

TOWN OF OLIVE PLANNING BOARD  
APPLICATION FOR SUBDIVISION

No.

P.O. BOX 180  
WEST SHOKAN, NY 12481

Date 4/05/2023

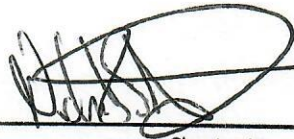
APPLICANT:

Name of Owner 41 Kelder Hwy Olive NY 12461 LLC  
Principle Mark Brand  
Name of Representative Nicholas J. Burgher  
Address 85 Moonham Rd.  
41 Kelder Dr. PO BOX 48 West Shokan NY 12494  
Olivebridge NY 12461 Newcomb NY 12852  
Phone 716-748-9420 Phone 845-901-0560  
Name of Surveyor Nicholas J. Burgher Address: 85 Moonham Rd. West Shokan  
Phone: 845 901 0560

PROPERTY:

Subdivision Name 41 Kelder Hwy, Olive NY 12461 LLC Property lies in RC10, RR3 RE1 BV1/2, BH1/2  
Location (Road) 41 Kelder Hwy Any part in flood hazard area? No  Yes   
Olive Tax Map # 53.4 Block 1 Lot 41 & 44  
Total Area of Property in Acres 20 Total Lots 2 (lot line adjustment)  
A list of names and addresses of abutting land owners is required with the maps.

- Sketch Plan 3 Maps Required
- Preliminary Plan 4 Maps Required
- Final Plan 7 Maps Required & Linen

OWNER(S)   
Signature(s)  
Nicholas Burgher Agent

PLANNING BOARD USE ONLY

DATE APPROVED	DATE	Approved by	DATE
Sketch Plan _____	Public Hearing Notice in Paper _____	County Health _____	
Preliminary Plan _____	Public Hearing _____	NYC EPA _____	
Final Plan _____	Other Approved _____	Town Highway Dept. _____	
No. of Lots _____	Amount per Lot _____		
_____ X	Application Fee _____	=	_____
_____ X	Recreation Trust Fund _____	=	_____
Date Fees Sent to Town Supervisor: _____	Application Fee _____	Trust Fund _____	

TOWN OF OLIVE PLANNING BOARD  
DOCUMENT TO BE SUBMITTED FOR MINOR SUBDIVISION or  
LOT LINE ADJUSTMENT

SUBDIVISION NAME 41 Kelder Hwy, Olive NY 12461 #

SECTION 133-28 - SKETCH PLAN

A. Any owner of land shall, prior to adjusting lot lines, subdividing or resubdividing land, submit to the Clerk of the Planning Board (via the Building Department) at least 14 days prior to the regular meeting of the Board four (4) copies of the application, including four copies (see Section 133-37) of a sketch plan of the proposed lot line adjustment or subdivision, which shall comply with the requirements set forth below for the purposes of classification and preliminary discussion. **A pdf version of the sketch plan must be emailed to [jperry.olive@gmail.com](mailto:jperry.olive@gmail.com).** The Code Enforcement Officer must review the submission before it is passed on to the Clerk of the Planning Board.

B. The sketch plan initially submitted to the Planning Board shall be based on tax map information or some other similarly accurate base map at a scale (preferably) not less than 200 feet to the inch, to enable the entire tract to be shown on one sheet. The sketch plan shall be submitted, showing the following information: (Application Fee will be determined at the initial review meeting)

(1) The location of that portion which is to be adjusted or subdivided in relation to the entire tract, and the distance to the nearest existing street intersection. ✓

(2) All existing structures, wooded areas, streams and other significant physical features within the portion to be subdivided and within 200 feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than 20 feet. ✓

(3) The name and signature of the owner(s) and the names of all surrounding property owners as disclosed by most recent tax records. ✓

A. A list of names and addresses w/SBL# (in duplicate) ✓

B. 2-sets Legal envelopes with name, address and stamped ✓

\*\*Also include two envelopes addressed to the applicant. ✓

(4) Planning Board Endorsement block with two signature lines. ✓

(5) The tax map sheet, block and lot numbers, if available. ✓

(6) All the utilities available, and all streets which are either proposed, mapped or built. ✓

(7) The proposed pattern of lots (including lot width and depth), street layout, recreation areas, systems of drainage, sewerage, and water supply within the subdivided area. ✓

(8) All existing restrictions on the use of land including easements, covenants, or zoning lines. ✓

(9) The proposed subdivision name, name of the town and county in which it is located. ✓

(10) Licensed Surveyor signature, date and seal. \_\_\_\_\_

(11) The date, North point, map scale, name & address of the subdivider. ✓

CHAIRMAN \_\_\_\_\_ DATE COMPLETED \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

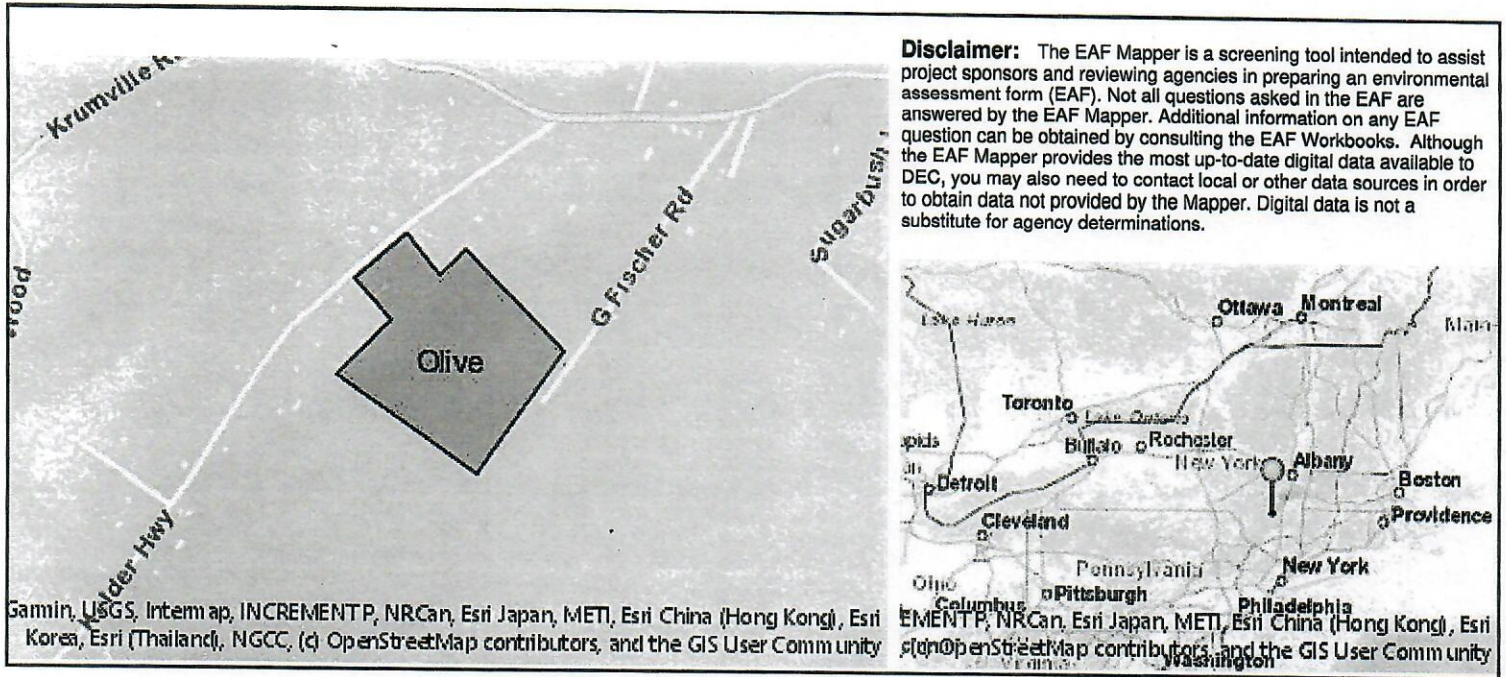
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: 41 Kelder Hwy, Olive NY 12461 LLC			
Project Location (describe, and attach a location map): 41 Kelder Road			
Brief Description of Proposed Action: Lot line adjustment between SBL 53.4-1-41 and SBL 53.4-1-44.			
Name of Applicant or Sponsor: Nicholas J. Burgher		Telephone: 845-901-0560	
Address: 85 Moonhaw Road		E-Mail: nicholasburgher@gmail.com	
City/PO: West Shokan		State: NY	Zip Code: 12494
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 20 acres			
b. Total acreage to be physically disturbed? _____ 0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 20 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" 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			

		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 checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If No, describe method for providing potable water: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If No, describe method for providing wastewater treatment: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input 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"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Nicholas J. Burgher</u>		Date: <u>04/05/2023</u>
Signature: _____		Title: <u>Land Surveyor</u>



Gamin, USGS, Intermap, INCREMENTP, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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

Parcel	Owner	Secondary_Owner	Parcel_Address	Parcel_City	Mailing_Address	Mailing_City	Mailing_Zip	Property_Class
53.4-1-44	12461 NY Olive 41 Kelder Hwy LLC		41 Kelder Rd	Olive	41 Kelder Dr	Olivebridge NY	12461	1 Fam Res w/Apt
53.4-1-41	12461 NY Olive 41 Kelder Hwy LLC		Kelder Rd	Olive	41 Kelder Dr	Olivebridge NY	12461	Rural vac<10
53.4-1-43	Jason Maggio	Bonnie Badenchini	49 Kelder Rd	Olivebridge	2736 Independence Ave Apt 3A	Bronx NY	10463	1 Family Res
53.4-1-42	Ronald Wright	Barbara C Wright	57 Kelder Rd	Olive	57 Kelder Rd	Olivebridge NY	12461	1 Family Res
60.2-1-13.210	Vasy/ Zarubayko	Sophia Scarpelli-Shchur	65 Kelder Rd	Olivebridge	32 Normandy Road	Yonkers NY	10701	1 Family Res
60.2-1-13.111	Claudia Gutman-Patch	Claudia f/K/a Patch	73 Kelder Rd	Olivebridge	73 Kelder Road	Olivebridge NY	12461	Rural res
60.2-1-20	Jel Getting Ahead LLC		75 G Fischer Rd	Olivebridge	25 Burgundy Lane	Nesconset NY	11767	Vac w/Imprv
53.4-1-28	John Saia	Linda Saia	G Fischer Ln	Olive	40 Old Farmers Ln	Staten Island NY	10304	Priv forest
53.4-1-29	John Saia	Linda Saia	G Fischer Ln	Olive	40 Old Farmers Ln	Staten Island NY	10304	Rural vac<10
53.4-1-30	Kenneth E Lucas	Stephanie Riva Prince	G Fischer Ln	Olive	55 G Fischer Ln	Olivebridge NY	12461	Rural vac<10
53.4-1-40	Stephanie Prince	Stephanie Prince	Kelder Rd	Olivebridge	55 G Fischer Road	Olivebridge NY	12461	Rural vac<10
53.4-1-46	Thomas E Martin	Michelle E Martin	25 Kelder Rd	Olivebridge	25 Kelder Rd	Olivebridge NY	12461	1 Family Res
53.4-1-45	Eduardo Peralta	Angela M. Peralta	31 Kelder Rd	Olivebridge	31 Kelder Hwy	Olivebridge NY	12461	1 Family Res
53.3-4-26	Hedda Sznuik		38 Kelder Rd	Olivebridge	38 Kelder Rd	Olivebridge NY	12461	1 Family Res
53.3-4-24	Steve Einerson	Esmee Einerson	42 Kelder Rd	Olivebridge	2121 24th Avenue	Astoria NY	11102	1 Family Res
53.3-4-27.200	Steve Einerson	Esmee Einerson	Kelder Rd	Olive	21-21 24th Avenue Apt 1B	Astoria NY	11102	Rural vac<10
53.3-4-27.100	Brett Kaiser	Laura Kaiser	Kelder Rd	Olive	58 Kelder Road	Olivebridge NY	12461	Rural vac<10

To Whom it may concern,

I, Mark Brand "Owner of 41 Kelder rd, Olivebridge, NY 12461 SBL 53.4-1-44 and 53.4-1-41" have hired Nicholas Burgher, P.L.S. to be my representative at the Olive Planning board. I authorize Nicholas Burgher, P.L.S to submit the appropriate application and speak on my behalf at the Olive planning board concerning a lot line revision / adjustment at 41 Kelder rd, Olivebridge, NY 12461, specifically lots SBL 53.4-1-44 and 53.4-1-41.

Mark Brand is the Principal of 41 Kelder Hwy Olive NY 12461 LLC.

Respectfully,

Mark Brand



Date: 2/20/23



MARY A. POUND  
Notary Public, State of New York  
Registration No. 01PO4933473  
Qualified in Essex County  
Commission Expires May 31, 2026