

February 28, 2024

Gary Bell, Chairman
Village of Buchanan Zoning Board
Village Hall
236 Tate Avenue
Buchanan, New York 10511

**Re: Zoning Application for Determination of Setback
Site Plan for Bernie Calabro
3106 Albany Post Road
Buchanan, New York
Section: 43.15, Block: 1, Lot: 4**

Dear Chairman Bell and Members of the Zoning Board:

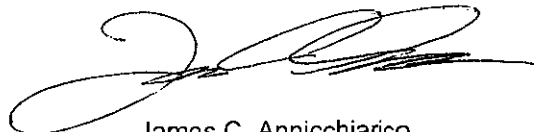
Enclosed for your review and approval, please find enclosed ten (10) copies of the following items regarding a site development plan application for the above-referenced project:

1. Zoning Board Application Fee - \$250
2. Escrow - \$3,000
3. Application to the Zoning Board
4. Affidavit of Applicant
5. Escrow Agreement
6. Short Environmental Assessment Form
7. Property Survey entitled: "Survey of Property Prepared for Gallon Measure Situate at 3106 Albany Post Road, Village of Buchanan, Town of Cortlandt, Westchester County, New York" prepared by Badey & Watson Surveying, dated November 3, 2023
8. Preliminary Site Plan entitled: "Proposed Site Development Plan for Gallon Measure" dated December 8, 2023
9. Architectural Plans entitled: "Proposed" prepared by Marco Mandra, RA

This application proposes to modestly expand the existing commercial building on the ground floor and add a 2nd story with four (4) proposed apartments. You will note the southeast corner of the existing building extends past the property line into the Rockledge Avenue right-of-way. Our preference would be to obtain a side yard variance for the 2nd floor directly above this corner of the building. A 2nd option would be to request a side yard variance for the 2nd story located at the property line.

We respectfully request to be placed on the March 13, 2024 Zoning Board meeting agenda for discussion. Should you have any questions or require additional information, please do not hesitate to contact me at the number above.

Respectfully submitted,



James C. Annicchiarico
Project Engineer/Manager

enclosures

cc: Bernie Calabro, Property Owner/Applicant
File: Calabro-3106 Albany Post Rd-Buchanan-Site Plan-Letter-20240208

1090

3106 ALBANY POST INC.

3106 ALBANY POST RD.
BUCHANAN, NY 10511-1648

DATE 2/28/24 1-2/210

PAY TO THE ORDER OF

Village of Buchanan
two hundred fifty + 00

\$ 250.00

DOLLARS Security Features Included Details on Back

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

FOR

B T Call MP

⑈001090⑈ ⑆021000021⑆

368888290⑈

1091

3106 ALBANY POST INC.

3106 ALBANY POST RD.
BUCHANAN, NY 10511-1648

DATE 2-28-24 1-2/210

PAY TO THE ORDER OF

Village of Buchanan
three thousand + 00

\$ 3,000.00

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368888290⑈

VILLAGE OF BUCHANAN
236 TATE AVE., BUCHANAN, NY 10511
(914) 737-1033

APPLICATION TO THE ZONING BOARD

I. IDENTIFICATION OF APPLICANT

APPLICANT NAME BERNIE CALABRO PHONE 914-953-0688
ADDRESS 3106 ALBANY POST RD, BUCHANAN, NY 10511
ARCHITECT/ENGINEER CRONIN ENGINEERING

II. IDENTIFICATION OF PROPERTY

TAX MAP SECTION 43.20 BLOCK 1 LOT(S) 22
LOCATION OF AFFECTED PREMISES (ADDRESS) 3106 ALBANY POST RD
ZONING DISTRICT C-2 AREA 16,293 SQ/FT

III. DESCRIPTION OF PROPOSED ACTIVITY/OCCUPANCY

RESIDENTIAL COMMERCIAL OTHER _____

IV. TO THE ZONING BOARD:

APPLICATION IS HEREBY MADE FOR (CHECK ALL THAT APPLY):

- VARIANCE FROM THE REQUIREMENT OF SECTION 211-15 SIDEYARD SETBACK
 SPECIAL PERMIT PER THE REQUIREMENT OF SECTION _____
 REVIEW OF AN ADMINISTRATIVE DECISION OR ORDER OF THE BUILDING INSPECTOR (ATTACHED, IF APPLICABLE)
 AN ORDER TO ISSUE A CERTIFICATE OF OCCUPANCY
 AN ORDER TO ISSUE A BUILDING PERMIT
 AN INTERPRETATION OF THE ZONING LOCAL LAW OR ZONING MAP
 CERTIFICATE OF AN EXISTING NON-CONFORMING LOT, BUILDING, OR USE.
 OTHER (EXPLAIN) _____

V. ADDITIONAL INFORMATION

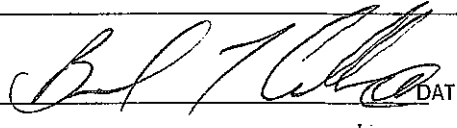
HAVE PREVIOUS APPLICATIONS TO THE PLANNING OR ZONING BOARD BEEN FILED IN REGARD TO THESE PREMISES? YES _____ NO

HAS VIOLATION BEEN SERVED RELATIVE TO THIS MATTER? YES _____ NO

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

- FLOOR PLANS WITH ALL NECESSARY MEASUREMENTS
 PROPERTY SURVEY AND/OR A SITE DEVELOPMENT PLAN.
 SIGNED CONSENT AND/OR A SITE DEVELOPMENT PLAN
 OTHER (EXPLAIN): _____

VII. APPROVAL FOR SUBMISSION

SIGNATURE OF APPLICANT  DATE 2/8/24

VIII. RECEIPT

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

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

AFFIDAVIT OF APPLICANT

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

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

APPLICANT: BERNIE CALABRO
ADDRESS: 3106 ALBANY POST RD
BUCHANAN, NY 10511

SWORN TO ME THIS
8th DAY OF February, 2024
Tracey Dicola
NOTARY PUBLIC
COUNTY OF WESTCHESTER

TRACEY DICOLA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01D16199087
Qualified in Westchester County
Commission Expires 01/05/2025

AFFIDAVIT OF OWNERSHIP

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

BERNIE CALABRO BEING DULY SWORN, DEPOSES AND SAYS THAT HE/SHE RESIDES AT 225 TRAVIS AVE IN V OF BUCHANAN, IN THE COUNTY OF WESTCHESTER IN THE STATE OF NEW YORK THAT HE/SHE IS THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE VILLAGE OF BUCHANAN AFORESAID AND DESIGNATED AS TAX MAP SECTION 43.20 BLOCK ~~43.20~~ 1 LOT(S) 22 OF THE BUCHANAN TAX MAP AND THAT HE/SHE HEREBY AUTHORIZES IN HIS/HER BEHALF THAT THE STATEMENTS OF FACT CONTAINED IN SAID APPLICATION ARE TRUE.

OWNER BERNIE CALABRO
ADDRESS 225 TRAVIS AVE
BUCHANAN, NY 10511

SWORN TO ME THIS
8th DAY OF February 2024
Tracey Dicola
NOTARY PUBLIC
COUNTY OF WESTCHESTER

TRACEY DICOLA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01D16199087
Qualified in Westchester County
Commission Expires 01/05/2025

NOTICE

TEN (10) COPIES OF THE APPLICATION AND ANY ATTACHEMENTS SHALL BE SUBMITTED TO THE CLERK'S OFFICE BEFORE THIS MATTER WILL BE PLACED ON THE ZONING BOARD AGENDA.

OFFICE USE ONLY

CAL NO. _____

ESCROW AGREEMENT

This agreement is made this 28th day of FEBRUARY 2024 between BERNIE CALABRO, residing at 3106 ALBANY POST RD, BUCHANAN hereinafter referred to as the "Applicant", and the Planning Board [], Zoning Board [], Village Board of Trustees [] or Pre-submission Conference [] of the Village of Buchanan, hereinafter referred to as the "Village".

Whereas the Applicant is proceeding under Chapters 211 and _____ of the Code of the Village of Buchanan, seeking SIDE YARD VARIANCE or wishing to have a Pre-submission Conference in the Village of Buchanan, and

Whereas, pursuant to Chapter 90 of the Code of the Village of Buchanan, the Board desires to establish an escrow account to cover the necessary and reasonable costs incurred by the approving authority (Board) for technical, legal, engineering, and other professional review of the application, whereby work to be performed by professionals employed by the Board will be paid for by the Applicant, as required under the provisions of the Code of the Village of the Village of Buchanan and pursuant to Local Law 11 of 2011, and

Whereas, both parties feel that it is appropriate to put this understanding in writing, the following as been agreed to by both parties:

1. The Board authorizes its professional staff to meet, study, review, and inspect all plans, documents, statements, improvements, applications and provisions made by the Applicant relating to the above-named project and to report to the Board all conclusions and findings, either orally or in writing as appropriate. The Applicant agrees to pay all professional fees incurred by the Village for the performance of the duties outlined above.
2. The Applicant and the Village, in accordance with the provisions of this Agreement, hereby create an escrow account, to be established with the Village Treasurer.
3. Applicant shall pay the Village; such sums as are required by the Treasurer or Administrator of the Village of Buchanan. Execution of this Agreement by the Treasurer or Administrator and the Applicant acknowledges receipt of the funds required upon application.
4. If, during the existence of this escrow agreement, the funds in escrow are insufficient to cover fees for professional services as described above during the evaluation of an application, Applicant shall, within 14 days of written notice of the insufficiency, deposit such additional sums with the Village as may be required by the Village Treasurer or Administrator to cover the expenses incurred. The notice of insufficiency shall be sent by the Village Treasurer or Administrator to the Applicant or his/her agent and shall include a record of all receipts and disbursements to date and the amount necessary to be posted, which may be up to 100% of the original amount, and which shall be paid prior to any additional professional services and/or by any next step in the approval process, including prior to the next scheduled meetings and/or Board meeting. If said additional funds are not deposited, all professional services will cease and the applicant will not be heard at any Board meeting.

5. The professionals employed by the Board shall submit vouchers to the Village, indicating the type and kind of services rendered, by Applicant name, and the time expended for each Applicant.

6. The Treasurer shall review each voucher submitted by each professional to determine whether the services were rendered as indicated. All vouchers shall be processed in accordance with established policies and procedures of the Village.

7. The Applicant shall retain the right of inspection of the escrow records, which may be arranged by contacting the Village Treasurer.

8. The Applicant may object to any payment from the escrow fund by giving three days' notice to the Treasurer and to any professional involved. The Applicant may appeal to the Board. The Board shall then review the payment made, utilizing the standards of reasonable cost and satisfactory performance of the task assigned. If the Board involved in the process agree that the fees were reasonable and satisfactory when compared with the task assigned, payment will be made to the consultant/professional involved.

9. Any and all interest payments resulting from or arising from the deposits of escrow funds shall revert to the Village, as compensation for services rendered in connection with the administration of this escrow agreement.

10. In the event that the amounts posted are more than required, the excess funds shall be returned to the Applicant within sixty (60) days after the project is completed, denied, or withdrawn.

11. In the event that the applicant is a corporation, partnership, limited liability company, or other than a person, this Escrow Agreement, and its terms, including payment of all invoices, vouchers, and escrow deposits is hereby personally guaranteed as indicated by the signature below.

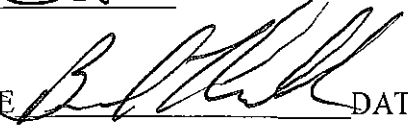
APPLICANT: BERNIE CALABRO JR. DATE: FEB 28, 2024

Print Name: BERNIE CALABRO

Address: 3106 ALBANY POST RD, BUCHANAN, NY 10511

Phone: (914) 953-0688

Email: BERNARD CALABRO @ G.MAIL.COM

APPLICANT PERSONAL GUARANTEE  DATE 2/28/24

Print Name: N/A
(if applicant is a corporation, partnership, or limited liability company)

TREASURER: _____ DATE: _____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 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: Amended Site Plan for 3106 Albany Post Inc.			
Project Location (describe, and attach a location map): 3106 Albany Post Road, Village of Buchanan			
Brief Description of Proposed Action: Project involves an Amended Site Plan for an existing developed site containing an existing building and parking areas. The development would reconfigure the building, add a second floor and create residential apartments on the second floor. All other existing uses on site are to remain.			
Name of Applicant or Sponsor: 3106 Albany Post, Inc.		Telephone:	
		E-Mail:	
Address: 3106 Albany Post Road			
City/PO: Buchanan		State: NY	Zip Code: 10511
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 type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Planning Board, Zoning Board			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <u>0.37</u> acres			
b. Total acreage to be physically disturbed? <u>0.1</u> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>0.37</u> acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

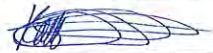
	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

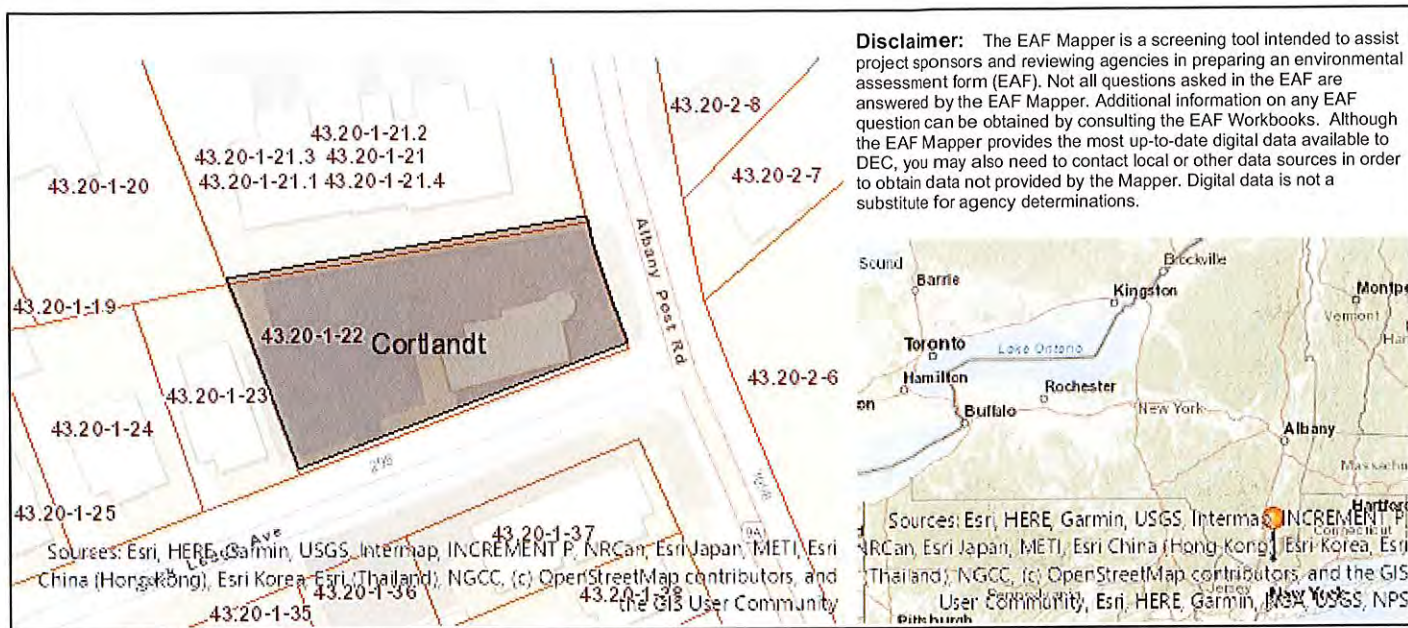
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Cronin Engineering PE PC</u> Date: <u>02-09-24</u> Signature: <u></u> Title: <u>Project Engineer</u>		



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No