

Right to Know/FOIL

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ZONING BOARD OF APPEALS FACT SHEET

ZBA Member Assigned: **Walsh**

CASE NO.: 2018-21

Name of Applicant:	Neave Group (Kris Schmitt)
Owner:	Christian Witten
Address of property:	49 Bramblebush Rd
SBL:	Section 68.6 Block 1 Lot 30
Prior ZBA Case No.:	NA
Zone:	R-80
Lot Size:	312,964 sq. ft. (or 7.185 Acres)

Request: Variance for an accessory structure in the front yard. Property is located between two roads – Bramblebush and Batten Roads creating 2 front yards. Applicant is seeking install a 580 sq. ft. pool, 458 sq. ft. spa, 1450 sq. ft. patio and boulder retaining walls.

Staff Comments:

The office of Code Administration and Enforcement denied a request for a building permit on 9/7/18 for a 580 sq. ft. pool, 458 sq. ft. spa, 1450 sq. ft. patio and boulder retaining walls. The property is located between two roads, Batten Road and Bramblebush Rd. The pool is proposed behind the house but in the defined front yard associated with Batten Road. To construct the proposed improvements a steep slope permit is also required.

SEQR: TYPE II – No further compliance required

Google Maps 148 Batten Rd



Imagery ©2018 Google, Map data ©2018 Google 50 ft



148 Batten Rd
Croton-On-Hudson, NY 10520



Google Maps 148 Batten Rd



imagery ©2018 Google, Map data ©2018 Google 100 ft



148 Batten Rd
Croton-On-Hudson, NY 10520





Town of Cortlandt

- Legend**
- Parcels
 - Road Labels

Notes

1:2,250



Map produced by: user

Disclaimer: "The information contained in this data is NOT to be construed as a 'legal description'." The Town and its consultants do NOT provide any guarantee of accuracy or completeness and will NOT be held liable for any damages or losses due to its use."

September 20, 2018

Mr. Chris Cehoe – Deputy Director
Town of Cortlandt
Department of Technical Services
1 Heady Street
Cortlandt Manor, NY 10567



RE: ZBA Variance and Steep Slopes Application for Whitten Property Improvements Project
49 Bramble Bush Road
Tax Parcel 68.6-1-30

Dear Mr. Cehoe:

Attached are ten (10) copies of a Variance Application with attachments, Steep Slopes narrative partial topographic survey, boundary survey and Site plans, Short EAF, Stormwater Management Permit Application, and Site Plans for the above-referenced project. In addition, checks for the application fees are attached.

The project consists of the construction of an inground pool, hot tub, adjacent patio, boulder landscape walls and landscaping. A variance is required for construction of a pool within a front yard. This is the result of the property having frontage on two roads. The project will also disturb existing steep slopes.

Please place this project on the next ZBA meeting for consideration. If you have any questions or require additional information, please feel free to contact me at 845-594-1529.

Sincerely,

Troy A. Wojcikofsky, P. E., LEED-AP; ENV-SP
Engineer
cc: Kris Schmitt – Neave Group

Case No. _____
Date: _____

TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
Planning Division
Town Hall, 1 Heady Street, Cortlandt Manor, NY 10567
914-734-1080
www.townofcortlandt.com
chrisk@townofcortlandt.com

ZONING BOARD OF APPEALS APPLICATION

Site Data:

Section 68.6 Block 1 Lot 30 Zone: R-80

Street Address: 46 Bramble Bush Rd Croton-On-Hudson NY 10520

Project Description: Excavate & Install 580SF gunite pool and 45SF, gunite spa on steep slope, 1450SF patio & boulder walls.

Circumstances of particular application:

Property located between 2 roads (Bramble Bush Rd and Batten Rd) creating 2 front yards.

Application is hereby made for the following **Variance** Interpretation and/or Special Permit under the Town Code:

Chapter: 307 Section: 17 Chapter: _____ Section: _____

Is adjacent property in the same ownership? Yes _____ No

Does any officer/employee of the Town of Cortlandt have any interest in this application as defined in the General Municipal Law Section 809? Yes _____ No If yes, attach a sheet describing the nature and extent of that interest.

Applicant:

Name: NeaveGroup (Kris Schmitt)

Address: 80 Airport Dr Wappingers Falls NY 12590

Phone: (845) 394-5764 Mobile: _____

Owner:

Name: Christian Whitten

Address: 46 Bramble Bush Rd Croton-On-Hudson NY 10520

Phone: (914) 683-1284 Mobile: _____

Lessee:

Name: _____

Address: _____

Phone: _____ Mobile: _____

Architect/ Engineer/ Surveyor:

Name: TW Engineering

Address: PO Box 913 Wappingers Falls, NY 12590

Phone: (845) 594-1529 Mobile: _____

Attorney:

Name: _____

Address: _____


Phone: _____ Mobile: _____

Confirmation All Taxes Paid: _____ Date: _____

Authorization:

State of New York, County of Westchester, Kristina Schmitt being duly sworn deposes and says he/she is the owner, or **authorized representative** by attached completed proxy statement, and is duly authorized to perform or have performed said work and to make and file this application: that all statements are true and to the best of their knowledge and belief, and that he/she has read the foregoing appeal and knows the contents thereof.

Sworn to before me this 11th day of Sept, 2018.

Owner or Authorized Representative Signature: 

Print Name: Kristina Schmitt

Notary Public: 

LYNNE A. EISENHUT
Notary Public - State of New York
No. 01E16146054
Qualified in Dutchess County
My Comm. Expires June 26, 2022



TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
CODE ENFORCEMENT DIVISION

Michael Preziosi, P.E.
Director – D.O.T.S

Martin G. Rogers, P.E.
Director of Code Enforcement/D.O.T.S.

Ken Hoch
Assistant to the Director/D.O.T.S.

Town Hall, 1 Heady Street
 Cortlandt Manor, NY 10567
 Main #: 914-734-1010
 Fax #: 914-293-0991

Town Supervisor
 Linda D. Puglisi

Town Board
 Richard H. Becker
 Debra A. Costello
 James F. Creighton
 Francis X. Farrell

Neave Group
 80 Airport Drive
 Wappingers Falls, NY 10520

September 7, 2018

Re: Whitten Residence
 49 Bramble Bush Road
 Tax ID 68.6-1-30

To Whom It May Concern:

I am in receipt of your Building Permit Application received August 3, 2018 for Proposed Pool and Hot Tub at the above referenced premises.

I must deny this request under the following chapter of the Town of Cortlandt Zoning Code: Accessory Structures in the Front Yard. Section 307-17, 307 Attachment 3, Table of Dimensional Regulations, Residential Districts. Request for a variance from the Code is required.

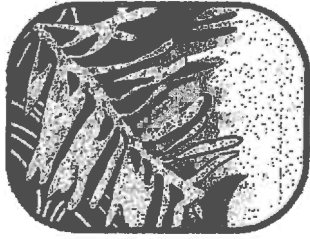
The Zoning Board of Appeals application form and the short EAF Form shall be completed and returned to the Division of Planning with ten (10) copies of the survey with revised plans and \$200.00 Zoning Board of Appeals application fee. If the application is deemed complete the project will then be placed on the agenda for the next available Zoning Board of Appeals meeting.

Additional information may be required upon subsequent reviews. Technical comments for the submission may be issued separately. If you have any questions or comments please feel free to contact me by email or at 914-734-1010.

Sincerely,

Martin G. Rogers, P.E.
 Director of Code Enforcement
 Department of Technical Services

Cc: Chris Kehoe, Town Planner



neave pools

installation, renovation, & service

September 18, 2018

To Whom It may concern:

Please accept this letter as authorization for Kristopher Schmitt of Neave Group or Troy Wojciekofsky of T. W. Engineering to apply and sign for all necessary Permits and or C of O paperwork pertaining to the pool project/steep slopes/ variance application1 located at our house 49 Bramble Bush Road, Croton on Hudson.

Thank you in advance,

Christopher Whitten

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 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Whitten Residence Inground Pool Improvements			
Project Location (describe, and attach a location map): 49 Bramble Bush Road, Croton-On-Hudson, NY 10520			
Brief Description of Proposed Action: Proposed 580 SF inground pool, 45 SF hot tub, propane tank, pool code fence, boulder landscape walls and landscaping on a single-family residential parcel,			
Name of Applicant or Sponsor: Neave Group for Christian Whitten		Telephone: 845-394-5764 E-Mail: Kris@neavegroup.com	
Address: 80 Airport Drive			
City/PO: Wappinger Falls		State: NY	Zip Code: 12590
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 governmental Agency? If Yes, list agency(s) name and permit or approval: Town Building Department		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		6.4 acres	
b. Total acreage to be physically disturbed?		0.3 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.4 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>inground pool (580 sf)</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Troy A. Wojciekowsky, PE - Engineer for Applicant</u> Date: <u>9/18/2018</u></p> <p>Signature: <u><i>Troy A. Wojciekowsky</i></u></p>		

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 8 day of November, two thousand and six
BETWEEN

Handwritten initials: AC

ANTHONY CERAMI and COLLEEN CERAMI,
~~husband and wife~~, both residing at
49 Bramblebush Road
Croton-on-Hudson, NY 10520

party of the first part,
and

Handwritten initials: AC

^{ISAAC} CHRISTIAN ~~X~~ WHITTEN and ^{ANN} MEGAN A. MC CLELLAN,
~~husband and wife~~
127 Greyrock Place, Apt. 1607
Stamford, CT 06901

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 Town of Cortlandt, County of Westchester and State of New York, being more fully described on Schedule A attached hereto and made a part hereof.

BEING THE SAME PREMISES conveyed to the party of the first part by Deed dated 6/14/02 and recorded 8/21/02 in Control #422210935.

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 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 to 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.

Handwritten signatures and initials at the bottom of the page.

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 Town of Cortlandt, County of Westchester and State of New York, being more fully described on Schedule A attached hereto and made a part hereof.

BEING THE SAME PREMISES conveyed to the party of the first part by Deed dated 6/14/02 and recorded 8/21/02 in Control #422210935.

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 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 to 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:

Anthony Cerami by Albert J. [unclear] as attorney for

ANTHONY CERAMI

Colleen Cerami
COLLEEN CERAMI

Beverly S. Sarkozi
Notary Public

BEVERLY S. SARKOZI
Notary Public, State of New York
No. 4881827
Qualified in Westchester County
Commission Expires December 8, 2006

(insert city of political subdivision and state
or county or other place acknowledgment
taken)

(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York
County of _____ ss.:

On the _____ day of _____ in the year
2005, 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 who 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.

SECTION: 68.6
BLOCK: 1
LOT: 30
COUNTY, TOWN OR CITY: Cortlandt

Address: 49 Bramblebush Road, Croton-on-
Hudson 10529

Notary Public

RETURN BY MAIL TO:

Mr. Ira Sarna, Esq.
31 Albany Post Road,
Montrose, New York 10548

Bargain & Sale Deed
With Covenant Against Grantor's Acts
Title No.
=====

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York
County of Westchester ss.:

On the 24 day of September, in the year 2006,
before me, the undersigned, a notary public in and
for said state, personally appeared ANTHONY
CERAMI and COLLEEN CERAMI, Albert A.
Capeitini

personally known to me or proved
to me on the basis of satisfactory evidence to be the
individual who 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.



Notary Public
BEVERLY S. SARKOZI
Notary Public, State of New York
No. 4881827
Qualified in Westchester County
Commission Expires December 8, 2006

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York
County of ss.:

On the _____ day of _____ in the year
2005, 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 who 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.

Notary Public

Bargain & Sale Deed

With Covenant Against Grantor's Acts

Title No.

ACKNOWLEDGMENT TAKEN OUTSIDE NEW YORK
STATE (RPL 309-b)

STATE OF _____
COUNTY OF _____ ss.:

On _____, 2005, 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) are subscribed to the within instrument and
acknowledged 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, and that
such individual made such appearance before the
undersigned in:

*(insert city of political subdivision and state
or county or other place acknowledgment
taken)*

(signature and office of individual taking acknowledgment)

SECTION: 68.6
BLOCK: 1
LOT: 30
COUNTY, TOWN OR CITY: Cortlandt

Address: 49 Bramblebush Road, Croton-on-
Hudson 10529

RETURN BY MAIL TO:

Mr. Ira Sarna, Esq.
31 Albany Post Road,
Montrose, New York 10548

Schedule A Description

Title Number 06-3089

Page 1

ALL that certain plot, piece or parcel of land, situate lying and being in the town of Cortlandt, County of Westchester and State of New York, known and designated as Lot No. 3 on the map entitled, "Resubdivision of Lot 3 of Subdivision Map prepared for Albert Landau, situate in the Town of Cortlandt, Westchester County, New York", dated July 16, 1979, revised July 10, 1980, made by Alexander S. Bunney and filed in the Office of the Clerk of the County of Westchester, Division of Land Records, on March 12, 1981 as Map No. 20515, said lot being more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of Upper Yorktown Road, where the same is intersected by the division line between Lot Nos. 3 and 4 on the aforementioned map;

RUNNING THENCE along said westerly side of Upper Yorktown Road the following courses and distances:

North 21 degrees 56 minutes 20 seconds East 160 feet;

Northwesterly on a curve to the right having a radius of 121.10 feet a distance of 160.91 feet to a point of tangency;

North 17 degrees 21 minutes 00 seconds East 102.90 feet to a point, said point being at the division line between Lot Nos. 3 and 2 on the aforementioned map;

RUNNING THENCE along said division line, South 85 degrees 43 minutes 54 seconds East 792.86 feet to a point, said point being at the division line between Lot 3 and 3-A on the aforementioned map;

RUNNING THENCE along said division line the following courses and distances:

Southwesterly on a curve to the right having a radius of 50 feet a distance of 16.80 feet to a point of tangency;

South 39 degrees 00 minutes 00 seconds West 446.74 feet;

Southwesterly on a curve to the right having a radius of 173.41 feet a distance of 12.35 feet to a point being at the division line between Lot Nos. 3 and 4 on the aforementioned map;

RUNNING THENCE along said division line, North 80 degrees 19 minutes 15 seconds East 932.71 feet and South 49 degrees 12 minutes 25 seconds East 172.18 feet to the point and place of BEGINNING.



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
 STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217

RP-5217 Rev 3/97

FOR COUNTY USE ONLY

C1. SWIS Code _____
 C2. Date Deed Recorded _____
Month Day Year
 C3. Book _____ C4. Page _____

PROPERTY INFORMATION

1. Property Location 49 Bramblebush Road
STREET NUMBER STREET NAME
Cortlandt 10520
CITY OR TOWN VILLAGE ZIP CODE
 2. Buyer Name Whitten Christian I.
LAST NAME / COMPANY FIRST NAME
McClellan MEGAN A.
LAST NAME / COMPANY FIRST NAME
 3. Tax Billing Address _____
Indicate where future Tax Bills are to be sent. If other than buyer address (at bottom of form)
LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE
 4. Indicate the number of Assessment Roll parcels transferred on the deed 0.01 # of Parcels OR Part of a Parcel
(Only if Part of a Parcel) Check as they apply:
 4A. Planning Board with Subdivision Authority Exists
 4B. Subdivision Approval was Required for Transfer
 4C. Parcel Approved for Subdivision with Map Provided
 5. Deed Property Size _____ X _____ OR 6.40
FRONT FEET DEPTH ACRES
 6. Seller Name Cerami Anthony & Colleen
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

7. Check the box below which most accurately describes the use of the property at the time of sale:

A <input checked="" type="checkbox"/> One Family Residential	B <input type="checkbox"/> Agricultural	I <input type="checkbox"/> Community Service
B <input type="checkbox"/> 2 or 3 Family Residential	F <input type="checkbox"/> Commercial	J <input type="checkbox"/> Industrial
C <input type="checkbox"/> Residential Vacant Land	G <input type="checkbox"/> Apartment	K <input type="checkbox"/> Public Service
D <input type="checkbox"/> Non-Residential Vacant Land	H <input type="checkbox"/> Entertainment / Amusement	L <input type="checkbox"/> Forest

Check the boxes below as they apply:

8. Ownership Type is Condominium
 9. New Construction on Vacant Land
 10A. Property Located within an Agricultural District
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date 06/13/06
Month Day Year
 12. Date of Sale / Transfer 09/08/06
Month Day Year
 13. Full Sale Price 1,262,500.00
(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-

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

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

16. Year of Assessment Roll from which information taken 06 17. Total Assessed Value (of all parcels in transfer) 19,825
 18. Property Class 210 19. School District Name Croton
 20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
68.6-1-30

CERTIFICATION

Size FRONT FEET DEPTH LOTS ACRES

6. Seller Name Cerami Anthony & Colleen

7. Check the box below which most accurately describes the use of the property at the time of sale:

- A [X] One Family Residential B [] Agricultural I [] Community Service
B [] 2 or 3 Family Residential F [] Commercial J [] Industrial
C [] Residential Vacant Land G [] Apartment K [] Public Service
D [] Non-Residential Vacant Land H [] Entertainment / Amusement L [] Forest

- 8. Ownership Type is Condominium []
9. New Construction on Vacant Land []
10A. Property Located within an Agricultural District []
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District []

SALE INFORMATION

11. Sale Contract Date 06/13/06

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13. Full Sale Price 1,262,500.00

(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 -0-0.00

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 [X] None

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

16. Year of Assessment Roll from which information taken 06 17. Total Assessed Value (of all parcels in transfer) 19,825

18. Property Class 210- 19. School District Name Croton

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

68.6-1-30

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 will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER'S ATTORNEY

BUYER SIGNATURE DATE 9/8/06

SARNA IRA LAST NAME FIRST NAME

49 Bramblebush Rd STREET NUMBER STREET NAME (AFTER SALE)

914 734-1590 AREA CODE TELEPHONE NUMBER

Croton-on-Hudson, NY, 10520 CITY OR TOWN STATE ZIP CODE

SELLER

SELLER SIGNATURE DATE 9/8/06

NEW YORK STATE COPY

Application to the Zoning Board of Appeals Attachment

September 18, 2018

Applicant: Neave Group for Christian Whitten
Site Location: 49 Bramble Bush Road
Tax Parcel: 68.6-1-30

A. Variance to allow proposed pool to be located within the front yard of a residential lot (Chap. 307 Sec. 17 Table of Dimensional Regulations)

1. *Will the granting of the variance produces an undesirable change in the character of the neighborhood or be a detriment to nearby properties? If not, please explain why.*

The granting of a variance will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties.

The pool and adjacent improvements will not be visible to adjacent neighbors or to the street due to existing wooded buffers and grade differentials. Most lots in the vicinity of the Applicant's parcel have pools (see Google Map) and therefore the project will be consistent with the neighborhood.

2. *Why is the granting of the variance necessary? Could the same result be achieved by some other feasible means that doesn't require a variance? Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.).*

Granting of the variance is necessary because the existing lot has frontage on two streets and therefore contains two front yards. The proposed location of the pool is on the rear side of the house which is the typical location for a pool for privacy and access reasons. Locating the pool on the far side of the house so that it is not in either of the zoning front yards is an awkward location and may be visible from the street.

3. *Is the requested area variance(s) substantial? If not, explain why it is not substantial.*

The requested variance is not substantial. Although the proposed pool is within the front yard as defined by zoning, it will be over 730 ft. away from the street.

4. *Will the variance(s) have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district? If not, please justify why it won't have an adverse effect.*

There will be no adverse affect or impact on the physical or environmental conditions. The proposed boulder landscape walls will eliminate a portion of existing steep slopes on the property. Underground retention units will be installed to capture drawdown water from the pool. All disturbed/graded areas will be landscaped and stabilized..

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5. *Is your need for an area variance(s) the result of self-created difficulties on your part? If not, please explain how the difficulties are not self-created.*

The need for an area variance is not the result of self-created difficulties. The existing house as purchased by the Applicant contains a unique zoning condition with two front yards at the front and rear of the lot.

Steep Slopes Narrative

September 18, 2018

Applicant: Neave Group for Christian Whitten

Site Location: 49 Bramble Bush Road

Tax Parcel: 68.6-1-30

The proposed project consists of a 580 sf inground pool, 45 sf hot tub, 575 sf patio, fence, and landscape walls. The construction is proposed in an area with steep slopes (1.5H:1V = 65%). The proposed project will improve the current slope conditions for the following reasons:

1. The existing slope is a fill slope and contains large rocks. The project will include the installation of several tiered boulder landscape walls. The finished condition will result in the removal of these steep slopes and replacement with short landscaped walls with relatively flat, landscaped terraces in between the walls.
2. The proposed activity will not result in creep, sudden slope failure, or additional erosion. The project will eliminate existing steep slopes and therefore reduce the risk of slope failures. Erosion controls will be installed during construction.
3. The proposed activity will not adversely affect the existing well or sewage disposal system. The well is in the front yard and the septic system is not in the area of the proposed project.
4. The proposed activity will not adversely affect any endangered or threatened species of flora or fauna. The area was previously disturbed as part of the filling for the house and patio construction and is currently lawn.
5. The proposed activity constitutes the minimum disturbance necessary to allow the property owner a reasonable use of the property. The proposed tiered landscape walls reduce the amount of disturbance on the property compared to a graded slope.
6. The design of the project provides the maximum in structural safety, slope stability and human enjoyment while adapting the affected site to, and taking advantage of, the best use of the natural terrain and aesthetic character. The boulder landscape walls will blend aesthetically better than other materials. The boulders incorporated into the landscape design will provide a more natural appearance.
7. Finished slopes will be constructed at less than 2H:1V.





Photo 1: View of Area of Proposed Pool as Viewed From the Bramble Bush Front/Side Yard (Batten Road is Not Visible Due to Heavy Wooded Buffer)



Photo 2: View of Area of Proposed Pool – Steep Slope Will Be Eliminated With the Use of Boulder Landscaped Walls