



**TOWN OF LEWISBORO
TOWN BOARD MEETING AGENDA
TOWN HOUSE
MONDAY, JUNE 13, 2022
7:30 P.M.**

- I. PUBLIC HEARING Proposed Amendment to Chapter 92 (Building Code Administration) Town Code**
- II. PUBLIC HEARING Proposed Amendment to Chapter 199 (Taxation) Town Code**
- III. PUBLIC HEARING Proposed Amendment to Chapter 212 (Vehicles and Traffic)**
- IV. PUBLIC COMMENT I**
- V. COMMUNICATIONS**

Steering Committee Quarterly Update – Katie McGinn

VI. CONSENT AGENDA

- a. Approval of Minutes of May 23, 2022**
- b. Monthly Reports May 2022**
 - i. Building Department**
 - ii. Police Department**

VII. OLD BUSINESS

- a. Resolution: Approving Settlement of Tax Certiorari - Waccabuc Country Club**
- b. Resolution: Consider Negative Declaration for Bacio Trattoria's SEQR Determination**
- c. Resolution: Consider Approval of Petition for Amendment of Zoning Map – Bacio Trattoria**
- d. Resolution: Determining Chapter 92 (NYStretch Energy Code) Amendment as Type II Matter**
- e. Resolution: Determining Chapter 199 (Veterans Tax Exemption Cap) Amendment as Type II Matter**
- f. Resolution: Determining Chapter 212 (Speed Limits) Amendment as Type II Matter**

- g. **Discussion: Update to Request for Stop Sign at Hall Avenue and Pond Street in Goldens Bridge and Setting a Public Hearing**
- h. **Discussion: Ethics Committee**
- i. **Discussion: Wood Debris Removal – Next Steps**

VIII. NEW BUSINESS

- a. **Resolution: Approving Annual Cycle of Support Charity Bike Ride to Use Town Roads**
- b. **Resolution: Approving Transfer of Graves**
- c. **Resolution: Approving 2021 Tri-Town Agreement and Authorizing Supervisor to Sign**
- d. **Discussion: Building Department Refund of Fee – Mazella**
- e. **Discussion: External Plan Review for Mercedes Expansion Project**

IX. PUBLIC COMMENT II

X. APPROVAL OF CLAIMS

XI. POLLING OF THE BOARD

XII. ANNOUNCEMENTS

Town Board Meeting Monday, June 27, 2022, at 7:30 p.m., at the Town House, 11 Main Street, South Salem.

XIII. MOTION TO GO INTO EXECUTIVE SESSION

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services, and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Bouton Road Town Offices are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled in-person meeting, and we will try to accommodate whenever possible.

Join Zoom Meeting

<https://us06web.zoom.us/j/84574782792?pwd=SDdSdHNmU0VKUDZZS2Q4RFMxNVJRQT09>

Meeting ID: 845 7478 2792

Passcode: 567267

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 845 7478 2792

Passcode: 567267

RESOLUTION AMENDING CHAPTER 92 OF THE LEWISBORO TOWN CODE

ENTITLED “BUILDING ADMINISTRATION”

WHEREAS, to prevent a statewide patchwork of stricter energy codes, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code–2020 (NYStretch);

WHEREAS, a stretch energy code is simply more stringent than the minimum base energy code that can be voluntarily adopted by local jurisdictions. NYStretch is a model stretch code that is 10 to 12% more efficient than the minimum requirements of the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNY);

WHEREAS, some New York State municipalities have adopted stricter energy standards to ensure reduced energy costs for residents and businesses;

WHEREAS, under NY Energy Law § 11-109, the Town of Lewisboro is authorized to enact a local energy code more stringent than the 2020 ECCCNY;

WHEREAS, the Town Board is considering to add provisions for a local energy code under **Chapter 92** of the Lewisboro Code;

WHEREAS, the Town Board has complied with all public notice requirements as mandated by New York State statute(s) and the Lewisboro Code, and the proposed Local Law has been distributed to the Town Board as per NYS Municipal Home Rule Law §20(4), and a public hearing was held on [DATE], at which time all persons either for or against said amendments were heard;

WHEREAS, the Town Board is declared Lead Agency for the purposes of environmental review with respect to the proposed Resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, the State Environmental Quality Review Act or “SEQRA”);

WHEREAS, the Town Board, as the SEQRA Lead Agency, has determined that the proposed Action meets the criteria of a Type II Action under SEQRA Regulation §617.5(c)(33), which is exempt from, and not required to undergo, a SEQRA environmental review;

WHEREAS, the Town Board has determined that this proposed Local Law is not subject to the mandates of NYS General Municipal Law (GML) §2390-m, and, therefore, not required to be referred to the Westchester County Planning Department for GML review.

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. [#] of [YEAR] is hereby adopted as follows:
LOCAL LAW NO. [#] OF [YEAR]

A LOCAL LAW adding provisions for a local energy code Chapter 92 of the Lewisboro Code;

BE IT ENACTED by the Town Board of Lewisboro as follows:

Section 1. Recitals and Legislative Intent

The New York State Energy Conservation Construction Code (hereinafter referred to as the “State Energy Code”) is adopted by the State Fire Prevention and Building Code Council (hereinafter referred to as the “Code Council”) pursuant to Article 11 of the Energy Law.

The State Energy Code includes the provisions contained in Part 1240 of Title 19 of the New York Codes, Rules and Regulations (hereinafter referred to as “Part 1240”) and the publications incorporated by reference in Part 1240.

The publications currently incorporated by reference in Part 1240 include, but are not limited to, the 2020 edition of the Energy Conservation Construction Code of New York State (hereinafter referred to as the “2020 ECCCNY”) and the 2016 edition of ASHRAE 90.1 (hereinafter referred to as “ASHRAE 90.1-2016”).

The 2020 ECCCNY is based on the 2018 edition of a publication entitled International Energy Conservation Code (hereinafter referred to as the “2018 IECC”).

The New York State Energy Research and Development Authority (hereinafter referred to as “NYSERDA”) has issued a publication entitled NYStretch Energy Code 2020, Version 1.0, dated July 2019 (hereinafter referred to as “NYStretch”). NYStretch modifies (i.e., amends, replaces, replaces and renames, or adds to) certain sections, certain tables, and a certain appendix in the 2018 IECC; adds certain sections, certain tables, and certain appendices to the 2018 IECC; modifies (i.e., adds to, amends, or replaces) certain sections and certain tables in ASHRAE 90.1-2016; and adds certain new sections to ASHRAE 90.1-2016.

Studies commissioned by NYSEDA indicate that modifying the State Energy Code in the manner contemplated by NYStretch can result in significant savings in energy usage and energy costs.

Article 11 of the Energy Law authorizes municipalities to adopt local energy conservation construction codes that are more stringent than the State Energy Code.

The Town of Lewisboro seeks to protect and promote public health, safety and welfare of its residents by mandating energy-efficient building standards; and desires to adopt as its local energy conservation construction code the State Energy Code as modified in the manner contemplated by NYStretch.

This proposed amendment to the Code of the Town of Lewisboro (hereinafter referred to as the “Lewisboro Code”) seeks to modify Chapter 92 of the Lewisboro Code (Building Code Administration) so as to adopt the NYStretch and enact more restrictive regulations as they relate to new or substantially renovated or altered, buildings.

Section 2. Adoption of Local Energy Conservation Construction Code

The Town of Lewisboro hereby amends Chapter 92 of the Town Code of the Town of Lewisboro by the addition of Section 92-22, which shall read as follows:

92-22 NY STRETCH ENERGY CODE VERSION 1.0

The Town of Lewisboro hereby adopts as its local energy conservation construction code, the State Energy Code as modified in the manner contemplated by NYStretch. Such local energy conservation construction code shall consist of the provisions currently set forth in Part 1240 and in the publications currently incorporated by reference in Part 1240; provided, however, that the 2020 ECCCNY and ASHRAE 90.1-2016 shall be deemed to be modified as follows:

(a) in each case where a section, table, or appendix in the 2018 IECC is modified by NYStretch, the corresponding section, table, or appendix in the 2020 ECCCNYs shall be deemed to be modified in the same manner;

(b) in each case where a section, table, or appendix is added to the 2018 IECC by NYStretch, such section, table, or appendix shall be deemed to be added to the 2020 ECCCNYs *[subject to the following exception]*:

(i) Section R403.6.2_ added to the 2018 IECC by NYStretch shall not be deemed to be added to the 2020 ECCCNYs];

(c) each section or table in ASHRAE 90.1-2016 that is modified by NYStretch shall be deemed to be so modified; and

(d) each section added to ASHRAE 90.1-2016 by NYStretch shall be deemed to be added to ASHRAE 90.1-2016.

A copy of NYStretch is annexed hereto and made part hereof.

Section 3. Applicability

The local energy conservation construction code, as hereby adopted, shall be applicable to all buildings constructed, substantially renovated, or altered in the Town of Lewisboro on or after the effective date of this local law and to all additions to buildings in the Town of Lewisboro made on or after the effective date of this local law. However, pursuant to Energy Law § 11-109(2):

(a) if a copy of this local law is filed with the New York State Department of State, Division of Building Standards and Codes, as Secretariat for the Code Council, within thirty days after adoption of this local law, and if the Code Council shall subsequently determine that the local energy conservation construction code as hereby adopted is not more restrictive than the State Energy Code, then on and after the date of such determination the local energy conservation construction code as hereby adopted shall no longer be enforced and the State Energy Code shall be applicable and shall be enforced in the Town of Lewisboro; and

(b) if a copy of this local law is not filed with the New York State Department of State, Division of Building Standards and Codes, as Secretariat for the Code Council, within thirty days after adoption of this local law, then the local energy conservation construction code as hereby adopted shall not be enforceable until and unless the Code Council shall determine that such local energy conservation construction code is more restrictive than the State Energy Code, and until and unless the Code Council shall make such determination the State Energy Code shall be applicable and shall be enforced in the Town of Lewisboro.

Section 4. Authority

This proposed Local Law is enacted and adopted pursuant to the NYS Energy Law §11-109(1); and NYS Municipal Home Rule §20.

Section 5. Severability

If any section, subsection, subdivision, paragraph, clause or phrase in this local law, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this local law, or any part thereof. The [City or Common Council/Town Board/Village Board] hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this local law, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases may be declared invalid or unconstitutional.

Section 6. Authority

This local law is adopted pursuant to Energy Law § 11-109(1) and Municipal Home Rule Law § 10.

Section 7. Effective Date

This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

PROPOSED LOCAL LAW # OF THE YEAR 2022

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF LEWISBORO, COUNTY OF WESTCHESTER, STATE OF NEW YORK AS FOLLOWS:

SECTION 1 : AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State Municipal Home Rule Law.

SECTION 2 : AMENDMENT OF CHAPTER 199

Chapter 212 of the current Code of the Town of Lewisboro entitled "Taxation", specifically Article III "Alternative Veterans Exemption" and Subsection 199-10(A) thereof entitled "Increase in Exemption" is hereby amended to read as follows:

A. Increase in Exemption.

In accordance with the authorization of Subparagraph (ii) of Paragraph (d) of Subdivision 2 of § 458-a of the Real Property Tax Law, the maximum allowable exemption of Paragraphs (a), (b) and (c) of Subdivision 2 of § 458-a of such law is hereby increased to \$75,000, \$50,000 and \$250,000 respectively

SECTION 3 – HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law or to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5– EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

PROPOSED LOCAL LAW # OF THE YEAR 2022

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF LEWISBORO, COUNTY OF WESTCHESTER, STATE OF NEW YORK AS FOLLOWS:

SECTION 1 : AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State Municipal Home Rule Law.

SECTION 2 : AMENDMENT OF CHAPTER 212

Chapter 212 of the current Code of the Town of Lewisboro entitled “Vehicles & Traffic”, specifically Subsection 212-22 entitled “Schedule I: Speed Limits” is hereby amended to read as follows:

NAME OF STREET	SPEED LIMIT (MPH)	LOCATION
BOUTON ROAD	25	ENTIRE LENGTH
MAIN STREET	25	FROM THE INTERSECTION WITH BOUTON ROAD TO THE BORDER WITH THE STATE OF CONNECTICUT
OSCALETA ROAD	25	ENTIRE LENGTH
SPRING HILL LANE	25	ENTIRE LENGTH
WEST LANE	25	FROM THE INTERSECTION WITH SPRING HILL ROAD TO THE BORDER WITH THE STATE OF CONNECTICUT

SECTION 3 – HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law or to limit the Town’s discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such

invalid application or invalid provision been apparent.

SECTION 5– EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

TOWN OF LEWISBORO
Building/Zoning Department
79 Bouton Road
South Salem, NY 10590

M5 Fee Report
From 04/27/2022 To 05/26/2022

Count by Type

Fee Type	Count	Total
Additional Building Permit Fee	7	\$6,060.00
Additional CC Fee	1	\$190.00
Additional CO Fee	6	\$7,150.00
BUILDING PERMIT FEE	65	\$31,420.00
CERTIFICATE OF COMPLIANCE FEE	37	\$3,700.00
CERTIFICATE OF OCCUPANCY FEE	25	\$21,350.00
CIVIL PENALTY - NO PERMIT	1	\$1,500.00
ENVIRONMENTAL QUESTIONNAIRE-BUILDING	18	\$900.00
MISCELLANEOUS	1	\$8.75
RE-INSPECTION	2	\$200.00
RECORDS MANAGEMENT FEE	64	\$128.00
RENEWAL FEE	10	\$3,701.00
Stormwater ADMIN	2	\$1,200.00
VARIANCE	1	\$252.00
Wetland Administrative	6	\$1,550.00
ZONING BOARD APPLICATION	6	\$1,512.00
	252	\$80,821.75

TOWN OF LEWISBORO

Building & Zoning Department

79 Bouton Road, South Salem, NY 10590

914-763-3060

	2020		2021		2022	YEAR TO DATE INCREASE BY MONTH
	BUDGET REVENUE: \$484,900		BUDGET REVENUE: \$510,000		BUDGET REVENUE: 600,000	
MONTH	INCOME	MONTH	INCOME	MONTH	INCOME	
JAN	\$18,802.00	JAN	\$46,580.69	JAN	\$129,768.00	179%
FEB	\$30,148.50	FEB	\$46,052.00	FEB	\$295,108.75	541%
MAR	\$20,785.00	MAR	\$152,883.32	MAR	\$39,169.50	-74%
APR	\$49,473.50	APR	\$62,215.75	APR	\$71,303.00	15%
MAY	\$31,037.87	MAY	\$87,484.00	MAY	\$80,821.75	-8%
JUNE	\$106,037.00	JUNE	\$172,756.00	JUNE		
JULY	\$72,945.50	JULY	\$72,809.49	JULY		
AUG	\$57,067.00	AUG	\$51,153.00	AUG		
SEPT	\$101,789.50	SEPT	\$107,715.18	SEPT		
OCT	\$83,161.00	OCT	\$111,226.00	OCT		
NOV	\$121,043.10	NOV	\$176,999.75	NOV		
DEC	\$85,554.21	DEC	\$50,350.00	DEC		
	\$777,844.18		\$1,138,225.18		\$616,171.00	

PATROL ACTIVITY 2022

INCIDENTS REPORTED	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	YTD
Auto Accidents	18	12	13	12	13	0	0	0	0	0	0	0	68
Aided Cases	68	56	49	37	52	0	0	0	0	0	0	0	262
Alarms	31	18	24	29	31	0	0	0	0	0	0	0	133
Animal	3	6	5	8	14	0	0	0	0	0	0	0	36
Assist Other Depts.	5	4	2	1	1	0	0	0	0	0	0	0	13
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Civil Complaints	4	4	5	4	2	0	0	0	0	0	0	0	19
Criminal Activity	0	1	2	4	2	0	0	0	0	0	0	0	9
Domestic Incidents	2	3	5	1	2	0	0	0	0	0	0	0	13
Drug Related Activity	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	6	5	5	1	1	0	0	0	0	0	0	0	18
Larceny	0	1	2	3	4	0	0	0	0	0	0	0	10
Fingerprints	5	1	1	3	2	0	0	0	0	0	0	0	12
Fire	1	1	1	2	1	0	0	0	0	0	0	0	6
Property Lost / Found	3	5	3	3	2	0	0	0	0	0	0	0	16
Utilities	1	1	4	2	4	0	0	0	0	0	0	0	12
Miscellaneous	9	21	19	21	28	0	0	0	0	0	0	0	98
Mischief / Vandalism	3	2	5	1	1	0	0	0	0	0	0	0	12
Summons / Papers Served	1	3	5	0	4	0	0	0	0	0	0	0	13
Suspicious Activity	3	8	9	12	12	0	0	0	0	0	0	0	44
Trespass	0	1	1	2	1	0	0	0	0	0	0	0	5
Vehicles	15	15	21	17	19	0	0	0	0	0	0	0	87
MONTHLY TOTALS	178	168	181	163	196	0	0	0	0	0	0	0	886

	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
D.W.I Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Parking Summons	8	5	11	25	22	0	0	0	0	0	0	0	71
Appearance Tickets	0	0	0	0	2	0	0	0	0	0	0	0	2
MONTHLY TOTALS	8	5	11	25	24	0	0	0	0	0	0	0	73

	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
VEHICLE AND TRAFFIC TICKETS													
Speeding	33	36	62	61	69	0	0	0	0	0	0	0	261
Agg. Unlicensed	0	0	0	0	1	0	0	0	0	0	0	0	1
Stop Sign	4	8	10	16	2	0	0	0	0	0	0	0	40
Seat Belts	0	0	1	0	20	0	0	0	0	0	0	0	21
Cell / Text	0	0	1	15	1	0	0	0	0	0	0	0	17
Other	39	55	87	71	129	0	0	0	0	0	0	0	381
Parking	10	5	11	21	26	0	0	0	0	0	0	0	73
App Ticket	0	0	0	0	2	0	0	0	0	0	0	0	2
MONTHLY TOTALS	86	104	172	184	250	0	0	0	0	0	0	0	796

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Westchester, under Index Nos. 60945/2020 and 63244/2021 certain lawsuits entitled “Waccabuc Country Club vs. The Town of Lewisboro” regarding the tax assessments for certain parcels of real property located within the Town of Lewisboro; and

WHEREAS a proposed settlement of the litigation has been negotiated by Lise Robertson, Town Assessor, and certiorari counsel Gregory L. Folchetti, both of whom have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Lewisboro authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that certiorari counsel Gregory L. Folchetti is hereby authorized to sign, on behalf of the Town of Lewisboro, the stipulation of settlement, corresponding consent judgment and settlement agreement reflecting the terms of the same.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Andrea Rendo	_____	_____
Rich Sklarin	_____	_____
Tony Goncalves	_____	_____
Daniel Welsh	_____	_____
Mary Shah	_____	_____

**RESOLUTION MAKING NEGATIVE DETERMINATION UNDER
NY STATE ENVIRONMENTAL QUALITY REVIEW (“SEQR”)
IN REGARD TO THE ADOPTION OF LOCAL LAW NO 2 OF 2022**

WHEREAS the Town Board of the Town of Lewisboro has reviewed the short form environmental assessment form in regard to the proposed adoption of Local Law No. 2 of 2022, which seeks granting of a petition for rezoning of a portion of a parcel of real property on Mark Mead Road, Cross River, NY; and

WHEREAS, the adoption of said local law is being proposed to promote the health, safety and general welfare of the persons and property of the Town of Lewisboro; and

WHEREAS, the project is defined as an Unlisted Action; and

WHEREAS the Town Board has reviewed the Full Environmental Assessment form and assessed the projected impacts and their magnitude on the environment in accordance with the SEQR regulations and given due consideration thereto;

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Town of Lewisboro Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Lewisboro, hereby determines that, based on the information contained in the Short Form Environmental Assessment Form and their analysis thereof, the proposed Project will not result in any significant adverse environmental impacts under the SEQR regulations and for the reasons enumerated in the attached Negative Declaration Form hereby adopts a Negative Declaration in regard to the proposed action.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Andrea Rendo	_____	_____
Richard Sklarin	_____	_____
Tony Goncalves	_____	_____
Daniel Welsh	_____	_____
Mary Shah	_____	_____

SEQR
617.21
Appendix F
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number _____ Date June, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. The Town of Lewisboro, Town Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

Amendment of Chapter 220 of the Town Code of the Town of Lewisboro Specifically §220- 4, entitled "Zoning Map" of the Code of the Town of Lewisboro.

SEQR Status:

Type I Unlisted X

Conditioned Negative Declaration: Yes No X

Description of Action:

Amendment of Chapter 220 of the Town Code of the Town of Lewisboro Specifically §220- 4, entitled "Zoning Map," of the Code of the Town of Lewisboro in order to amend the Zoning Map of the Town of Lewisboro, which amendment will re-zone as "RB" (Retail Business District) a portion of a parcel of real property in the Town of Lewisboro located on Mark Mead Road such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1.

SEQR Negative Declaration

Page 2

Location: Mark Mead Road, Cross River, NY.

REASONS SUPPORTING THIS DETERMINATION:

The purpose of the action is to protect and enhance the public health and welfare of the residents of the Town of Lewisboro by permitting the re-zoning of a portion of a parcel of real property in the Town of Lewisboro from R1/2 A (One Family Residence) to "RB" (Retail Business District) said parcel of real property in the Town of Lewisboro located on Mark Mead Road such and known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1

If **Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: Tony Goncalves, Supervisor

**RESOLUTION ADOPTING
LOCAL LAW NO. 2 OF 2022**

WHEREAS, the Town Board of the Town of Lewisboro has received a Petition pursuant to New York State Town Law Sections 264 and 265 and Article X of Chapter 220 of the Lewisboro Town Code seeking amendments to the Zoning Map of the Town of Lewisboro in order to re-zone a portion of a certain parcel owned by Anacapri, LLC ("Petitioner"); and

WHEREAS, the subject parcel owned by Petitioner is known and designated as 19 Mark Mead Road and shown on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1" and

WHEREAS, the Petitioner seeks to re-zone a portion of the referenced parcel to from R-1/2A (Residential Single Family) to RB (Retail Business) zoning classification, and to restrict all commercial uses that would otherwise be permitted in the RB zone to solely to parking; and

WHEREAS, an amendment of Chapter 220 of the Town Code of the Town of Lewisboro Specifically §220-4, entitled "Zoning Map," of the Code of the Town of Lewisboro has been proposed, in order to amend the Zoning Map of the Town of Lewisboro, which amendment will re-zone as "RB" (Retail Business District) a portion of a parcel of real property in the Town of Lewisboro located on Mark Mead Road such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1;" and

WHEREAS, a public hearing was held on May 23, 2022, upon notice duly published and posted, and

WHEREAS, public discussion was heard at such hearing concerning the merits of said local law, and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations, the proposed action has been determined to be an UNLISTED Action; and

WHEREAS, the Town Board of the Town of Lewisboro has reviewed the Environmental Assessment Form submitted for the project, and has completed review of the project; and

WHEREAS, the Town Board of the Town of Lewisboro has issued a negative

declaration of significance pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, and has determined that the proposed action will not have a significant environmental impact and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, the Town Board of the Town of Lewisboro wishes to amend Town Code Chapter 220 §220-4, entitled “Zoning Map,” in order to amend the Zoning Map of the Town of Lewisboro, which amendment will re-zone as “RB” (Retail Business District) a certain portion of a parcel real property in the Town of Lewisboro located upon Mark Mead Road, such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1; and

THEREFORE BE IT RESOLVED that the Town Board of the Town of Lewisboro hereby amends Town Code Chapter 220, §220-4, entitled “Zoning Map,” of the Code of the Town of Lewisboro, to amend the Zoning Map of the Town of Lewisboro to re-zone as “RB” (Commercial) that certain portion of a parcel real property in the Town of Lewisboro located upon Mark Mead Road, such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1 (“subject property), said portion of the subject property being more fully and completely described on Exhibit “A” to this resolution; and

BE IT FURTHER RESOLVED, that permitted commercial uses for the re-zoned portion of the subject property are hereby and shall be to be limited solely to parking; and

BE IT FURTHER RESOLVED that this local law is hereby enacted by the Town Board of the Town of Lewisboro as Local Law No. 2 of 2022 of the Town of Lewisboro; and

BE IT FURTHER RESOLVED that the Zoning Map of the Town of Lewisboro is to be amended to reflect that the portion of subject property described on Schedule “A” hereto is now located in the “RB” (Retain Business) District.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Andrea Rendo	_____	_____
Richard Sklarin	_____	_____
Tony Goncalves	_____	_____

Daniel Welsh

Mary Shah

**RESOLUTION MAKING SEQR DETERMINATION IN REGARD
TO LOCAL LAW # ____AMENDING CHAPTER 199 TOWN CODE OF THE
TOWN OF LEWISBORO ENTITLED "TAXATION"**

RESOLVED that the Town Board of the Town of Lewisboro hereby determines that local law #__ of 2022 amending Chapter 199 of the Lewisboro Town Code entitled "Taxation" is a Type II action under SEQR pursuant to 6NYCRR §617.5(c)(33), and no further review is necessary.

Resolution

Offered by: _____

Seconded by:_____

<u>Roll Call Vote</u>	<u>YES</u>	NO
Mary Shah	_____	_____
Andrea Rendo	_____	_____
Richard Sklarin	_____	_____
Daniel Welsh	_____	_____
Tony Goncalves	_____	_____

**RESOLUTION MAKING SEQR DETERMINATION IN REGARD
TO LOCAL LAW # ____AMENDING CHAPTER 212 TOWN CODE OF THE
TOWN OF LEWISBORO ENTITLED “VEHICLES & TRAFFIC”**

RESOLVED that the Town Board of the Town of Lewisboro hereby determines that local law #__ of 2022 amending Chapter 212 of the Lewisboro Town Code entitled “Vehicles & Traffic” is a Type II action under SEQR pursuant to 6NYCRR §617.5(c)(33), and no further review is necessary.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	NO
Mary Shah	_____	_____
Andrea Rendo	_____	_____
Richard Sklarin	_____	_____
Daniel Welsh	_____	_____
Tony Goncalves	_____	_____

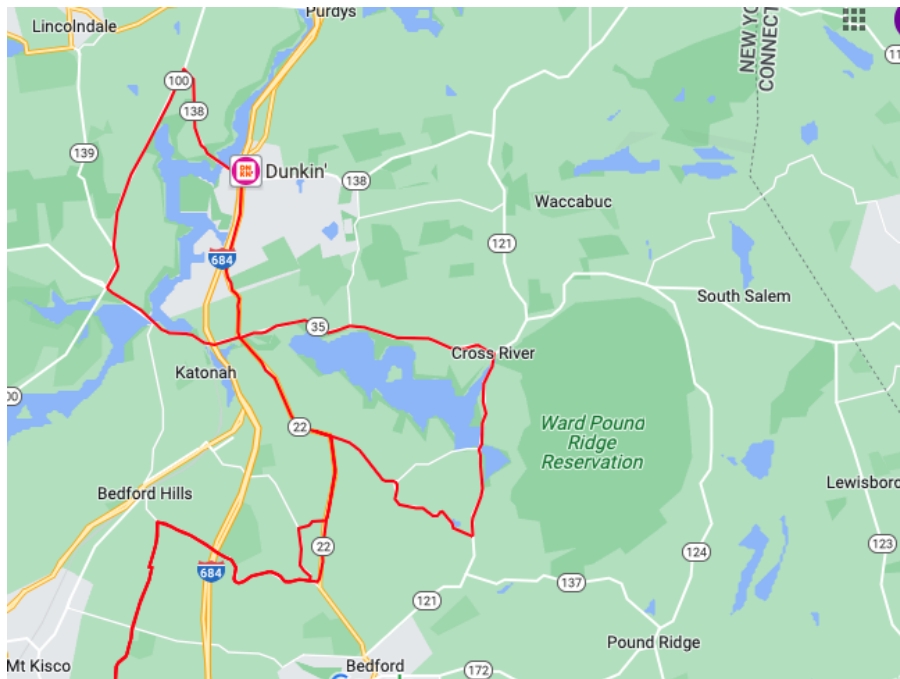
From: glenn morton
Sent: Tuesday, May 10, 2022 2:55 PM
To: townclerk@lewisborogov.com
Cc: Robin Morton
Subject: Annual Cycle of Support Charity Bike Ride - Sunday, September 18

Hello,

I am doing the planning for the 2022 Cycle of Support Charity Bike Ride. There will be approximately 120 riders and they will arrive in small groups starting around 8:30 and the last riders will leave Lewisboro around 11:30.

We are not requesting any road closures, are not using any barricades, riders follow all rules of the road and will use the shoulder or bike lane when available. There will be no impact on normal traffic.

The ride starts and ends in Armonk and part of the route takes us through Lewisboro. I am including a map as well as a turn-by-turn cue sheet and this link to the [60 Mile Route](#) route in Google Maps.



We will provide you with a Certificate of Insurance.

Let me know if you have any questions or need additional information.

2022 Cycle of Support 60 Mile (with work-around)

60.0 miles

Leg	Dir	Type	Notes	Total
	↑	Generic	START - CYCLE OF SUPPORT RIDE	0.0
0.0	↑	Generic	Start/Finish - Congregation B'nai Israel. 2 Banksville Road Armonk	0.0
0.0	←	Left	Left onto Banksville Road	0.0
0.4	←	Left	Turn left onto Sniffen Rd	0.5
0.2	→	Right	Turn right onto Spruce Hill Rd	0.6
0.4	←	Left	Turn left onto Windmill Rd	1.0
0.1	→	Right	Turn right onto Maple Way	1.1
0.3	←	Left	Turn left onto Upland Ln	1.4
0.1	→	Right	Turn right onto NY-22 N	1.5
0.8	←	Left	Turn left onto Baldwin Rd	2.4
0.4	←	Left	Turn left onto Byram Lake Rd	2.7
2.5	↑	Straight	Merge onto Cox Ave	5.2
0.2	→	Right	Turn right into Modern Barn Parking Lot	5.4
0.1	↑	Generic	REST STOP - MODERN BARN PARKING LOT	5.4
0.1	←	Left	Slight left onto Niles Avenue	5.5
0.0	↑	Straight	Cross Bedford Road to continue onto N. Greenwich Road	5.6
0.7	↑	Straight	Continue onto Riversville Rd	6.3
0.0	↑	Straight	Continue straight onto Bedford Rd	6.3
0.8	→	Right	Turn right onto Cutler Rd	7.1
1.5	→	Right	Turn right onto Bedford Rd	8.6
0.3	→	Right	Turn right onto Locust Rd	8.8
0.7	←	Left	Locust Rd turns left and becomes King St	9.5
0.7	←	Left	Turn left onto Bedford Rd	10.2
2.6	←	Slight Left	Bear left to continue onto Riversville Rd	12.8
0.0	↑	Straight	Continue onto NY-433 N	12.8
0.7	↑	Straight	cross Bedford Road onto Niles Road	13.5
0.1	→	Right	turn right	13.5
0.1	↑	Generic	REST STOP - MODERN BARN PARKING LOT	13.7
0.1	←	Left	Turn left onto Cox Ave	13.7
0.2	↑	Straight	Continue straight onto Byram Lake Rd	13.9

Leg	Dir	Type	Notes	Total
2.5	→	Right	Turn right onto Baldwin Rd	16.3
0.4	←	Left	Turn left onto NY-22 N	16.7
0.1	←	Left	Turn left onto Chestnut Ridge Rd	16.8
2.8	←	Left	Turn left onto NY-172 W	19.6
0.9	→	Right	Turn right onto W Patent Rd	20.5
1.6	←	Left	Turn left onto Broad Brook Rd	22.1
0.0	→	Right	Turn right onto Springhurst Rd	22.1
0.6	→	Right	Turn right onto Bedford Center Rd	22.7
2.5	←	Left	Slight left to stay on Bedford Center Rd	25.2
0.1	←	Left	Turn left onto NY-22 N	25.3
2.1	↑	Generic	REST STOP - JOHN JAY HOMESTEAD	27.4
1.7	←	Left	Turn left onto NY-35 W	29.0
1.9	→	Right	Turn right onto NY-100 N	31.0
3.1	→	Right	Turn right onto NY-138 E	34.0
1.9	→	Right	Turn right at the 1st cross street onto North St	35.9
0.2	←	Left	Turn left onto NY-22 S/Goldens Bridge Rd	36.0
2.1	←	Left	Turn left onto NY-35 E	38.1
3.5	→	Right	Turn right onto NY-121 S	41.6
2.4	→	Right	Turn right onto 309/Pea Pond Rd	44.0
1.4	←	Left	Slight left to stay on 309/Pea Pond Rd	45.4
1.3	↑	Generic	REST STOP - JOHN JAY HOMESTEAD	46.7
0.1	→	Right	right turn onto Rt 22/Cantito Street	46.8
1.2	→	Right	Turn right onto Matthews Mill Rd	48.0
0.4	←	Left	Turn left onto Harris Rd	48.4
0.7	→	Right	Turn right onto Bedford Center Rd	49.2
2.4	←	Left	Turn left onto Springhurst Rd	51.6
0.6	←	Left	Turn left onto Broad Brook Rd	52.2
0.0	→	Right	Turn right onto W Patent Rd	52.2
1.6	←	Left	Turn left onto NY-172 E	53.9
0.9	→	Right	Turn right onto Chestnut Ridge Rd	54.7
2.8	→	Right	Turn right onto NY-22 S	57.5
1.0	←	Left	Turn left onto Upland Ln	58.5
0.1	→	Right	Turn right onto Maple Way	58.6

Leg	Dir	Type	Notes	Total
0.3	←	Left	Turn left onto Windmill Rd	58.9
0.1	→	Right	Turn right onto Spruce Hill Rd	59.0
0.4	←	Left	Turn left onto Sniffen Rd	59.4
0.2	→	Right	Turn right onto Banksville Rd	59.6
0.4	→	Right	turn right into parking lot	60.0
0.0	↑	Generic	Finish - Cycle of Support	60.0

Ride With GPS · <https://ridewithgps.com>



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/11/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HCM Event Insurance Services Inc Ed Moore 1407 Foothill Blvd #228 La Verne CA 91750	CONTACT NAME: Ed Moore PHONE (A/C. No. Ext): (866) 866-7090 E-MAIL ADDRESS: ed@hcmeventinsurance.com FAX (A/C. No): INSURER(S) AFFORDING COVERAGE INSURER A: Crum & Forster INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 44520
INSURED The Jewish Board of Children and Family Hope Larson 226 Linda Ave. Hawthorne NY 10532		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR Host Liquor Liability Retail Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	BAK-88413-1-A2556382	09/14/2022 12:01 AM	09/22/2022 12:01 AM	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
	GENERAL AGGREGATE \$ 2,000,000						
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	Participant Medical Payments			BAK-88413-1-A2556382	09/14/2022	09/22/2022	Medical Pavments 2 \$30.000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder listed below is named as additional insured per attached CG 20 26 07 04.
Attendance: 40, Participants: 350, Event Type: Cycling (short term)- No Racing/Off-road - Amateur Only.
Primary/Non-Contributory wording applies per attached CG 20 01 04 13.
Waiver of transfer of rights of recovery against others to us referenced attached CG 24 04 12 19.

CERTIFICATE HOLDER**CANCELLATION**

Town of Lewisboro 11 Main St. South Salem NY 10590	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Ed Moore
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05/11/2022

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	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/> N / A					PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	Participant Medical Payments			BAK-88413-1-A2556382	09/14/2022	09/22/2022	Medical Pavments 2 \$30.000

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RESOLUTION ADOPTED BY THE TOWN BOARD
OF THE TOWN OF LEWISBORO
AT A MEETING HELD ON JUNE 13, 2022

RESOLVED, that the Town Board does hereby approve the transfer of Graves #1 through #4 in Plot 214 in the South Salem Cemetery, Section C from Jeffrey Blutstein and family to Glen and Stacey Setterstrom.

STATE OF NEW YORK
COUNTY OF WESTCHESTER

I, JANET L. DONOHUE, Town Clerk of the Town of Lewisboro, County of Westchester, State of New York, do hereby certify that I have compared the preceding copy of a Resolution adopted by the Town Board of the Town Board of Lewisboro at a meeting held on the 13th day of June, 2022, to the original thereof, and that the same is a true and exact copy of said original and of the whole thereof.

Janet L. Donohue
Town Clerk

Dated at South Salem, New York
this 14th day of June, 2022

OFFICE OF THE SUPERVISOR

Telephone
(914) 277-3637
Fax
(914) 276-0082

Town of Somers

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

ROBERT SCORRANO
SUPERVISOR



2021
MEMORANDUM OF AGREEMENT AMONG THE
TOWNS OF SOMERS, LEWISBORO, AND NORTH SALEM,
with regard to
THE SENIOR CITIZEN NUTRITION PROGRAM

The Town of Somers will provide a Senior Citizen Nutrition Lunch Program meeting the requirements of the Older Americans Act and the rules and regulations of the New York State Office for the Aging for the persons qualifying in the Towns of Somers, Lewisboro and North Salem. Such services will be provided in accordance with the Town of Somers' agreement with the County of Westchester.

The Town of Somers may terminate this Agreement if its arrangement with Westchester County is terminated. If the program is terminated by Westchester County, Somers will promptly notify the supervisors of Lewisboro and North Salem.

The Towns of Lewisboro and North Salem will furnish (1) appropriate insurance in accordance with the requirements of Westchester County, if applicable and (2) proof of insurance and indemnities to Westchester County as might be required by Westchester County.

The Towns of Lewisboro and North Salem will provide the Town of Somers with proof of existing General Liability Insurance containing Broad Form Contractual Liability coverage in the amounts listed below:

\$500,000 per occurrence for bodily injury
\$100,000 per occurrence for property damage

The Town of Somers will provide the Towns of Lewisboro and North Salem with certificates of insurance in like amounts and naming each as an additional insured with respect only to the activities at the congregate site.

If transportation is furnished by the Town of Lewisboro or the Town of North Salem, that town will provide proof of existing Automobile Liability Insurance coverage in the amounts listed below and in which the Town of Somers is named as an additional insured with respect to the Nutrition Program:

\$1,000,000 per occurrence for bodily injury
\$ 100,000 per occurrence for property damage

Nothing arising out of this agreement shall create or give to any third parties a claim or right of action.

The Town of Lewisboro agrees to pay the Town of Somers the sum of \$20,462.84 and the Town of North Salem agrees to pay the Town of Somers the sum of \$20,196.38 as indicated in the schedule below:

	<i>S.N.A.P</i>	<i><u>Total</u></i>
<i>Lewisboro</i>	<i>\$20,462.84</i>	<i>\$20,462.84</i>
<i>North Salem</i>	<i>\$20,196.38</i>	<i>\$20,196.38</i>
<i>Somers</i>	<i>\$142,489.47</i>	<i>\$142,489.47</i>

It is further understood that the attendance from each town impacts the cash amounts provided for in this Agreement.

In the event extraordinary and unanticipated expenses are incurred by the Nutrition Program, these expenses will be apportioned among the three towns according to percentage of attendance as indicated in the attached schedule for both the WIN, Wellness in Nutrition Program.

The period of time covered by this agreement is from January 1, 2021, to December 31, 2021.

Supervisor Robert Scorrano
Town of Somers

Supervisor Warren Lucas
Town of North Salem

Supervisor Tony Gonçalves
Town of Lewisboro

**2021 NUTRITION PROGRAM
LEWISBORO, NORTH SALEM, SOMERS
S.N.A.P.**

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM - S.N.A.P.				
1. SALARIES				
Program Director				58,732
Site Manager				33,079
Food Svc Help - F.T.				33,312
Chauffeur - 14.285%				4,259
		Total Salaries		129,381
2. EMPLOYEE BENEFITS				
Program Director				
Health Insurance				8,513
Dental Insurance				432
Optical Insurance				67
Life Insurance				250
Retirement (Tier 4 at 18%)				10,572
Social Security (6.2%)				3,641
Medicare (1.45%)				852
MTA (.34%)				200
Workers' Compensation (1.675%)				984
Site Manager				
Health Insurance				2,116
Dental Insurance				1,270
Optical Insurance				67
Life Insurance				250
Retirement (Tier 6 at 10.5%)				4,087
Social Security (6.2%)				2,051
Medicare (1.45%)				480
MTA (.34%)				112
Workers' Compensation (1.675%)				554
Food Svc Helper - F.T.				
Health Insurance				8,513
Dental Insurance				432
Optical Insurance				27
Life Insurance				250
Retirement (Tier 4 at 18%)				5,996
Social Security (6.2%)				2,065
Medicare (1.45%)				483

MTA (.34%)				113
Workers' Compensation (1.675%)				558
Chauffeur - 14.285% of time				
Health Insurance				2,691
Dental Insurance				113
Optical Insurance				10
Life Insurance				36
Retirement (Tier 4 at 18%)				767
Social Security (6.2%)				264
Medicare (1.45%)				62
Workers' Compensation (4.294%)				183
MTA (.34%)				14
		Total Benefits		59,076
3. CONTRACTUAL				
.401 Subcontractor - Food				126,538
.402 Telephone				712
.404 Tray Goods/Utensils				17,278
.406 Miscellaneous				3,501
.407 Cold Food - Milk				0
.408 Janitorial Supplies				0
.775 Transportation - Transportation of Food from Central Kitchen				1,461
		Total Contractual		149,490
TOTAL S.N.A.P. EXPENSES				337,947
LESS REVENUES:				
FED GRANT IIIC-2				15,417
PROGRAM CONTRIBUTIONS WIN				51,272
STATE GRANT				74,915
COMMODITY FUNDING				13,194
TOTAL REVENUES				154,798
S.N.A.P. TOTAL EXPENSES TO BE SHARED BY TOWNS				183,149

Towns participated at the following rates:			<u>Number of Meals</u>	<u>participation</u>
Somers			26,203	78%
North Salem			3,714	11%
Lewisboro			3,763	11%
			33,680	100%
Somers' Share			\$ 142,489.47	78%
North Salem's Share			\$ 20,196.38	11%
Lewisboro's Share			\$ 20,462.84	11%
			\$183,149	

June 3, 2022

Jeff Farrell
Building Inspector
Town of Lewisboro
79 Bouton Road
South Salem, NY 10590
Phone: 914-763-3060
Email: JFarrell@lewisborogov.com

**RE: Mercedes Benz Dealership
Building Code Review Proposal
Proposal # P2203377**

Dear Mr. Farrell:

LaBella Associates (LaBella) is pleased to submit this proposal for professional services associated with the code review for the Mercedes Benz addition/alteration project in the Town of Lewisboro, Westchester County, New York. LaBella understands that the project consist of an addition and alternations to an existing Mercedes Benz Dealership. The project includes an estimated 59,163 square-foot show room and 19,548 square-foot service center.

The following scope of services represents the tasks that you have requested and that LaBella believes are necessary to accomplish your objectives.

Phase 0100 – Initial Building Code Review

Scope – LaBella will complete a code review of submitted documents for compliance with the 2020 New York State Uniform Code, or New York State Uniform Code in effect at time of plan submission, to support the issuance of building permits by the Town of Lewisboro (Town). LaBella will provide written technical comments at the completion of our initial review which will not exceed two (2) weeks.

The scope for the plan review includes review of the following disciplines. LaBella will also review all conditions placed on the project during the site plan approval process and ensure that they are incorporated into the permit package.

- Architectural,
- Remaining Structural systems,
- General life safety,
- Electrical systems,
- Mechanical systems,
- Plumbing systems,
- Accessibility,
- Energy Code Compliance and;



- Fire protection.

Assumptions – This scope assumes that the Client will provide LaBella with a complete plan submission, consisting of all architectural, energy, structural, civil, and MEP drawings and specifications necessary to demonstrate code compliance. The Town will provide documents associate with site plan approval, including all special conditions.

The applicant will provide written responses to all comments as well as provide updated plan sheets necessary to close out all comments. The full project time frame is subject to the applicant's response.

Deliverables – LaBella will prepare a letter report detailing the comments found, including Code references, as well as a BlueBeam Session or PDF with all plan markups.

Phase Fee - \$8,500

Phase 0200 – Back Check Review

Scope – LaBella will review the written responses and updated plan sheets provided by the applicant to close out comments generated during the initial review. LaBella will provide written responses to any comment that remains unresolved and provide the updated BlueBeam Session or PDF with all plan markups.

Deliverables – Once all comments have been resolved and closed, LaBella will issue a final letter that all comments have been satisfied.

Assumptions – The applicant will provide written responses to all comments as well as provide updated plan sheets necessary to close out all comments. The full project time frame is subject to the applicant's response.

Phase Fee - \$3,500

Phase 0300 – Delegated Designs/Additional Reviews

Scope – LaBella is available to perform reviews not covered in the tasks above. Whether it's design changes following issuance of the building permit, or delegated design submittals such as fire suppression systems and elevators, LaBella staff have the expertise to continue to support the Town throughout the construction phase of the project.

Phase Fee – Time and Materials (T&M) at Town's direction.

Fee Schedule

LaBella will execute the code review for a Time and Materials (T&M) fee of **\$12,000.00**. The total amount includes our initial code review, as well as review of one (1) resubmission by the applicant in response to the initial review (back check review). Additional reviews, including delegated design components will be billed as T&M in accordance with our contract bill rates.

Invoices will be issued monthly for all services performed during that month and are payable upon receipt. LaBella will make its best effort to complete all of the identified tasks within the



overall estimated project budget. It is possible that it will be necessary to exceed these amounts in order to complete the scope of services for the project. We will not exceed the total estimated fee without obtaining written authorization from you.

Agreement

Please note that while we have furnished what we believe is a comprehensive and complete scope of services, we are open to dialogue as to how we may modify our proposal to ensure that our services may better meet your needs, and/or how alternate approaches may be implemented. If this proposal is acceptable we will provide a copy of our standard agreement and billing rate table for your review.

Please feel free to contact me at 518-273-0055 or elarkin@labellapc.com if you have any questions whatsoever. LaBella looks forward to working with you on this project.

Respectfully submitted,

LaBella Associates

Edward P Larkin, PE

Regional Manager, Buildings Engineering and Code Services

Enc. [Standard Agreement]

cc: Mike Ruffinen, LaBella
Rachel Shaw, LaBella
File



INTERNATIONAL
CODE
COUNCIL®

Electronic Plan Review Services

The International Code Council family of solutions provides coordinated plan review services that help to ensure, commercial and residential, structures are code compliant and meet or exceed requirements for quality, safety and performance. We can work with builders, architects and governmental jurisdictions in every U.S. state and in many countries globally.

Code Council Electronic Plan Review services are:



Flexible:

Our team of code experts are available to complete jobs of any size, electronically, and any codes. (all States and local amendments)



Quick:

We are dedicated to delivering the highest quality plan reviews in the industry with fast turnaround times that coordinate with permit application processes.



Experienced:

Every plan review is prepared by licensed and ICC-certified experts who understand and demonstrate their expertise in the International Codes.

Our staff includes expert plan reviewers with certifications in all disciplines, as well as professional engineers, who are registered in all 50 states, Guam, the District of Columbia, and parts of Canada.

Plan Review Disciplines

- | | | |
|--|---|-----------------------|
| ✓ Residential | ✓ Life Safety | ✓ Energy Conservation |
| ✓ Commercial | ✓ Fire Safety & Protection Systems
(includes sprinklers) | ✓ Electrical |
| ✓ Building
(structural and nonstructural) | ✓ Accessibility | ✓ Plumbing |
| | | ✓ Mechanical |

Services include:

1. **Complete Plan Review Services** - comprehensive reviews of design drawings and specifications to requested disciplines
2. **Limited-Scope Plan Review/Technical Consulting Services** - technical expertise including evaluations of specific code topics as applied to a project, or special studies of particular building components, characteristics or applications
3. **Preliminary Plan Review Services** - initial design code compliance review when construction documents are still in the initial stages of development

Learn more by contacting Ben Chisholm at (574) 248-9136
planreview.iccsafe.org

22-21050



Thank you for your interest in Plan Review Services.
Your fee estimate is generated. The fee estimate ID is FC10269.

Construction Details: (Showroom)

Group	Type of construction	Area(Sq. ft)
S-1 Storage, moderate hazard	IIB	15130.00
S-2 Storage, low hazard	IIB	15782.00
B Business	IIB	28251.00

Disciplines	Cost
Sprinkler review (<i>System is hydraulically designed and Number of Heads: 500</i>)	\$1,000.00
Building review	\$5,631.36
Mechanical review	\$1,407.84
Plumbing review	\$1,407.84
Electrical review	\$1,407.84
Energy review	\$1,407.84
Accessibility review	\$1,407.84
Total	\$13,670.55

Your fee estimate is generated. The fee estimate ID is FC10270.

Construction Details: (Service Building)

Group	Type of construction	Area(Sq. ft)
B Business	IIB	1722.00
S-1 Storage, moderate hazard	IIB	17826.00

Disciplines	Cost
Sprinkler review (<i>System is hydraulically designed and Number of Heads: 500</i>)	\$1,000.00
Building review	\$2,306.92
Mechanical review	\$576.73
Plumbing review	\$576.73
Electrical review	\$576.73
Energy review	\$576.73
Accessibility review	\$576.73
Total	\$6,190.57

From: Jonathan Mazella

Sent: Wednesday, May 25, 2022 3:00 PM

To: benefits@lewisborogov.com

Subject: Request to be added to Town Board meeting agenda - 76 E Ridge Road Waccabuc Building
Permit withdrawal/request for return of fees

Hi Mary,

My name is Jon Mazella. My wife and I recently withdrew an application for residential addition/renovation to 76 E Ridge Road, Waccabuc and would like to be added to the Town Board Agenda for consideration to refund fees associated with this application.

The application review and approval process was challenging and slow for a number of reasons including COVID-19 and ultimately we could no longer press forward based on estimated project timeline. I am happy to give a written summary or provide details verbally during the Town Board meeting. Please let me know whether you have a preference.

The Application # is 2020-1085

Notice of Withdrawal letter from Building Dept is dated 5/4/22

SBL: 10812-017-0025

Thank you for your consideration

Jon Mazella

NOTICE OF WITHDRAWAL

To: MAZELLA JONATHAN & VIVECCA
76 EAST RIDGE RD
SOUTH SALEM, NY,

SBL: 10812-017-0025
Date of This Notice: 05/04/2022
Application 2020-1085

For Property Located At: 76 EAST RIDGE RD

This application for a building permit has been withdrawn. For additional notes, see below.

RESIDENTIAL ADDITION - REMOVE PARTS OF EXISTING STRUCTURE, ADD ADDITIONS & 2nd FLOOR PURSUANT TO STORMWATER PERMIT #24-21SW & WETLAND PERMIT #02-22WP & THE 2020 RESIDENTIAL CODE OF NYS.



TOWN OF LEWISBORO

BUILDING DEPARTMENT

79 Bouton Road
South Salem, NY 10590
(914)763-3060

Receipt for Payment of Fees

Date	Fees	Receipt No.	Check #	Amount
11/10/2020	BUILDING PERMIT FEE	20-26506	706	\$19850.00
11/10/2020	CERTIFICATE OF OCCUPANCY FEE	20-26507	706	\$22000.00
11/10/2020	RECORDS MANAGEMENT FEE	20-26508	706	\$2.00
11/10/2020	ENVIRONMENTAL QUESTIONNAIRE-BUILDING	20-26509	706	\$50.00
10/22/2020	BUILDING PERMIT FEE	20-26301	24346	\$2250.00
Total:				\$44152.00

Owner:

JONATHAN & VIVECCA MAZELLA
76 EAST RIDGE RD
WACCABUC, NY 10597

Parcel Information:

Location SBL
76 EAST RIDGE RD. 10812-017-0025

Application Number: 2020-1085

Permit Description

RESIDENTIAL ADDITION - REMOVE PARTS OF EXISTING STRUCTURE, ADD ADDITIONS & 2nd FLOOR
PURSUANT TO STORMWATER PERMIT #24-21SW & WETLAND PERMIT #02-22WP & THE 2020
RESIDENTIAL CODE OF NYS.

This is a receipt for payment of fees. This is not a building permit.

Date Printed: 06/01/2022