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September 4, 2020

VIA EMAIL

Alphonso Lanzetta, Supervisor
Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, New York 12547

Re: Bayside Mixed-Use Development Project
Tax Lot 109.1-4-29.200 (Project Lot #2)
Town of Marlborough, Ulster County, New York
MC Project No. 05000787A

Dear Supervisor Lanzetta:

On behalf of Bayside Construction, LLC, the owner and applicant of the above referenced project, we request to meet with yourself and the Town Board members to discuss the proposed Business Corridor Overlay (BCO) district rezoning component of the project. The project recently completed the Subdivision Approval process with the Town Planning Board and filed the Subdivision Plat with the Ulster County Clerk's office.

The project has also received a Conditional Site Plan Approval from the Town Planning Board and the establishment of the BCO district is described in conditional item 6.b. (page 13) of the approval resolution. Lot #2 of the Bayside Mixed-Use Development Project is ± 2.41 acres in size and fronts on NYS Route 9W along its eastern boundary and Purdy Avenue along the northern boundary. The site plans for the project depict the proposed development of a 12,600 square foot commercial building (2-story), off-street parking areas, access driveways from NYS Route 9W and the proposed main driveway into the development, water and sanitary sewer services, along with other associated site improvements.

Enclosed please find the following project documents for review in connection with the above referenced request:

- Subdivision Plat, latest revision dated 6/22/2020, filed 8/6/2020;
- Site Design Plans: Layout Plan, Grading & Drainage Plan and Utilities Plan for the proposed Lot #2 of the development, latest revision dated 9/18/18;



Supervisor Alphonso Lanzetta
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- Site Plan Approval Resolution from the Town of Marlborough Planning Board, dated 5/7/18; and
- Draft Written Description for Lot #2, dated 9/4/2020.

Please accept this request and the attached documents to initiate the process for the establishment of the BCO district for the Bayside Mixed-Use Development Project. We look forward to working with the Town on this project.

If you have any questions please feel free to call me at 845.564.4495, extension 3804.

Very truly yours,

MASER CONSULTING, CONNECTICUT, P.C.

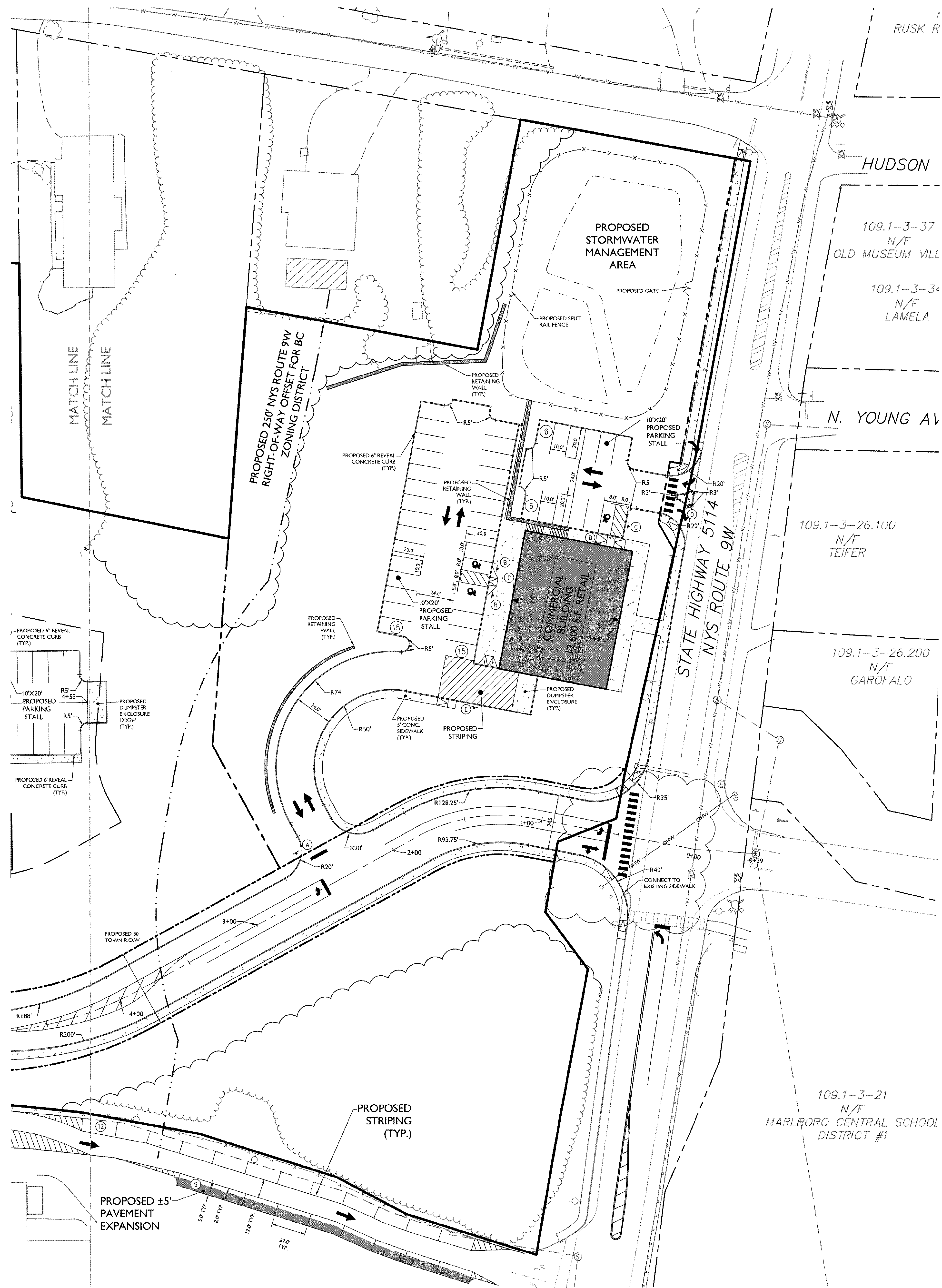
A handwritten signature in blue ink, appearing to read 'Justin E. Dates', is written over the printed name and title.

Justin E. Dates, RLA
Senior Associate

JED/paw
Enclosures






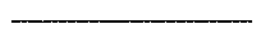




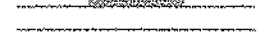
















cc: Bayside Construction, LLC, w/enclosures
File, w/enclosures

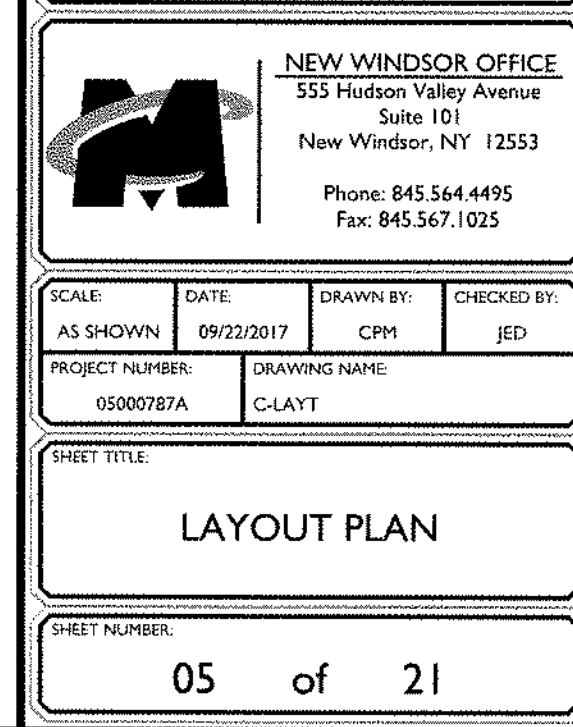
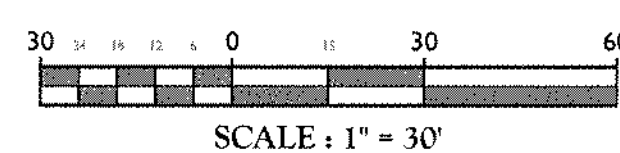
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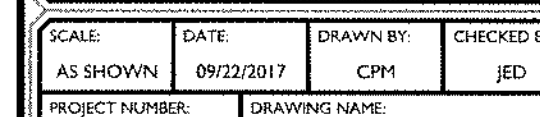
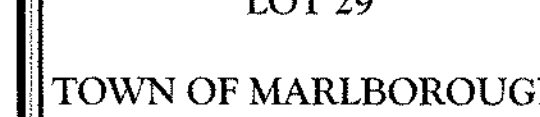
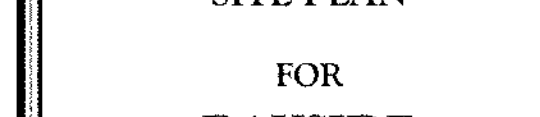
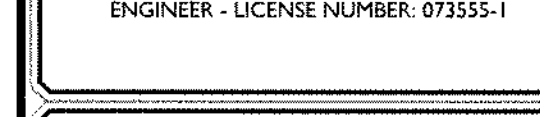
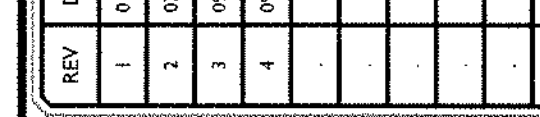
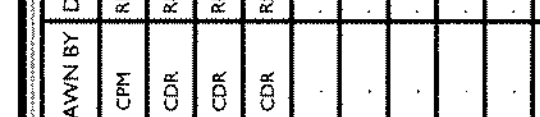
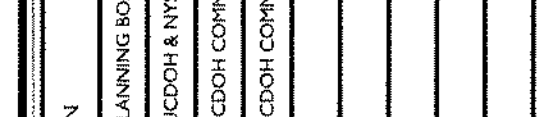
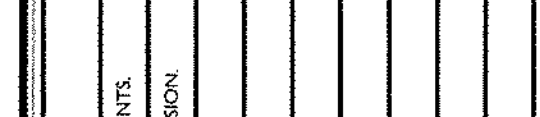
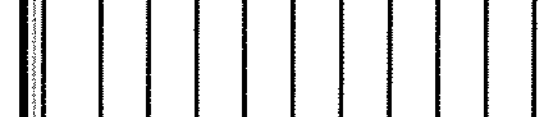
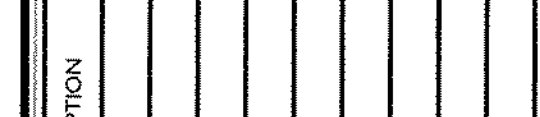
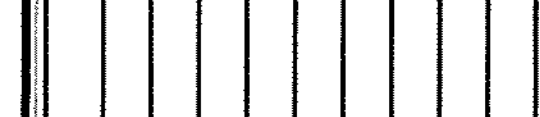
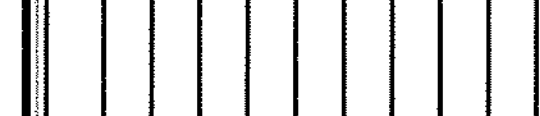
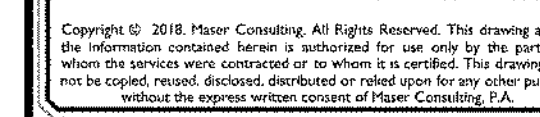


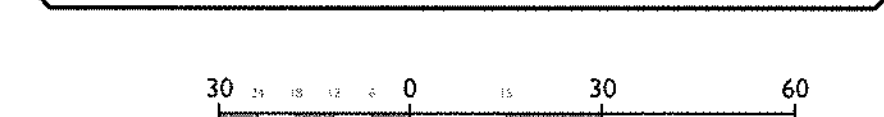
- (A) STOP SIGN
- (B) ADA RESERVED PARKING SIGN
- (C) NO PARKING SIGN
- (D) RIGHT ONLY
- (E) LOADING ZONE SIGN
- (F) EMERGENCY ACCESS
- (G) DO NOT ENTER

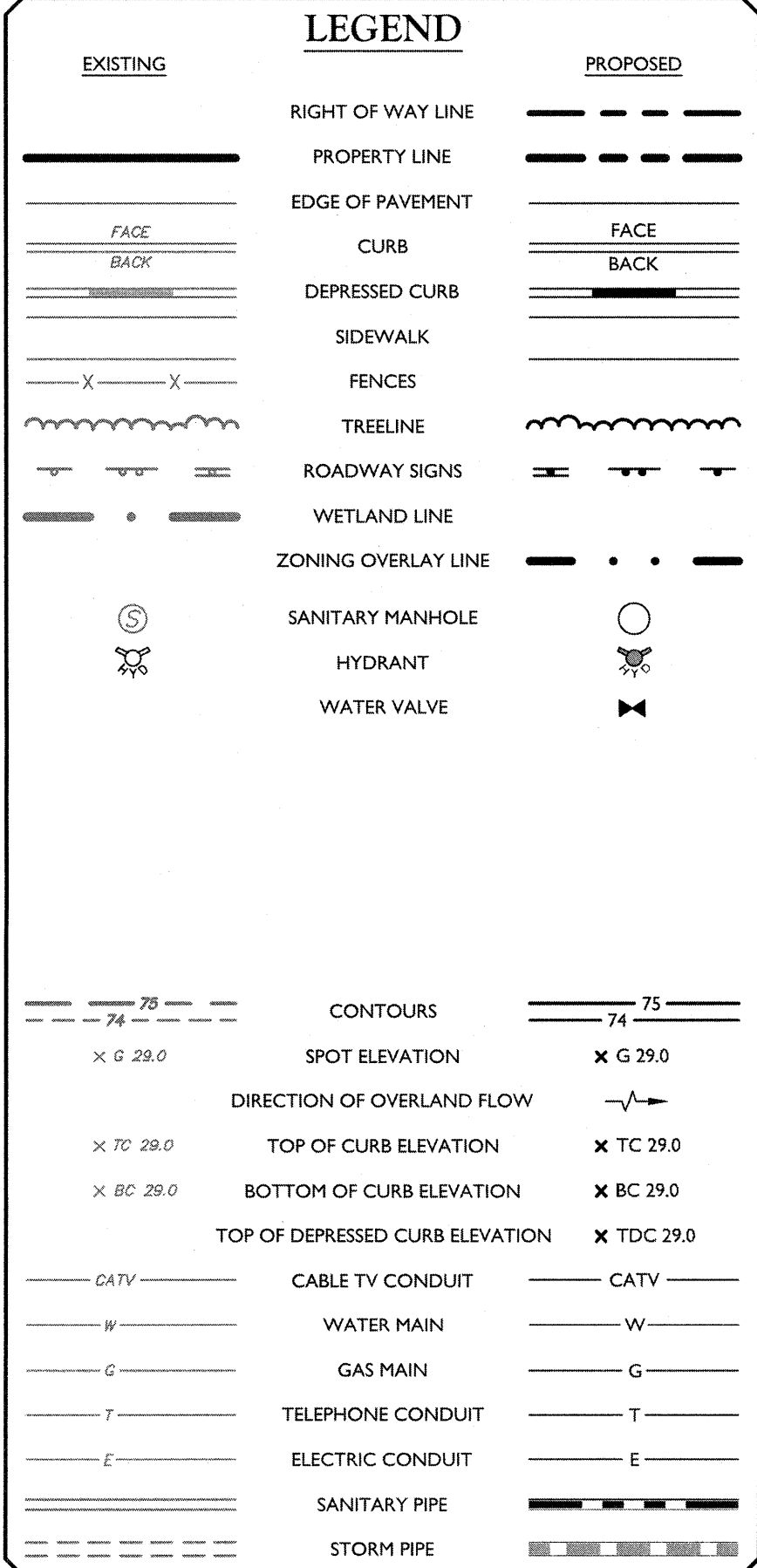
LEGEND

<u>EXISTING</u>	<u>PROPOSED</u>
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	
	









Bayside Drainage - West Discharge Structure Table						
Structure I.D.	Description	Rim/Grate	Pipes (In)	Inverts (In)	Pipes (Out)	Inverts (Out)
S-1	32 inch Flared End Section: 67' x 9"	232.74	24" HDPE	230.50		
	30 in. x 48 in. Drain Inlet	247.82	24" HDPE 18" HDPE 8" HDPE	233.95 235.29 244.75	24" HDPE	233.95
S-2	30 in. x 48 in. Catch Basin	247.20	24" HDPE 18" HDPE 8" HDPE	235.48 236.80 246.26	15" HDPE	235.48
S-4	30 in. x 48 in. Catch Basin	249.62	18" HDPE 15" HDPE 8" HDPE	240.50 242.70 243.55	24" HDPE	234.70
S-5	30 in. x 48 in. Catch Basin	250.38	15" HDPE 15" HDPE 8" HDPE	243.00 241.17 247.40	18" HDPE	243.00
S-6	30 in. x 48 in. Drain Inlet	253.75	15" HDPE	245.00	15" HDPE	245.00
S-7	30 in. x 48 in. Catch Basin	254.12	15" HDPE	247.22	15" HDPE	247.22
S-8	30 in. x 48 in. Catch Basin	255.80	15" HDPE	247.75	15" HDPE	247.75
S-9	30 in. x 48 in. Catch Basin	255.47	8" HDPE	252.00	15" HDPE	251.00
S-10	30 in. x 48 in. Catch Basin	255.20	15" HDPE	249.50	15" HDPE	249.50
S-11	30 in. x 48 in. Catch Basin	254.40			15" HDPE	251.00
S-12	30 in. x 48 in. Drain Inlet	246.30	18" HDPE 18" HDPE	239.72 235.23	24" HDPE	235.32
S-13	30 in. x 48 in. Drain Inlet	243.90	15" HDPE	235.45	18" HDPE	235.65
S-14	30 in. x 48 in. Catch Basin	241.72	15" HDPE	236.50	15" HDPE	236.00
S-15	30 in. x 48 in. Catch Basin	239.50			15" HDPE	236.25
S-16	30 in. x 48 in. Catch Basin	240.98	8" HDPE	236.50	15" HDPE	237.00
S-17	8 in. Clean Out	249.00	8" HDPE	240.00	8" HDPE	240.00
S-18	8 in. Clean Out	246.00			8" HDPE	243.20
S-19	30 in. x 48 in. Catch Basin	246.01	18" HDPE	240.00	18" HDPE	240.00
S-20	30 in. x 48 in. Drain Inlet	245.46	18" HDPE 15" HDPE 8" HDPE	240.50 241.75 243.27	18" HDPE	240.50
S-21	30 in. x 48 in. Drain Inlet	246.00	15" HDPE	243.00	15" HDPE	242.75
S-22	30 in. x 48 in. Drain Inlet	249.60	15" HDPE 15" HDPE	241.26 244.97		241.26
S-23	30 in. x 48 in. Catch Basin	249.23	15" HDPE	246.00	15" HDPE	245.98
S-24	30 in. x 48 in. Catch Basin	253.00	15" HDPE 15" HDPE	248.00 246.90	15" HDPE	246.90
S-25	30 in. x 48 in. Drain Inlet	253.00			15" HDPE	249.50
S-26	30 in. x 48 in. Drain Inlet	250.93	8" HDPE	247.80	15" HDPE	247.68
S-27	30 in. x 48 in. Drain Inlet	248.84	15" HDPE	244.63	15" HDPE	244.63
S-28	30 in. x 48 in. Drain Inlet	248.84	15" HDPE	245.02	15" HDPE	245.02
S-29	30 in. x 48 in. Drain Inlet	249.00			15" HDPE	245.95
S-30	48 in. x 48 in. OCS	227.62			24" HDPE	224.94
S-31	32 inch Flared End Section: 67' x 9"	221.66	24" HDPE	223.00		
S-77	30 in. x 48 in. Drain Inlet	251.01	8" HDPE	248.25	15" HDPE	243.30
S-80	8 in. Clean Out	240.40			8" HDPE	237.22
S-81	8 in. Clean Out	246.00	8" HDPE	235.85	8" HDPE	235.85
S-82	10 in. Clean Out	241.01			8" HDPE	238.75
S-83	8 in. Clean Out	246.70	8" HDPE	237.48	8" HDPE	233.62
S-84	12 in. Clean Out	248.27				
S-85	8 in. Clean Out	252.00	8" HDPE	249.75	8" HDPE	249.05
S-86	12 in. Clean Out	253.98			8" HDPE	251.95
S-87	8 in. Clean Out	253.19			8" HDPE	246.32
S-88	8 in. Clean Out	247.91	8" HDPE	243.56	8" HDPE	243.46
S-89	8 in. Clean Out	254.01			8" HDPE	252.25
S-90	8 in. Clean Out	250.89	8" HDPE	249.00	8" HDPE	249.00
S-91	12 in. Clean Out	248.27	8" HDPE	247.25	8" HDPE	247.25
S-92	8 in. Clean Out	250.00			8" HDPE	246.00
S-93	8 in. Clean Out	246.93	8" HDPE	246.10		246.71
S-95	8 in. Clean Out	254.95			8" HDPE	253.00
S-96	8 in. Clean Out	251.15	8" HDPE	247.78	8" HDPE	248.00
S-99	8 in. Clean Out	250.35			8" HDPE	248.00
S-100	38 in. x 34 in. "S" INLET	255.07			8" HDPE	253.00

Bayside Drainage - East Discharge Structure Table						
Structure I.D.	Description	Rim/Grate	Pipes (In)	Inverts (In)	Pipes (Out)	Inverts (Out)
FCJ-A	48 in. dia. CYLINDER MH	183.48	10" HDPE	179.70	12" HDPE	179.70
FD-18	48 in. dia. CYLINDER MH	183.69	15" HDPE	179.50	15" HDPE	179.50
S-32	30 in. x 48 in. Catch Basin	182.28	15" HDPE 18" HDPE	179.15 179.12		
S-34	30 in. x 48 in. Catch Basin	183.00	15" RCP	180.30	15" HDPE	180.30
S-35	30 in. x 48 in. Catch Basin	182.97			15" RCP	180.80
S-36	48 in. dia. CYLINDER MH	183.00	18" HDPE 12" HDPE	179.63 179.63	23" HERCP	179.63
S-38	30 in. x 48 in. Catch Basin	181.75	12" RCP	179.75	10" HDPE	179.75
S-39	30 in. x 48 in. Catch Basin	181.75			12" RCP	179.87
S-40	48 in. x 48 in. GCS	188.00			18" HDPE	181.58
S-41	32 inch Paved End Section 6' x 96'	186.24	24" HDPE	184.00		
S-42	30 in. x 48 in. Drain Inlet	194.00	24" HDPE	184.42	24" HDPE	184.42
S-43	30 in. x 48 in. Drain Inlet	193.21	24" HDPE	185.25	24" HDPE	185.55
S-44	30 in. x 48 in. Catch Basin	190.85	18" HDPE	187.35 187.35	24" HDPE	187.35
S-45	30 in. x 48 in. Catch Basin	193.44			15" HDPE	190.19
S-46	30 in. x 48 in. Catch Basin	194.00	15" HDPE	190.75	18" HDPE	190.00
S-47	30 in. x 48 in. Catch Basin	202.99	15" HDPE 15" HDPE	199.50 199.50	15" HDPE	199.50
S-48	30 in. x 48 in. Catch Basin	202.99			15" HDPE	199.73
S-49	30 in. x 48 in. Catch Basin	213.71	15" HDPE	210.21 210.20	15" HDPE	210.20
S-50	30 in. x 48 in. Catch Basin	213.73			15" HDPE	210.48
S-51	30 in. x 48 in. Catch Basin	222.00	15" HDPE	218.60 218.75	15" HDPE	218.60
S-52	30 in. x 48 in. Catch Basin	222.00			15" HDPE	218.73
S-53	30 in. x 48 in. Catch Basin	227.99	15" HDPE 15" HDPE	224.60 224.75	15" HDPE	224.60
S-54	30 in. x 48 in. Catch Basin	228.00			15" HDPE	224.75
S-55	30 in. x 48 in. Catch Basin	233.28	15" HDPE 12" HDPE 12" HDPE	231.66 229.75 229.75	15" HDPE	231.81
S-56	30 in. x 48 in. Drain Inlet	236.24			15" HDPE	231.81
S-102	12 in. Clean Out	0.60	12" HDPE	230.22	12" HDPE	230.22
S-103	48 in. dia. CYLINDER MH	239.67			12" HDPE	235.91
S-105	48 in. dia. CYLINDER MH	183.00	23" HERCP	179.50	18" HDPE	179.50

FILE COPY

TOWN OF MARLBOROUGH

2018 MAY 9 AM 8 23

PLANNING BOARD OF THE TOWN OF MARLBOROUGH

RESOLUTION

Application of Bayside Construction, LLC for
Site Plan Approval
May 7, 2018

_____ offered the following
resolution, which was seconded by _____, who
moved its adoption:

WHEREAS, Bayside Construction, LLC, as property owner,
applies to the Town of Marlborough Planning Board for site plan
approval for the Bayside Mixed-Use Development project,
encompasses ±25.3 acres of land (Tax Lot 109.1-4-29) located
within the Town's Residential (R-1) zoning district. The mixed-
use development consists of 104 Apartment Units (84, 2-bedroom
and 20, 3-bedroom units for a total of 228 bedrooms) and a
12,600 square foot commercial building on the NYS Route 9W
roadway frontage. The project also includes the construction of
two (2) coordinated access driveways, 28 parking spaces and
parking area striping for the Marlboro Middle School on the
school property adjacent to the Bayside site.

WHEREAS, the proposed development is located on the west
side of NYS Route 9W just north of the Marlboro Middle School
and on Purdy Avenue in the Town of Marlborough, Ulster County,
New York.; and

WHEREAS, on this date, the Planning Board adopted, as its own, the SEQRA Findings Statement previously adopted by the Town Board as lead agency; and

WHEREAS, the development also involves an application for two lot subdivision approval with respect to a proposed commercial building fronting on Route 9W; and

WHEREAS, the development also involves an application to establish a Business Corridor Overlay Zone to accommodate the commercial building, and the Planning Board has reviewed the site plan in connection with that process; and

WHEREAS, a public hearing for site plan approval was held on March 19, 2018; and

WHEREAS, the Planning Board has received post-hearing written comments which were to be submitted by the date of April 16, 2018 as an accommodation to public comment; and

WHEREAS, on November 1, 2017, the Ulster County Planning Board provided its responses to referral by the Planning Board under GML 239-m; and the Project Plans are consistent with all UCPB recommendations; and

WHEREAS, the Project Plans may be summarized as follows:

Set of site plan documents prepared by Maser Consulting, P.A. last revised January 12, 2018.

WHEREAS, this resolution addresses all of the above aspects of the development, with the exception of subdivision of the commercial aspect.

NOW, THEREFORE, BE IT RESOLVED, as follows:

**Application of Bayside Construction, LLC for
Site Plan Approval of the Multi-Family Residential Use
(Project Plans: Set of Site Plan Documents Prepared by Maser
Consulting, P.A. Last Revised January 12, 2018)**

1. The Planning Board approves the site plan and the Project Plans (as identified above) for the multi-family residential use.
2. The Planning Board approves the site plan application under Section 155-32 of the Town Code. In so doing, the Planning Board concludes that the applicant has substantially fulfilled the application, design and review standards of Section 155-32 of the Marlborough Zoning Law, as amended effective on or about September 14, 2009. The Planning Board makes the following findings applying the site plan standards of local law:
 - a) The site design will have a harmonious relationship with the existing or planned development of contiguous lands and adjacent neighborhoods.

- b) The site design will have no material adverse effect upon the desirability of such neighborhoods for the uses contemplated by Chapter 155 of the Town Code.
- c) The site design will be consistent with provisions of the Town of Marlborough Comprehensive Plan and its land use regulations and other local regulations.
- d) The proposal and site design reflect an awareness of and sensitivity to the views, terrain, soils, plant life, and other unique qualities of the site to a reasonable degree.
- e) The proposed use of the site is located to preserve the natural features of the site and to avoid any wetland areas, steep slopes, significant wildlife habitats and other areas of environmental sensitivity.
- f) The placement and design of buildings and parking facilities takes reasonable advantage of the site's topography, existing vegetation and other pertinent natural features.
- g) There is no significantly greater impact upon residential districts or residential uses. The Planning Board finds no practical need to

encourage or impose the use of additional landscaping, buffers, berms, screens, visual interruptions, and common building materials other than, or in addition to, the Site Plan submitted by the applicant.

- h) The use of the site is reasonable and sound in terms of the lot placement, scale, height and other elements.
- i) There is no practical need for measures that mechanical equipment be screened from public view beyond the measures set forth in the site plan.
- j) There are no proposed new structures which relate to concepts of being sited and located to take advantage of solar access insofar as practical, including the orientation of proposed buildings with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation both on and off the site, and the impact on solar access to adjacent uses and properties.
- k) The parking and loading facilities are in accordance with § 155-27 of the Town Code. Parking areas do not visibly impact public roads to any significant or meaningful degree.

- l) The entrance drives provide adequate ingress and egress for traffic to and from the site.
- m) The use on the site is reasonably accessible to emergency vehicles.
- n) On-site roadways are properly related to the improvements on site, and provide for safe connection with streets.
- o) There is no practical need for any landscaped and comfortably graded pedestrian walkways on this site.
- p) The proposed site plan makes proper provision for accessibility for physically disabled persons.
- q) There is provision on the site plan and the stormwater pollution prevention plan ("SWPPP") for proper surface water management of the modifications, and for control of erosion and sedimentation.
- r) Proper provision has been made for the water supply and sewage disposal requirements of the proposed improvements.
- s) Proper provision has been made for fire protection.
- t) The location, height, design, arrangement and intensity of any new or modified outside lighting

is compliant with recommendations of the Planning Board Engineer and the Ulster County Planning Board. Lighting adequately minimizes glare, does not create hazards to traffic, and is sufficiently harmonized with the neighborhood.

- u) All signs associated with the improvements, if any, shall comply with the sign regulations of §155-28 of the local zoning law.
- v) New structures are to be located, to be constructed, and to be insulated as necessary to prevent on-site noise from interfering with the use of adjacent properties.
- w) The site plan adequately integrates elements of site design, including landscaping where appropriate, which preserve and enhance the particular features of the area.
- x) Design and designation of open space is not necessary and appropriate for this development. Adequate open space is provided in the Project Plans.
- y) Parking facilities are landscaped and screened from public view to the extent necessary.

- z) Any solid waste facilities and containers, outdoor service areas, and loading docks are screened to the extent necessary.

**Application of Bayside Construction, LLC for
Site Plan Approval for Business Corridor Overlay Re-Zoning of
the Commercial Component
(Project Plans: Set Of Site Plan Documents Prepared by Maser
Consulting, P.A. Last Revised January 12, 2018)**

3. For purposes of Business Corridor Overlay proceedings, the Planning Board approves the site plan and the Project Plans (as identified above) for the commercial component of the development.

4. The Planning Board approves the site plan application under Section 155-32 of the Town Code. In so doing, the Planning Board concludes that the applicant has substantially fulfilled the application, design and review standards of Section 155-32 of the Marlborough Zoning Law, as amended effective on or about September 14, 2009. The Planning Board makes the following findings applying the site plan standards of local law:

- a) The site design will have a harmonious relationship with the existing or planned development of contiguous lands and adjacent neighborhoods.

- b) The site design will have no material adverse effect upon the desirability of such neighborhoods for the uses contemplated by Chapter 155 of the Town Code.
- c) The site design will be consistent with provisions of the Town of Marlborough Comprehensive Plan and its land use regulations and other local regulations.
- d) The proposal and site design reflect an awareness of and sensitivity to the views, terrain, soils, plant life, and other unique qualities of the site to a reasonable degree.
- e) The proposed use of the site is located to preserve the natural features of the site and to avoid any wetland areas, steep slopes, significant wildlife habitats and other areas of environmental sensitivity.
- f) The placement and design of buildings and parking facilities takes reasonable advantage of the site's topography, existing vegetation and other pertinent natural features.
- g) There is no significantly greater impact upon residential districts or residential uses. The Planning Board finds no practical need to

encourage or impose the use of additional landscaping, buffers, berms, screens, visual interruptions, and common building materials other than, or in addition to, the Site Plan submitted by the applicant.

- h) The use of the site is reasonable and sound in terms of the lot placement, scale, height and other elements.
- i) There is no practical need for measures that mechanical equipment be screened from public view beyond the measures set forth in the site plan.
- j) There are no proposed new structures which relate to concepts of being sited and located to take advantage of solar access insofar as practical, including the orientation of proposed buildings with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation both on and off the site, and the impact on solar access to adjacent uses and properties.
- k) The parking and loading facilities are in accordance with § 155-27 of the Town Code. Parking areas do not visibly impact public roads to any significant or meaningful degree.

- l) The entrance drives provide adequate ingress and egress for traffic to and from the site.
- m) The use on the site is reasonably accessible to emergency vehicles.
- n) On-site roadways are properly related to the improvements on site, and provide for safe connection with streets.
- o) There is no practical need for any landscaped and comfortably graded pedestrian walkways on this site.
- p) The proposed site plan makes proper provision for accessibility for physically disabled persons.
- q) There is provision on the site plan and the stormwater pollution prevention plan ("SWPPP") for proper surface water management of the modifications, and for control of erosion and sedimentation.
- r) Proper provision has been made for the water supply and sewage disposal requirements of the proposed improvements.
- s) Proper provision has been made for fire protection.
- t) The location, height, design, arrangement and intensity of any new or modified outside lighting

is compliant with recommendations of the Planning Board Engineer of the. Lighting adequately minimizes glare, does not create hazards to traffic, and is sufficiently harmonized with the neighborhood.

- u) All signs associated with the improvements, if any, shall comply with the sign regulations of §155-28 of the local zoning law.
- v) New structures are to be located, to be constructed, and to be insulated as necessary to prevent on-site noise from interfering with the use of adjacent properties.
- w) The site plan adequately integrates elements of site design, including landscaping where appropriate, which preserve and enhance the particular features of the area.
- x) Design and designation of open space is not necessary and appropriate for this development. Adequate open space is provided in the Project Plans.
- y) Parking facilities are landscaped and screened from public view to the extent necessary.

- z) Any solid waste facilities and containers, outdoor service areas, and loading docks are screened to the extent necessary.

5. This site plan approval is conditioned upon applicant's obtaining of Business Corridor Overlay Zone approval from the Town Board, as well as all other conditions of this resolution for all aspects of the approvals.

Conditions of Approval

6. The following conditions are attached to all components of the site plan approval and subdivision approval:

- a. The Applicants payment of all fees, including recreation fees, and the defraying of all consultant costs incurred by the Town of Marlborough;
- b. The site plan approval for the commercial component in contingent on Business Corridor Overlay re-zoning; and
- c. Planning Board approval of a proposed subdivision, including a separate lot for the commercial component of the Project consistent with the proposed plat prepared by Maser

Consulting, P.A. dated September 18, 2017, or one substantially similar thereto.

- d. Approval of the New York State Department of Transportation for 9W access and utility connection/construction permit.
- e. Ulster County Health Department approvals for water system and sewer management.
- f. New York State Department of Environmental Conservation ("NYSDEC") approval for sewer system expansion.
- g. Town of Marlborough Highway Superintendent road access permit for emergency access onto Purdy Road.
- h. NYSDEC stormwater SPDES approval.
- i. Marlboro Central School District licenses or other approvals for improvements on School District property.
- j. Construction phasing plan review and approval by the Planning Board Engineer.
- k. Payment of all fees under Town Code 134-11, 155-31(L) and 155-32(H).
- l. Filing of an approved subdivision plat.
- m. Developer shall donate the Camp Young structure prior to demolition in the event that an

interested donee comes forward timely, before demolition, with the intent and capacity to move the structure off of the property devoted to the Project.

The foregoing resolution was duly put to a vote which resulted as follows:

	YEA	NAY
Chairman Brand		<input checked="" type="checkbox"/>
Member Truncali	<input checked="" type="checkbox"/>	
Member Trapani	<input checked="" type="checkbox"/>	
Member Lanzetta	<input checked="" type="checkbox"/>	
Member Lofaro	<input checked="" type="checkbox"/>	
Member Clarke	<input checked="" type="checkbox"/>	
Member Cauchi	<input checked="" type="checkbox"/>	

Dated: Milton, New York
May 7, 2018


Jen Flynn,
Planning Board Secretary



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

555 Hudson Valley Avenue, Suite 101
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**LEGAL DESCRIPTION
TOWN OF MARLBOROUGH
ULSTER COUNTY, NEW YORK**

**LOT 2
BAYSIDE CONSTRUCTION, LLC
PROJECT NO. 05000787A
SEPTEMBER 4, 2020**

All that certain tract, piece or parcel of land situate in the Town of Marlborough, County of Ulster, State of New York designated as Lot 2 as shown on a map entitled "Subdivision Plat for Bayside Construction, LLC, Section 109.1, Block 4, Lot 29" as prepared by Maser Consulting, dated September 18, 2017 and being more particularly described as follows, to wit:

BEGINNING at a point in the westerly highway boundary of New York State Route 9W (S.H. 5114) at its intersection with the southerly highway boundary of Purdy Avenue;

thence along said westerly highway boundary the following two courses and distances:

1. **South 30° 29' 32" West, 187.70** feet to a point:
2. **South 32° 35' 32" West, 203.32** feet to a point of curvature on the northerly boundary of a proposed town road as shown on said map entitled "Subdivision Plat for Bayside Construction, LLC, Section 109.1, Block 4, Lot 29":

Thence along said northerly boundary the following four (4) courses and distances:

1. along a curve to the right having a radius of **25.00** feet, an arc length of **38.53** feet, and a chord bearing **South 76° 44' 30" West, 34.83** feet to a point of tangency:
2. **North 59° 06' 32" West, 27.56** feet to a point of curvature:
3. along a curve to the left having a radius of **136.00** feet, an arc length of **94.08** feet, and a chord bearing **North 78° 55' 34" West, 92.21** feet to a point of tangency:
4. **South 81° 15' 24" West, 87.01** feet to a point in the division line between Lot 1 on the west and Lot 2 on the east as shown on said "Subdivision Plat for Bayside Construction, LLC, Section 109.1, Block 4, Lot 29":

Thence along said division line the following two (2) courses and distances:

1. **North 08° 44' 36" West, 89.86** feet to a point:



2. **North 24° 28' 32" East, 132.99** feet to a point in the division line between said Lot 2 on the east and lands now or formerly of David Schaffer and Cynthia Schaffer (Book 1410 Page 219) on the west:

Thence continuing on the same course and along said division line **North 24° 28' 32" East, 148.86** feet to a point in the division line between said lands of Lot 2 on the south and lands now or formerly of Gielbel Astacio and Lorna Astacio (Book 3409 Page 151) on the north:

Thence along said division line the following two (2) courses and distances:

1. **South 59° 28' 28" East, 150.91** feet to a point:

2. **North 30° 29' 32" East, 150.00** feet to a point on the aforesaid southerly highway boundary of Purdy Avenue;

Thence **South 59° 45' 28" East, 150.00** feet along said southerly road boundary the Point and Place of **BEGINNING.**

CONTAINING 2.41 Acres (104,955 square feet) of land more or less.