4-15-14	REVISED

LEHMAN & GEITZ, P.C.
 CONSULTING ENGINEERS
 17141000
 4755 LUCAS ROAD, SUITE 200
 WARREN, MI 48090



JOHANN MAZZOLA
 SECTION 42, TOWNSHIP 1, BLOCK 71A
 GRAND COUNTY, NEW YORK

SUBDIVISION PLAN

LEHMAN & GEITZ, P.C.
 CONSULTING ENGINEERS
 17141000
 4755 LUCAS ROAD, SUITE 200
 WARREN, MI 48090

DRAWING BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN
SHEET NO.: 1 OF 3

CC: TBD ✓ X

Marianne Feely
420 Goshen Tpke
Middletown, NY 10941

RECEIVED

DEC 11 2018

Town of Warwick
Town Clerk

November 21, 2018

Michael Sweeton, Supervisor
Town of Warwick
132 Kings Hwy
Warwick, NY 10990

Dear Supervisor Sweeton,

I love working for the Town of Warwick. However, I have been requested to be the Commissioner of Assessment in another municipality, located closer to my home. With a heavy heart, I resign from my current position as Assistant Assessor. My last date of employment will be December 17, 2018.

Thank you for giving me the opportunity to serve this great Community. I am truly going to miss everyone.

Sincerely,

Marianne Feely
Marianne Feely

cc: Deborah Eurich, Assessor

RECEIVED
NOV 21 2018
TOWN OF WARWICK
SUPERVISOR'S OFFICE

X

Warwick Town Clerk



From: Warwick Town Clerk
Sent: Thursday, December 06, 2018 8:51 AM
To: Kathy (records@townofwarwick.org)
Subject: FW: CH# 7958 PJ - WARWICK TRAIL PROJECT - WARWICK - ORANGE COUNTY
Attachments: TRS_Guidelines.pdf; CH# 7958 PJ - WARWICK TRAIL PROJECT - WARWICK - ORANGE COUNTY.pdf

From: Pawliczak, Sarah A (DEC) <Sarah.Pawliczak@dec.ny.gov>
Sent: Thursday, December 06, 2018 8:50 AM
To: Warwick Town Clerk <clerk@townofwarwick.org>
Subject: FW: CH# 7958 PJ - WARWICK TRAIL PROJECT - WARWICK - ORANGE COUNTY

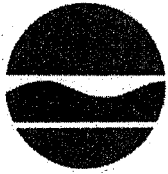
CH# 7958 PJ - WARWICK TRAIL PROJECT - WARWICK - ORANGE COUNTY

Hard copy is in the mail. ECC for your records.

Thank you,

Sarah Pawliczak
Environmental Analyst, Division of Environmental Permits
New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, NY 12561
P: (845) 256-3050 | F: (845) 255-4659 | sarah.pawliczak@dec.ny.gov
www.dec.ny.gov |  | 

DEC 06 2018

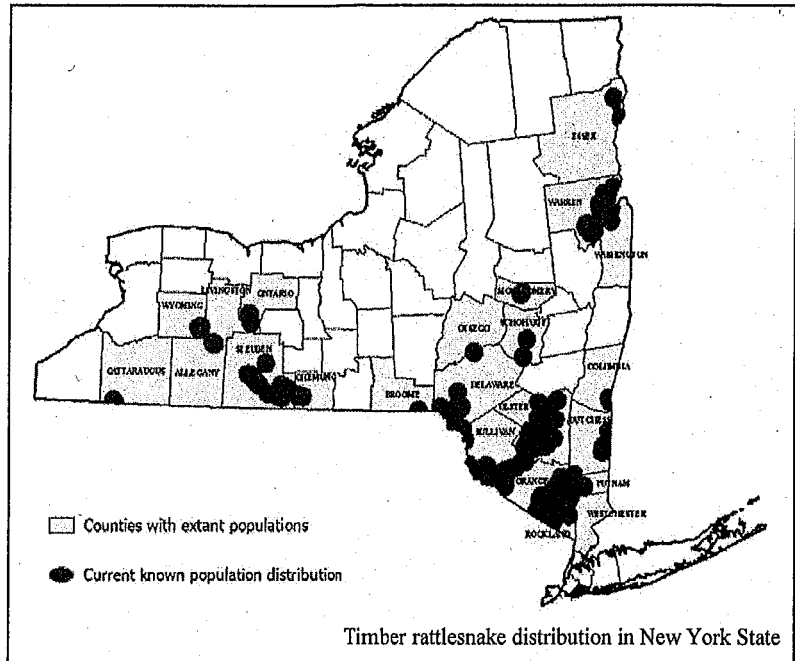
Town of Warwick
Town Clerk

Guidelines for Reviewing Projects for Potential Impacts to the Timber Rattlesnake



The timber rattlesnake (*Crotalus horridus*) is listed as a *threatened* species in New York and is protected by Environmental Conservation Law (ECL) section 11-0535 and the New York Code of Rules and Regulations (6 NYCRR Part 182). A permit is required for any proposed project that may result in a “take”, which includes, but is not limited to, adverse modification, degradation or destruction of occupied habitat of any species listed as endangered or threatened pursuant to the above laws and regulations. In New York, timber rattlesnakes are

typically associated with steep-slopes and rocky terrain of deciduous or mixed deciduous/coniferous forest. They are, however, known to use and/or move through a wide variety of land types (e.g. wetlands and early successional habitats) during a typical seasonal activity cycle. In areas where movement is not impeded by artificial barriers (e.g. major roads and urban areas) timber rattlesnakes may migrate three miles or more from their den each summer in search of essential summer habitats (e.g. basking and gestating areas), food, and mating partners. Human-rattlesnake interactions are most likely to occur during the summer and early autumn when movement rates peak and snakes are typically at their maximum distance from the den; in some locations, migration routes may require snakes to pass through residential developments or other areas of intensive land use. Where multiple den sites are clustered in relatively close proximity, areas of potential range overlap between snakes from different dens may be particularly important locations for continued gene flow. Thus, avoiding fragmentation of these areas of genetic exchange is critical for the long-term viability of a local population.



Impact Assessment Requirements

For projects that have been determined to be in close proximity to a known timber rattlesnake den, the project design will need to avoid alteration of suitable habitats and incorporate mitigation measures to prevent impacts to the snakes that would constitute a take under ECL Section 11-0535. Where the landscape will be significantly altered, mitigation is difficult and avoiding impacts may require detailed information about timber rattlesnakes on and around the project site. Therefore, if it has been determined that a potential taking could result from the project, the following information may be required to assess the potential project-related impacts on timber rattlesnakes: 1) habitat assessment [identify all suitable hibernacula, transient habitat, and summer range, 2) site usage, and 3) movement between summer and winter habitats.

Habitat Assessment

Due to the species' large home range and multiple habitat requirements a habitat assessment (PFBC-NDS, 2004) should be conducted to determine the presence of suitable basking, foraging, gestating and denning habitat or potential travel corridors within the project boundaries. Information collected for each area identified as potentially suitable habitat should include, at minimum, a habitat description and geographic location (i.e. GPS coordinates). Results of the habitat assessment will determine what additional information and/or mitigation may be required. Locations identified as potential habitat will also be used as the primary focus areas of presence-absence surveys, if necessary. Habitat assessments must be conducted by individuals that have knowledge of timber rattlesnake ecology.

Population Surveys

If the project site contains suitable habitat(s), it may be assumed rattlesnakes utilize the site during some stage of their annual cycle and the potential impacts to the species and their habitats should be assessed and mitigation measures (see Mitigation Recommendations) should be incorporated into the project design. If any of the above habitat elements occur on or in close proximity to the project site **AND** usage of the site by timber rattlesnakes will not be assumed, then surveys to detect the presence (e.g. den emergence, basking and gestating habitat searches) and site usage/snake movement (e.g. radio telemetry) should be conducted.

Population surveys (Casper *et al.* 2001) must be conducted during the time when timber rattlesnakes are not hibernating and can be expected to be active. To ensure accurate results, surveys should only be conducted between April 15th and October 31st on days when the air temperatures is 66° F or greater **AND** there is no appreciable precipitation.

To adequately assess the site for the presence (or probable absence) of timber rattlesnakes, each location identified as suitable basking, gestating, or denning habitat or as a potential travel corridor should be visited at least four (4) times within the survey period, and visits to each suitable habitat location should be separated by seven (7) or more days.

Survey to detect the presence of timber rattlesnakes at potential den habitats are confined to the beginning and end of the active season when snakes are most likely to be detected at or near den sites. Thus, two (2) visits per potential den should occur post den emergence between April 15th and May 15th, and an additional two (2) visits per potential den should occur between September 15th and October 25th when the snakes are congregating around dens prior to den ingress for winter hibernation.

The collection of site usage and snake movement data may require telemetric monitoring (via external and/or internal radio transmitters) to record the location and behavior of a representative sample of snakes throughout their annual cycle. In order to assess movement patterns, or to be reasonably certain that rattlesnakes do not use specific areas of a proposed project site, up to three field seasons of data collection may be required (a minimum of two full activity cycles of data are recommended). Contingent upon the data collection requirements of the project, a detailed scope of work should be developed by the project sponsor (in consultation with Department staff) and approved by the Department prior to the initiation of any field work.

All timber rattlesnake population surveys should be conducted by individuals that have knowledge of the species' ecology, and surveys that may involve handling snakes (e.g. marking, radio telemetry) must be conducted by individuals that have experience with such techniques and are licensed by New York State to handle timber rattlesnakes.

Threats

- Loss and/or degradation of habitat - residential and commercial development and mining operations eliminate available habitat and may degrade that which is not destroyed (e.g. stormwater runoff, use of residential chemicals).
- Persecution and illegal collection - increased human activity in timber rattlesnake habitats increases the potential for snake mortality from intentional killing of snakes by humans. A higher rate of illegal collection (effective mortality) for the pet trade is also often a result of increased human presence near timber rattlesnake populations.
- Fragmentation and road mortality - the species' large home range and a high degree of site fidelity result in timber rattlesnakes typically following the same route each year during long-distance migrations between habitats. Thus, any newly-constructed road that intersects a snake's traditional travel route will become either an impassable barrier to migration or an annual road-mortality hazard.

Mitigation Recommendations

The following is a list of potential mitigation methods that may be used to avoid or minimize certain project-related impacts; however, not all methods are appropriate for all projects.

- Seasonal restrictions

All allowable disturbance activities, including movement of construction vehicles, excavation, and alteration of vegetation, should be conducted during the period when the snakes would be expected to be hibernating and are less likely to be directly impacted by above-ground disturbances. The acceptable work period is November 1st through March 31st.

Habitat management (including timber harvesting) and trail maintenance activities should also be timed to minimize the potential for injury/death of snakes. Habitats that are actively managed (e.g. mowing and prescribed burning) and trailsides that are cleared using a brush hog may increase mortality as snakes are killed by machinery or incinerated by fire (Means and Campbell, 1982b)

In addition to the seasonal restrictions applied to vegetation management practices, disturbance to non-transient habitats should be avoided at *ALL* times. Roads, skid trails and landings should be kept at least 330 feet from all known or potentially suitable basking and gestating habitats, and to minimize the potential for collapse or disturbance of dens, heavy equipment and site preparation work (e.g. disk-harrowing, shearing, root-raking) should be prohibited within 660 feet of any known hibernacula.

- Timber rattlesnake monitor

If any project-related work is to occur (in whole or in part) during April 1st through October 31st, the project sponsor should retain the services of a snake monitor. The snake monitor must be a qualified biologist that has knowledge of timber rattlesnake ecology and relocation procedures. The monitor must also have experience handling rattlesnakes and be licensed by New York State to do so.

The snake monitor should be on site during all construction activities and would be responsible for: 1) conducting reconnaissance surveys for timber rattlesnakes within the work area prior to the initiation of any disturbance activities, and 2) relocating snakes as required.

➤ Temporary barrier

When disturbance is likely to occur from actions occurring outside of the acceptable work periods, a temporary restrictive (Stechert, 2001) barrier may help to avoid impacts if installed around the perimeter of the disturbance footprint of small projects (< 1 acre). The barrier should be: 1) installed before the end of the acceptable work period and maintained until the end of the construction phase of the project or until the beginning of the next acceptable work period, whichever occurs first, 2) inspected daily and, if necessary, repaired immediately to a fully functional condition*, and 3) constructed in accordance with the following design specifications:

- made of ¼ inch square hardware cloth or wire mesh
- a minimum of 48" high
- anchored into the ground with reinforcement bars placed on the "disturbance side" of the barrier and spaced between 6 – 8 feet apart.
- secured at the base (barrier/ground interface) with at least 6" of fence material covered with soil backfill

* The effectiveness of the barrier will be diminished and snakes may be able to gain access to the disturbance area if debris (e.g. tree limbs, soil) is allowed to overtop or pile up along side of the barrier.

➤ Education

Persecution by humans is a significant source of timber rattlesnake mortality and is thought to be a major contributing factor to the population declines experienced by the species over the past 100 years. Misconceptions about the actual versus perceived threat posed by timber rattlesnakes often leads to the snakes being injured or killed by humans who, when encountering a timber rattlesnake, are fearful of being attacked. Prospective residents in subdivisions located near known den sites should be provided with educational materials that help identify timber rattlesnakes and accurately describe the snakes' non-aggressive behavior. Educational materials should also include information about the Department's nuisance rattlesnake relocation program. The subdivision's prospectus could also be required to disclose the potential for the presence of timber rattlesnakes on the property. Homeowners and local law enforcement agencies should be provided with phone numbers of nuisance rattlesnake responders in the area.

➤ Habitat creation/enhancement

In some locations, natural succession may cause shading-over of hibernacula or essential summer habitats. Such habitat suitability changes, particularly that of gestating and birthing areas, can decrease the long-term viability of the location's timber rattlesnake population. Vegetation thinning to reclaim the site or the establishment of open stone piles to create escape cover and basking areas may mitigate some of habitat lost to successional changes. In such cases, the development of a site management plan, along with a long-term commitment by the landowner, may more than offset the loss of non-essential habitat resulting from project-related actions.

➤ Herp tunnel

Where roads and highways separate summer and winter habitats, it may be possible to maintain migration corridors via herp tunnels.

References

- Brown, W. S. 1993. Biology, status, and management of the timber rattlesnake (*Crotalus horridus*): a guide for conservation. SSAR Herp. Circ. No. 22. vi + 78 pp.
- Casper et al. 2001. *Recommended Standard Survey Protocol For the Eastern Massasauga, Sistrurus catenatus catenatus*. Unpublished.
- Means, D. Bruce and Howard W. Campbell. 1982b. Effects of prescribed burning on amphibians and reptiles. Pages 89-97 in G. W. Wood, editor. Prescribed fire and wildlife in Southern forests. Proceedings of a symposium. Belle W. Baruch Forest Science Institute, Clemson University, Clemson, South Carolina, USA.
- PFBC-NDS. 2004. Pennsylvania Fish and Boat Commission Natural Diversity Section Timber Rattlesnake Presence-Absence Survey Guidelines (Form-06, revised 3/9/04).
- Stechert, R. 2001. Effectiveness of an experimental timber rattlesnake (*Crotalus horridus*) exclusion fence at Schunemunk Mountain, Town of Woodbury, Orange County, New York. Report to the Eastern Chapter of the New York Natural Conservancy and the New York State Department of Environmental Conservation. 23p.

Related Resources and Links

New York Natural Heritage Program

New York Natural Heritage Program. 2008. Online Conservation Guide for *Crotalus horridus*. Available from: <http://www.acris.nynhp.org/guide.php?id=7536>

NatureServe Explorer

NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>

NYSDEC

New York State Department of Environmental Conservation, Division of Fish, Wildlife and Marine Resources. 2006. Timber Rattlesnake Fact Sheet. <http://www.dec.ny.gov/animals/7147.html>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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



**Department of
Environmental
Conservation**

November 21, 2018

Mr. David Getz
Lehman & Getz P.C.
17 River Street
Warwick, NY 10990

RECEIVED

DEC 03 2018

Town of Warwick
Town Clerk

RE: Tyandi Subdivision, 9 California Road
Town of Warwick, Orange County
Article 11 Jurisdictional Determination
CH#: 7777

Dear Mr. Getz:

The New York State Department of Environmental Conservation (Department) has reviewed the Endangered and Threatened Species information submitted for the proposed Tyandi Subdivision. The project site is a 15-acre parcel located at 9 California Road, identified as Tax Parcel Number 64-3-12.2. The applicant, Matthew Tangredi, proposes a 3-lot subdivision and the construction of 2 single-family residences with associated site improvements. The lots range in size from 43,560 square feet (sq. ft.) to 563,666 sq. ft. and the 2 new residences will be accessed by Cherry Tree Hill Road. The lots will be served by individual wells and sewage disposal systems. Approximately 7.73 acres will remain as open space.

The following documents were reviewed:

- Habitat Assessment, dated 06/25/18, received by this office on 08/16/18;
- Short Environmental Assessment Form signed 07/10/18;
- Plan entitled "Cluster Subdivision Plan," sheet 1 of 6, dated 06/27/18;
- Habitat Assessment – Additional Information, dated 10/02/18, received by this office on 10/03/18;
- Timber Rattlesnake Encounter Plan, dated 10/02/18, received by this office on 10/17/18;
- Timber Rattlesnake Education Plan with pictures, received by this office on 10/17/18;
- Plans entitled "Tyandi Ranch Subdivision," sheets 1 through 6, dated 06/27/18, last revised 09/11/18, received by this office on 09/14/18.



**Department of
Environmental
Conservation**

This project is located within what is considered occupied habitat of State-listed threatened species Northern long-eared bat (*Myotis septentrionalis*) and threatened species timber rattlesnake (*Crotalus horridus*). Therefore, the project could result in a take of these species and their habitat, pursuant to 6 NYCRR §182, Endangered and Threatened Species of Fish and Wildlife.

To avoid the need for a permit pursuant to Article 11, Title 5 of the Environmental Conservation Law (ECL), for this activity, the following incidental take-avoidance measures must be used:

Timber rattlesnake

This site is located in close proximity to known dens for timber rattlesnakes. A habitat assessment submitted to the Department rules out the presence of denning, basking and foraging areas on the site however, given the proximity to known occurrences and dens in the area, transient timber rattlesnakes could still enter the work space.

The construction related work is proposed to take place during the timber rattlesnake hibernation season occurring from November 1st to March 31st. If construction activities are proposed outside of this timeframe, several conservation measures to avoid and minimize impacts to this species are included in the Timber Rattlesnake Education and Encounter (E&E) Plan and as plan notes on the project plan titled "Cluster Subdivision Plan," sheet 1 of 6, dated 06/27/18 and last revised 09/11/18. These include:

- Temporary, construction-related take-avoidance and minimization measures as noted on the plans titled "Cluster Subdivision Plan," sheet 1 of 6, dated 06/27/18 and last revised 09/11/18, and within the E&E Plan;
- Use of temporary barrier fencing;
- Use of a licensed timber rattlesnake monitor responsible for initial training, timber rattlesnake removals, and reviews of the barrier fencing; and
- An E&E plan shall be delivered to all contractors and workers on-site by the licensed timber rattlesnake monitor.

Northern-Long eared bats

Northern-long eared bats are known to this area of Orange County and occurrences are within 5 miles of the proposed activity. A plan note indicated that tree removal will take place from November 1st to March 31st.

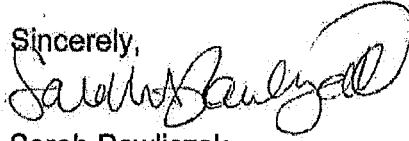
Based on the information provided, and the take-avoidance and minimization measures offered, the Department has determined that the proposed activity is not likely to result in the incidental taking of these threatened species, and a permit pursuant to Article 11, Title 5 of the ECL will not be required.

If significant modifications are proposed to the above referenced scope of work, please contact the Department for additional review. This determination will remain valid for one year. If you have any comments or questions, please feel free to contact me at 845-256-3050.

RE: Tyandi Subdivision, 9 California Road, Warwick, NY
Date: November 21, 2018

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

Sincerely,



Sarah Pawliczak
Division of Environmental Permits
Region 3, Telephone No. 845-256-3050

cc: Lisa Masi, NYSDEC Bureau of Wildlife
Matthew Tangredi, Property Owner
Town of Warwick Planning Board

Warwick Town Clerk

From: Town of Warwick Planning Department
Sent: Tuesday, December 04, 2018 12:32 PM
To: Michael Sweeton; Warwick Town Clerk
Subject: FW: OC Planning Board - Notice of Public Hearing - December 11, 2018
Attachments: Public Hearing Notice - 12.11.18.pdf

FYI

COMPLETED
RECEIVED
DEC 03 2018

DEC 04 2018

Town of Warwick
Town Clerk

From: Russell, Ellen [mailto:erussell@orangecountygov.com]
Sent: Tuesday, December 04, 2018 12:00 PM
To: Russell, Ellen <erussell@orangecountygov.com>
Subject: OC Planning Board - Notice of Public Hearing - December 11, 2018

Good Afternoon,

Please see attached notice of public hearing regarding updates of the County Comprehensive Plan. Please contact our office if you would like more information.

Thanks,

Ellen Russell
Executive Secretary and Administrative Assistant
Orange County Planning Department
124 Main Street
Goshen, NY 10924
845-615-3843

This message has been scanned for malware.

County of Orange
Orange County Planning Board

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Orange County Planning Board will hold a Public Hearing regarding updates to the County Comprehensive Plan. The plan updates are posted on the County website: <https://www.orangecountygov.com/376/Orange-County-Plans-Documents>. The document is available for viewing at the Orange County Department of Planning, Office Hours: 8:30 AM to 4:30 PM, 124 Main Street, Goshen, New York. The Public Hearing will be held on December 11, 2018 at 7:00 PM in Classroom 1 at the Emergency Services Building, 22 Wells Farm Road, Goshen, New York.

Dated: November 28, 2018

BY ORDER OF THE ORANGE COUNTY PLANNING BOARD
COUNTY OF ORANGE
ELAINE MCCLUNG, CHAIRPERSON

* Posted on Sign Board

Warwick Town Clerk

RECEIVED

DEC 04 2018

Town of Warwick
Town Clerk

From: Loy, Todd - RD, Greenwich, NY <Todd.Loy@ny.usda.gov>
Sent: Tuesday, December 04, 2018 2:07 PM
To: Loy, Todd - RD, Greenwich, NY
Subject: USDA Rural Development Property Sale Notice
Attachments: 190 Real Street, Cape Vincent.pdf; 10 Shanty Creek Road, Central Square.pdf

Dear Community Member:

I have attached a couple of foreclosure sales notices for properties that will soon be going to auction.

Even though these properties may not be in your immediate area we would still appreciate it if you would post the attached notices on your public bulletin board in order to help us reach as many people as possible.

The first property is located at: **190 Real Street, Cape Vincent, NY 13618 (Jefferson County)**. The sale will take place on **Tuesday, January 8, 2019 at 10:00am** at the Jefferson County Court House, 163 Arsenal Street, Watertown, NY. Opening bid by the Government is **\$48,330.00**.

If you have any questions on this property, please feel free to call our **Watertown office at (585) 210-5625**.

The next property is located at: **10 Shanty Creek Road, Central Square, NY 13036 (Oswego County)**. The sale will take place on **Tuesday, January 8, 2019 at 10:30am** at the Oswego County Courthouse, 25 East Oneida Street, Oswego, NY. Opening bid by the Government is **\$29,730.00**.

If you have any questions on this property, please feel free to call our **Watertown office at (585) 210-5625**.

Thank you for your help, we really appreciate your assistance!

TODD A. LOY
ISSS-POC and Loan Specialist
Rural Development
United States Department of Agriculture
☎: (518) 692-9940 ext. 4 | 📠: (855) 889-1631
www.rd.usda.gov | "Committed to the future of rural communities"



Click [here](#) to learn more about USDA Rural Development's Single Family Housing Programs

USDA is an equal opportunity provider, employer and lender.

"This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately."



United States Department of Agriculture

GOVERNMENT FORECLOSURE SALE

TUESDAY, JANUARY 8, 2019 at 10:00 am

\$48,330.00 (Opening bid by the Government)



PROPERTY DETAILS

- Jefferson County
- Village of Cape Vincent
- Tax Map # 48060
- 3 Bedroom, 1.1 Baths
- 1,456 sq. ft. living area
- Lot size – 4,838 sf +/-
- Age - 168 +/- Years
- Water – Public
- Sewer – Public
- Heat – FWA
- Basement – Full
- Referee for sale:
Robert P. Bogdan
- Rural Development web site
address:
www.resales.usda.gov
- Then click on Single Family
Housing

- **Property Address:** 190 Real St., Cape Vincent, NY 13618 [Click Here for Street View](#)

- **Location of Sale:** Jefferson County Courthouse, 163 Arsenal St., Watertown, NY 13601

- **Terms:** 10% at time of sale (certified check); balance due will be established by the referee. USDA Rural Development credit terms are not available.

- The Government will establish the opening bid. The highest bid above the Government's bid will be the successful bidder at the sale.

- USDA Rural Development has a security interest in the property

- **NOTICE:** USDA foreclosure auction properties are sold in **AS IS** condition. Please see reverse "Frequently Asked Questions" for additional details on USDA foreclosure property sales or call (585) 210-5625 or (315) 477-6447 (TTD) or visit our website at <http://www/resales/usda.gov>.

USDA Rural Development

PO Box 838 (21168 NYS Route 232), Watertown, NY 13601-0838

Telephone: (315) 782-7289 ext. 4 • Fax (855) 889-1635 • TDD: (315) 477-6447

USDA is an equal opportunity provider, employer, and lender.



FREQUENTLY ASKED QUESTIONS FOR USDA FORECLOSURE PROPERTIES

- **Question:** What if I purchase the property and find that it needs repair?
Answer: The property is being sold in "as is" condition. USDA will not be responsible for any repairs incurred by the successful bidder.
- **Question:** What if there are other liens against the property?
Answer: All junior liens (if properly identified by Title Company) are extinguished at time of sale. The successful bidder would be responsible for satisfying any superior liens in order to obtain clear title.
- **Question:** What is the property worth?
Answer: USDA does not disclose appraised value. However, in most instances the opening bid is less than appraised value.
- **Question:** Can I view the home?
Answer: USDA does not have title ownership interest in this property. For liability reasons, the Agency cannot allow access to the property until the successful bidder has paid the balance of the bid price and obtained a deed to the property. Successful bidders will not have legal authority to take possession of the property until such time the balance of the purchase price has been paid and they have obtained a referee or marshal's deed to the property.
- **Question:** What about unpaid taxes?
Answer: If not paid by USDA prior to sale, unpaid taxes should be adjusted at closing and paid from sale proceeds.
- **Question:** If the property is occupied who's responsible to remove occupants?
Answer: The property is being sold "subject to any tenancies". If occupied at time of sale, the successful bidder may have to initiate legal proceedings in order to remove occupants from the premises. Eviction could not be pursued until after the successful bidder has obtained a Deed to the property. The agency cannot assist successful bidders with the eviction process.
- **Question:** Can I submit an offer to USDA prior to sale in order to avoid risking the chance of being outbid by someone else?
Answer: No...the agency does not own the home and we have no legal authority to enter into any sales contract with potential bidders prior to sale.
- **Question:** What if the former owners left personal belongings on the premises?
Answer: Successful bidder should seek legal advice.
- **Question:** Is it possible to use the subject property as collateral for obtaining financing needed to complete the purchase?
Answer: While it is not impossible, it is most often difficult as the purchaser's lender will want to access the property for appraisal purposes. Since USDA does not own the home, we cannot allow access to any third parties. It is best to use other property as collateral or to have cash resources to complete the sale.
- **Question:** What if I can't close within the 30 days, as required by the Terms of Sale?
Answer: USDA may be willing to grant a closing extension, depending on circumstances.
- **Question:** What if I don't want the property after deemed the successful bidder?
Answer: If failure to close was within the successful bidder's control, then there are consequences such as forfeiture of their 10% down payment (refer to Terms of Sale for more specific information).

Note: All sales are subject to postponement or cancellation. It is recommended that bidders contact the USDA Rural Development Area Office listed on this notice the day before the sale to ensure that it is still scheduled.

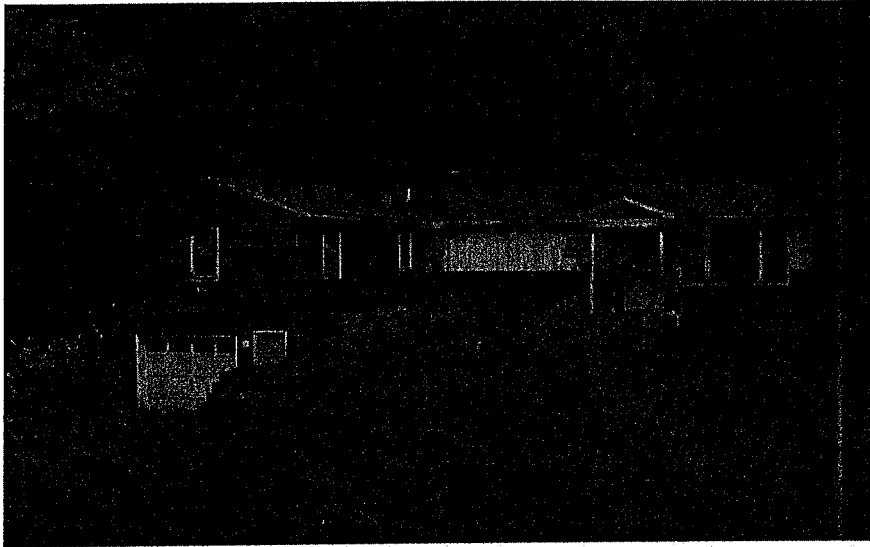


United States Department of Agriculture

GOVERNMENT FORECLOSURE SALE

TUESDAY, JANUARY 8, 2019 at 10:30 am

\$29,730.00 (Opening bid by the Government)



PROPERTY DETAILS

- Oswego County
- Town/Village of Hastings
- Tax Map # 45060
- 4 Bedroom, 1 Baths
- 1,120 sq. ft. living area
- Lot size – 42,253 sf +/-
- Age - 62 +/- Years
- Water – Well
- Sewer – Septic
- Heat – FWA
- Basement – Full
- Referee for sale:
Robert Jenkins
- Rural Development web site address:
www.resales.usda.gov
- Then click on Single Family Housing

- **Property Address:** 10 Shanty Creek Road, Central Square, NY 13036 [Click Here for Street View](#)
- **Location of Sale:** Oswego County Courthouse, 25 East Oneida St., Oswego, NY 13126
- **Terms:** 10% at time of sale (certified check); balance due will be established by the referee. USDA Rural Development credit terms are not available.
- The Government will establish the opening bid. The highest bid above the Government's bid will be the successful bidder at the sale.
- USDA Rural Development has a security interest in the property
- **NOTICE:** USDA foreclosure auction properties are sold in **AS IS** condition. Please see reverse "Frequently Asked Questions" for additional details on USDA foreclosure property sales or call (585) 210-5625 or (315) 477-6447 (TTD) or visit our website at <http://www/resales/usda.gov>.

USDA Rural Development

PO Box 838 (21168 NYS Route 232), Watertown, NY 13601-0838

Telephone: (315) 782-7289 ext. 4 • Fax (855) 889-1635 • TDD: (315) 477-6447

USDA is an equal opportunity provider, employer, and lender.



FREQUENTLY ASKED QUESTIONS FOR USDA FORECLOSURE PROPERTIES

- **Question:** What if I purchase the property and find that it needs repair?
Answer: The property is being sold in "as is" condition. USDA will not be responsible for any repairs incurred by the successful bidder.
- **Question:** What if there are other liens against the property?
Answer: All junior liens (if properly identified by Title Company) are extinguished at time of sale. The successful bidder would be responsible for satisfying any superior liens in order to obtain clear title.
- **Question:** What is the property worth?
Answer: USDA does not disclose appraised value. However, in most instances the opening bid is less than appraised value.
- **Question:** Can I view the home?
Answer: USDA does not have title ownership interest in this property. For liability reasons, the Agency cannot allow access to the property until the successful bidder has paid the balance of the bid price and obtained a deed to the property. Successful bidders will not have legal authority to take possession of the property until such time the balance of the purchase price has been paid and they have obtained a referee or marshal's deed to the property.
- **Question:** What about unpaid taxes?
Answer: If not paid by USDA prior to sale, unpaid taxes should be adjusted at closing and paid from sale proceeds.
- **Question:** If the property is occupied who's responsible to remove occupants?
Answer: The property is being sold "subject to any tenancies". If occupied at time of sale, the successful bidder may have to initiate legal proceedings in order to remove occupants from the premises. Eviction could not be pursued until after the successful bidder has obtained a Deed to the property. The agency cannot assist successful bidders with the eviction process.
- **Question:** Can I submit an offer to USDA prior to sale in order to avoid risking the chance of being outbid by someone else?
Answer: No....the agency does not own the home and we have no legal authority to enter into any sales contract with potential bidders prior to sale.
- **Question:** What if the former owners left personal belongings on the premises?
Answer: Successful bidder should seek legal advice.
- **Question:** Is it possible to use the subject property as collateral for obtaining financing needed to complete the purchase?
Answer: While it is not impossible, it is most often difficult as the purchaser's lender will want to access the property for appraisal purposes. Since USDA does not own the home, we cannot allow access to any third parties. It is best to use other property as collateral or to have cash resources to complete the sale.
- **Question:** What if I can't close within the 30 days, as required by the Terms of Sale?
Answer: USDA may be willing to grant a closing extension, depending on circumstances.
- **Question:** What if I don't want the property after deemed the successful bidder?
Answer: If failure to close was within the successful bidder's control, then there are consequences such as forfeiture of their 10% down payment (refer to Terms of Sale for more specific information).

Note: All sales are subject to postponement or cancellation. It is recommended that bidders contact the USDA Rural Development Area Office listed on this notice the day before the sale to ensure that it is still scheduled.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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



**Department of
Environmental
Conservation**

December 6, 2018

Mr. Robert Silber
4 Fosse Court
Airmont, NY 10952

RE: Village View Estates, Locust Street & Woodside Drive
DEC Permit #: 3-3354-00628/00001(SD) & /00002(WQ)
Town of Warwick, Orange County

RECEIVED

DEC 07 2018

Town of Warwick
Town Clerk

Final Permit Extension

Dear Mr. Silber:

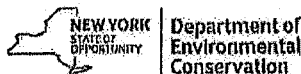
The New York State Department of Environmental Conservation (Department) has reviewed a written request submitted by Kirk Rother, Consulting Engineer, on your behalf and received by this office on November 14, 2018, to extend the expiration date of the above-referenced permits. The permit expires December 31, 2018. Additional information was provided by email on November 29, 2018.

According to the letter received by this office on November 14, 2018, the recession has stalled the project however, the permittee intends to construct the 28-lot subdivision if the proposed 45-lot cluster subdivision currently under review by the Village is not approved. There are possible difficulties with the cluster subdivision because the required per lot fee and the land annexation from the Town of Warwick to the Village of Warwick may not be resolved. This extension will involve no change to the original permit. In accordance with this request, the above referenced permit is hereby reissued with the new **expiration date of September 17, 2023**. Additionally, the following condition has been updated as follows:

Natural Resource Permit Condition #6. Notify DEC 48 Hrs Prior to Work: *The permittee or a representative must contact by telephone Brian Drumm, NYSDEC Bureau of Habitat, at 845-256-3091 or by email at brian.drumm@dec.ny.gov, at least 48 hours prior to the commencement of the project authorized herein.*

Please note that in accordance with Natural Resource Permit Condition #5, removal of trees greater than 4 inches diameter at breast height shall occur between October 1 and March 31, to avoid potential harm to Indiana bats.

All other terms and conditions remain as written in the original permit with an effective date of September 18, 2013.

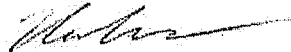


RE: Village View Estates, Warwick, NY
Date: December 6, 2018
Final Permit Extension

The maximum allowable extension of the permit is to ten years from the original date of issuance, which is September 17, 2023. To continue this activity beyond that date, a new application for permit is required, including new plans, application forms, etc.

Please attach this modification to the front of your permit. A new permit sign is enclosed. If there are any questions, please feel free to contact my staff member Sarah Pawliczak at 845-256-3050 or by email at sarah.pawliczak@dec.ny.gov.

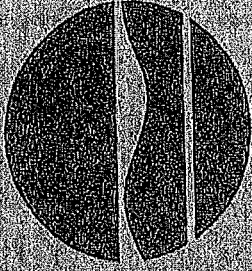
Respectfully,



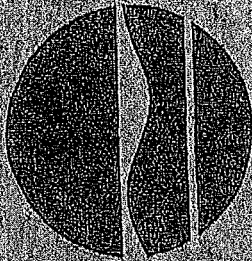
Rebecca Crist
Deputy Permit Administrator

cc: Lisa Masi, NYSDEC Bureau of Wildlife
Brian Drumm, NYSDEC Bureau of Ecosystem Health
Brian Orzel, USACE
Robyn Niver, US Fish & Wildlife Service
Robert Silber, Silber Construction
Maureen Evans, Village of Warwick Planning Board
Town of Warwick Town Board

New York State
Department of Environmental Conservation



NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department conditions on it, contact the DEC at 845/256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: Robert Silber Permit No. 3-3354-0062 & 0001 + 0002

Effective Date: 12/6/18 Expiration date: 9/17/23

Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is NOT a permit.

X

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**

December 5, 2018

Ms. Mallory Smith
Shumaker Consulting Engineering & Land Surveying, D.P.C
143 Court Street
Binghamton, NY 13901

RECEIVED
DEC 06 2018
Town of Warwick
Town Clerk

RE: Warwick Trail Project
Town of Warwick, Orange County
CH#: 7958

Dear Ms. Smith:

Based upon our review of your inquiry received by this office on October 29, 2018, regarding the construction of a 4.9-mile, 36-inch wide trail extension to connect Warwick County Park with the Appalachian Trail. Approximately 1.6 miles of trail will be constructed on town and county-owned property and the remaining 3.3 miles of trail will be located along existing paved roads. The New York State Department of Environmental Conservation (DEC) offers the following comments:

PROTECTION OF WATERS

The following stream/pond/waterbody is located within or near the site indicated:

Name	Class	DEC Water Index Number	Status
Long House Creek	B(TS)	H-139-13-61-9-25	Protected

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected." A time restriction may be required for protection of cold water trout fisheries (waters classified under Article 15 of the Environmental Conservation Law (ECL) with a "T" or "TS" designation), beginning October 1 and ending April 30.

If a permit is not required, please note, the project sponsor is 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

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

<u>Name</u>	<u>Status</u>
Timber rattlesnake, <i>Crotalus horridus</i>	Threatened
Northern long-eared bat, <i>Myotis septentrionalis</i>	Threatened

A permit is required for the incidental taking of any species identified as "endangered" or "threatened," which can include the removal of habitat. A time restriction must be implemented, with all tree removal taking place between November 1st and March 31st. A plan note must be added to all relevant site plans.

The Department has determined that there is potential for impacts to timber rattlesnakes from the proposed project. An analysis of potential impacts and appropriate take-avoidance measures is necessary for the Department's review and approval. This impact analysis should be based on the details of the proposed project, including limits of disturbance and construction timing and duration. Please see the attached "Guidelines for Reviewing Projects for Potential Impacts to the Timber Rattlesnake." Staff's initial review indicates that take avoidance measures will likely be required. These could include seasonal restrictions, a timber rattlesnake monitor, appropriate temporary barriers as appropriate based on project details, and will also include an Education and Encounter Plan for all contractors and workers.

Please note that a project sponsor may not commence site preparation, including tree clearing, until the provisions of SEQR are complied with and all necessary permits are issued for the proposed project.

The absence of data does not necessarily mean that 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.

FRESHWATER WETLANDS

The project/site is not within a New York State protected Freshwater Wetland. An Army Corps of Engineers permit may be required pursuant to Section 404 of the Clean Water Act. If a Section 404 permit is required, you will also require a Water Quality Certification pursuant to Section 401 of the Clean Water Act. Issuance of these certifications in NYS has been delegated to the DEC. Please contact the Army Corps of Engineers in New York City, at 917-790-8411, for any permitting they might require.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

FEMA FLOODPLAIN

The project site is located within a Federal Emergency Management Agency (FEMA) Floodplain. The Town of Warwick will determine if any additional jurisdictions are applicable to the proposal.

**STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER
- CONSTRUCTION**

If the overall project will disturb over one acre of land, 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 this site is within a Municipal Separate Storm Sewer System (MS4) community, the Stormwater Pollution Prevention Plan (SWPPP) must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted with the SWPPP and the application for coverage, in accordance with the application instructions.

OTHER

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 the project sponsor should, therefore, verify the need for permits if the project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year. Applications may be downloaded from our website at www.dec.ny.gov under "Programs" then "Division of Environmental Permits."

Please note that all jurisdictional determination requests should be sent directly to the Regional Permit Administrator, Division of Environmental Permits.

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

Sincerely,



Sarah Pawliczak

Division of Environmental Permits
Region 3, Telephone No. 845-256-3050

Encl: Guidelines for Reviewing Projects for Potential Impacts to the Timber Rattlesnake

RE: Warwick Trail Project, Warwick, NY
Date: December 5, 2018

cc: Brian Drumm, NYSDEC Bureau of Ecosystem Health
Lisa Masi, NYSDEC Bureau of Wildlife
Town of Warwick Town Clerk
Orange County Planning Department