

June 26, 2023

Via FedEx

Supervisor Michael J. Schiliro
and Members of the Town Board
Town of North Castle Town Hall
15 Bedford Road
Armonk, New York 10504

Christopher Carthy and Members of
the Planning Board
Town of North Castle
17 Bedford Road
Armonk, New York 10504-1898

**Re: 14 Middle Patent Road LLC Applications for Special Permit and Site Plan
Amendments**

Dear Supervisor Schiliro, Members of the Town Board and Chairman Carthy, Members of the
Planning Board,

Our firm represents 14 Middle Patent Road LLC (the "Applicant") with regard to its
application for an amended Special Permit and amended Site Plan approval for its property
located at 14 Middle Patent Road, in the Town of North Castle, and identified on the Town's tax
rolls as 95.03-1-42 (the Subject Property). The 42.23-acre parcel already exists as a
residential/equestrian property pursuant to a Special Permit granted by the Town Board on
November 19th, 2008 (**Exhibit A** attached hereto) which, among other things, restricted the
maximum number of horses on the Subject Property at any one time to ten (10).

This letter will address the conditions for the approval of the amendment of that Special
permit and how the Applicant has and will satisfy those conditions.

As a preface to that exposition, I think it important for your Boards to take note of certain
findings made by the Town Board in 2008 as set forth in **Exhibit A**:

WHEREAS, the grazing/exercise areas adjacent to the Mianus Drive properties do
not meet the minimum required 25 foot setback requirement. It is noted, however,
that the Applicant has supplied the Town Board with a letter dated November 4, 2008
from Mr. and Mrs. Christopher du P. Roosevelt stating that the existing paddock areas
have been present since 1971 and that historic photographs of the property depict
agricultural or animal husbandry uses dating back possible to 1905. **Therefore, the**

paddock areas are existing non-conforming with respect to Section 213-33.D(2) of the Town Code and can continued to be used; and

WHEREAS, the grazing/exercise areas adjacent to the Mianus Drive properties do not meet the requirements of Section 213-33.D(4) of the Town Code. It is noted, however, that the Applicant has supplied the Town Board with a letter dated November 4, 2008 from Mr. and Mrs. Christopher du P. Roosevelt stating that the existing paddock areas have been present since 1971 and that historic photographs of the property depict agricultural or animal husbandry uses dating back possible to 1905. **Therefore, the paddock areas are existing non-conforming with respect to Section 213-33.D(4) of the Town Code and can continued to be used.**

(Emphasis added)

The Applicant is submitting the proposed amended Site Plan and supporting documents contemporaneously to both of your Boards for ease of reference and to assist in your coordinated review and consideration of the respective applications.

The proposed Site Plan and Amended Special permit comply with the general Special Permit Use requirements pursuant to Zoning Code § 355-37.

The Town Board should find that this application complies with the general conditions and standards necessary to authorize the issuance of a Special Permit pursuant to North Castle Zoning Code § 355-37. Specifically, the Town Board should find that the following conditions and standards have been met:

A. The location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located and that it complies with all special requirements for such use established in this chapter.

The location and size of the use and nature and intensity of the operations involved at the Subject Property will be in harmony with the appropriate and orderly development of the district because the proposed amendments to approvals in place for the 42.23 acre Subject Property are consistent with the bases for the granting of the existing Special Permit by an earlier Town Board for the stabling of 10 horses (Exhibit A). Further, I respectfully submit that this application is also approvable as it is not dissimilar from approvals granted by your Boards for a 21.62 acre property at 263 Bedford Banksville Road for site upgrades and a private equestrian facility expansion that was found to be in harmony with the appropriate and orderly development of the district.

B. The location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

The buildings, walls, fences and plantings will not hinder or discourage appropriate development and use of adjacent land and buildings because the Subject Property has been used for uses similar to the Applicant's intended purposes since 2008 pursuant to the Town Board Resolution dated November 19th, 2008 (**Exhibit A**), which Resolution held, among other findings, that the paddock areas were prior non-conforming uses and that agricultural and animal husbandry uses dated as far back as 1905 and the proposed increase in the number of horses and supporting structures will not hinder or discourage the appropriate development and use of adjacent land and buildings.

C. Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit.

Operations pursuant to the issuance of any Special Permit and granting of any required variances will not be more objectionable than would be operations of any permitted use not requiring a Special Permit because the Subject Property has been used for the mixed residential/equestrian use pursuant to **Exhibit A** since 2008 without incident with the essential differences being the increase in the maximum number of horses permitted from 10 to 26, the slight expansion of the existing barn so as to stable 14 horses, the continued use of an existing small 2 stall barn and the construction of a new 10 stall barn.

D. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.

The parking area is of an adequate size and is properly located and suitably screened as set forth on the site plan being submitted contemporaneously herewith.

E. Where required, the provisions of Chapter 177, Flood Damage Prevention.

There is an off-site flood plain that encroaches onto the Property. A Flood Plain Development Permit application will be submitted to the Town Engineer for review and approval.

F. The Town Board finds that the proposed special permit use will not have a significant adverse effect on the environment.

Issuance of this proposed amended Special Permit will not have a significant adverse effect on the environment because this is not a new use for the Subject Property which has been used in like fashion since 2008 and before pursuant to Exhibit A, and the Subject Property can well accept the addition of 16 more horses on the Subject Property.

The Proposed Site Plan and Special Permit complies with the more specific standards applicable for Additional Horses and Private Stables pursuant to Zoning Code §§ 355-40 D and 355-40 L.

More specifically, the Board should find that the proposed stabling of an additional 16 horses complies with § 355-40 D Additional Horses, which imposes the following conditions and standards:

(1) Use. Horses shall be solely for the noncommercial use and enjoyment of residents and their guests and no for-profit horse shows shall be permitted.

The additional horses shall be used solely for the noncommercial use of the Applicants and their guests on the Subject Property, and there shall be no for-profit horse shows, or public or private lessons given at the Subject Property, except for guests of the Applicant, if the requested approvals are granted.

(2) Special setback requirements. All buildings and grazing and exercising areas shall be set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in said district, except that the Town Board may either increase or decrease this setback requirement because of relationships to neighboring properties, topography, or the installation of buffer, landscaping and/or fencing. In no case, however, shall the minimum setback from adjacent residential property boundaries be less than 25 feet.

The majority of the buildings, grazing, and exercising areas will substantially remain as they exist presently and as shown on the "as built" survey obtained by a prior owner incidental to Exhibit A and as prepared by Thomas J. Merriu Land Surveyors PC, last revised February 18th, 2010 and attached hereto as Exhibit B. The differences are to be found in the expansion of the existing barn and the construction of the new barn as mentioned above and as shown on the proposed Site Plan.

(3) No less than one acre of land shall be available for each additional horse.

There is at least one acre of land available for each additional horse beyond the first two horses permitted on this acre.

(4) Permitted grazing and exercising areas. Horses must be fenced and shall not be permitted to graze, exercise or in any way intrude into any areas designated as controlled areas under Chapter 340, Wetlands and Watercourse Protection, of the Town Code.

The grazing and exercising areas were determined to be prior nonconflicting uses in the 2008 resolution (Exhibit A) and will remain the same.

(5) Grooms' quarters. Apartments may be provided for grooms and any other employees required to manage the horses to be stabled on the site. Such apartments shall be used only by such employees and occupied only during that period of the year when horses are stabled on the site. There shall be no more than one bedroom for every five horses stabled on the site. To the maximum extent practicable, the arrangement of such apartments shall be so designed so that kitchen and bathroom facilities are shared in common.

The quarters for the grooms and other employees necessary to manage the horses stabled on the Subject Property are a proper and necessary service use for the security and safety of the horses stabled at the Subject Property and exist in the 3-bedroom cottage shown on Exhibit B.

(6) Additional application requirements. In addition to the general application requirements for special permit uses specified above, the application for additional horses shall contain the following:

(a) The designation of areas where existing vegetation will be cleared for grazing and/or exercising areas. The type of grasses and other vegetation to be replanted in these areas for grazing will be described. A planting schedule should also be provided.

No additional plantings are anticipated at the present time and existing plantings are as located on the Site Plan submitted contemporaneously herewith.

(b) The designation of areas for the storage of manure and other materials that could negatively affect air quality and surface water and groundwater quality. The method of such storage will also be described. If off-site disposal of such materials is proposed, the location of the off-site disposal area should be specified. No storage of

Manure shall be permitted to exceed 10 cubic yards in quantity or be located within 100 feet of a property line, watercourse or controlled area.

The manure and other materials that could negatively affect air quality and surface water and ground water quality will be stored as defined in the Equine Management Plan submitted herewith as **Exhibit C**.

(c) All feed shall be stored in rodentproof containers.

The feed will be stored in rodentproof containers to be located as depicted on the Site Plan submitted contemporaneously herewith and as described in the Equine Management Plan (**Exhibit C**).

(d) A detailed management plan specifying the number of horses and the planned schedule over the course of the year when horses will be kept on the site. The management plan should discuss the potential impacts on the environment of keeping the proposed number of horses and the method to mitigate those impacts. This requirement may be waived at the discretion of the Town Board.

A detailed Equine Management Plan for the horses and planned schedule is attached hereto as **Exhibit "C."**

(e) A detailed plan of the proposed stables showing the use of floor space by type of use and floor level.

This letter is being submitted along with the requested detailed plan.

Finally, the proposed Special Permit and Site Plan specifically comply with the requirements imposed by § 355-40 L Private Stables:

(1) Location. Private stables shall be permitted only on lots of not less than 25 acres.

The lot the private stable is located on consists of 42.23 acres.

(2) Special setback requirements. All buildings and grazing and exercising areas shall be set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in said district, except that the Town Board may either increase or decrease this setback requirement because of

relationships to neighboring properties, topography or the installation of buffer landscaping and/or fencing. In no case, however, shall the minimum setback from adjacent residential property boundaries be less than 100 feet.

The proposed buildings, grazing and exercise areas will remain as shown on Exhibit B and as were approved by your Boards in 2008.

(3) Density. At no time shall the maximum number of horses exceed two per acre.

The maximum number of horses is 26, which computes to one horse per 1.62 acres.

(4) Permitted grazing and exercising areas. Horses must be fenced and shall not be permitted to graze, exercise or in any way intrude into any areas designated as controlled areas under Chapter 340, Wetlands and Watercourse Protection.

The grazing and exercise areas were found to be prior nonconforming uses as per Exhibit A and will continue to be used as such.

(5) Grooms quarters. Apartments may be provided for grooms and any other employees required to manage the horses to be stabled on the site. Such apartments shall be used only by such employees and occupied only during that period of the year when horses are stabled on the site. There shall be no more than one bedroom for every five horses stabled on the site. To the maximum extent practicable, the arrangement of such apartments shall be so designed so that kitchen and bathroom facilities are shared in common.

The grooms' quarters already exist in the 3-bedroom cottage approved as a part of the 2008 Special Permit and Site Plan and are compliant with all of the above.

(6) Additional application requirements. In addition to the general application requirements for special permit uses specified above, the application requirements for private stables shall contain the following:

(a) The designation of areas where existing vegetation will be cleared for grazing and/or exercising. The type of grasses and other vegetation to be replanted in these areas for grazing will be described. A planting schedule should also be provided.

No additional plantings are anticipated currently.

(b) The designation of areas for the storage of manure and other materials that could negatively affect air quality and surface and groundwater quality. The method of such storage will also be described. If off-site disposal of such materials is proposed, the location of the off-site disposal area should be specified.

As discussed above, the manure and other materials that could negatively affect air quality and surface and groundwater quality are as set forth on the Site Plan and SWPPP. Manure will be contained in a dumpster and feed will be contained in rodent-proof containers as described in the Equine Management Plan (Exhibit C).

(c) A detailed management plan specifying the number of horses and the planned schedule over the course of the year when horses will be kept on the site. The management plan should discuss the potential impacts on the environment of keeping the proposed number of horses and the method to mitigate those impacts.

See the Management Plan attached as Exhibit C.

(d) A detailed plan of the proposed stables showing the use of floor space by type of use and floor level.

The plan showing the proposed stables is submitted contemporaneously herewith.

I look forward to appearing before your Boards at your earliest convenient dates so as to begin the discussion and review of this application. If you have any questions, please do not hesitate to contact me. Thank you for your consideration.

Respectfully Submitted,


P. Daniel Hollis, III

cc. Adam Kaufman, Town Planner by email

Roland Baroni, Town Attorney by email

John Kellard, Town Engineer, by email

Enclosures

Exhibit A



TOWN OF NORTH CASTLE

Town Hall - 15 Bedford Road
Armonk, New York 10504

Established 1736

Ann Leber
Town Clerk

Telephone: (914) 273-3321
Fax: (914) 273-4176
www.northcastleny.com

NOV 24 2008

I, Ann Leber, Town Clerk of the Town of North Castle, do hereby certify that the attached resolution was duly adopted at a regular meeting of the Town Board of the Town of North Castle held on November 19, 2008 and that the attached resolution is a true and correct transcript thereof.

Ann Leber

Ann Leber, Town Clerk

Dated: November 21, 2008
Armonk, New York

AL/ad

RESOLUTION

Action: Special Use Permit Approval for Additional Horses
Application Name: Kessler
Owner/Applicant: Therese & Murray Kessler
Designation: Section 1, Block 1, Lot 17 (95.03-1-42)
Zone: R-4A Zoning District
Location: 14 Middle Patent Road
Date of Approval: November 19, 2008
Expiration Date: November 19, 2009 (1 year)

WHEREAS, a formal application for the approval of a Special Use Permit was submitted to the Town on August 8, 2008; and

WHEREAS, the application consists of the following drawings:

- Plan labeled "EP-1," entitled "Aerial," dated August 8, 2008, prepared by John P. Slaker Design Group.
- Plan labeled "EP-2," entitled "Existing Conditions," dated August 8, 2008, prepared by John P. Slaker Design Group.
- Plan labeled "EP-3," entitled "Site Plan," dated August 8, 2008, prepared by John P. Slaker Design Group.

WHEREAS, the Special Use Permit application was referred to the Planning Board on August 13, 2008, for its study and report; and

WHEREAS, the subject property is approximately 42.23 acres in area and is designated on the Tax Maps of the Town of North Castle as Section 1, Block 1, Lot 17 and is zoned R-4A Residence District (minimum lot size 4 acres); and

WHEREAS, the existing property contains a 30.6 acre conservation easement and on the remaining 12.02 acres stands a main residence, guest house, pool, garage and 5-stall barn; and;

WHEREAS, the Applicant is requesting permission to house a total of ten (10) horses on the property and construct a new 3,552 square foot stable; and

WHEREAS, the Applicant is proposing to demolish the existing barn; and

WHEREAS, pursuant to Section 213-33.D(2) of the Town Code, all buildings and grazing and exercising areas are required to be set back from adjacent residential property boundaries at least twice the minimum distance required for residential buildings in the R-4A Zoning District except that the Town Board may either increase or decrease this setback requirement because of relationships to neighboring properties, topography or the installation of buffer, landscaping and/or fencing. In no case, however, shall the minimum setback from adjacent residential property boundaries be less than 25 feet; and

WHEREAS, the grazing/exercise areas adjacent to the Mianus Drive properties do not meet the minimum required 25 foot setback requirement. It is noted, however, that the Applicant has supplied the Town Board with a letter dated November 4, 2008 from Mr. and Mrs. Christopher du P. Roosevelt stating that the existing paddock areas have been present since 1971 and that historic photographs of the property depict agricultural or animal husbandry uses dating back possible to 1905. Therefore, the paddock areas are existing non-conforming with respect to Section 213-33.D(2) of the Town Code and can continued to be used; and

WHEREAS, pursuant to Section 213-33.D(4) of the Town Code, horses are required to be fenced and are not be permitted to graze, exercise or in any way intrude into any areas designated as controlled areas under the Town's Wetlands and Drainage Law;

WHEREAS, a portion of the southwestern most grazing/exercise area is located within a Town-regulated wetland buffer; and

WHEREAS, the grazing/exercise areas adjacent to the Mianus Drive properties do not meet the requirements of Section 213-33.D(4) of the Town Code. It is noted, however, that the Applicant has supplied the Town Board with a letter dated November 4, 2008 from Mr. and Mrs. Christopher du P. Roosevelt stating that the existing paddock areas have been present since 1971 and that historic photographs of the property depict agricultural or animal husbandry uses dating back possible to 1905. Therefore, the paddock areas are existing non-conforming with respect to Section 213-33.D(4) of the Town Code and can continued to be used; and

WHEREAS, on September 22, 2008, the Planning Board wrote a letter to the Town Board recommending approval of the Special Use Permit for keeping up to 10 horses on site; and

WHEREAS, in accordance with Article B of the State Environmental Quality Review Law and 6 NYCRR Part 617, and the North Castle Town Environmental Quality Review Law (TEQR -- Local Law 2-19H1), the Town Board made the determination that the proposed development is an Unlisted Action; and

WHEREAS, the Town Board determined to conduct a coordinated SEQRA review; and

WHEREAS, the Town Board has assumed the role of Lead Agency for the environmental review of this project; and

WHEREAS, the application for special use permit approval requires referral to the Westchester County Planning Board pursuant to Section 239 L, M and N of the New York State General Municipal Law and Section 277.61 of the County Administrative Code; and

WHEREAS, the County Planning Board indicated that there are no County of intermunicipal planning issues of concern; and

WHEREAS, the Town Wetland Consultant was asked on October 1, 2008 to verify the existing wetland boundaries on the property; and

WHEREAS, the Town Wetland Consultant has not yet reported back to the Town with respect to the wetland delineation; and

WHEREAS, the Town Board has requested, received, and considered comments from the Town Attorney, the Town Engineer, the Building Inspector, and the Planning Director regarding the proposed development; and

WHEREAS, the Town Board is familiar with the nature of the site, the surrounding area, and the proposed development; and

WHEREAS, the Town Board scheduled a Public Hearing on November 19, 2008 at approximately 7:30 P.M. at the Town of North Castle Town Hall Annex at 17 Bedford Road, Armonk, New York at which time all those wishing to be heard were given the opportunity to be heard and the hearing was closed on that date; and

WHEREAS, the Town Board is familiar with the nature of the site and surrounding area; and

WHEREAS, the Town Board has determined that the proposed location and size of the use is in harmony with the appropriate and orderly development of the R-4A Zoning District; and

WHEREAS, the Town Board has determined that the location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings; and

WHEREAS, the Town Board has determined that operations in connection with the special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit; and

WHEREAS, the Town Board has determined that parking areas are of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives are laid out so as to achieve maximum convenience and safety; and

WHEREAS, the Town Board has determined that the provisions of the Town Flood Hazard Ordinance have been met; and

WHEREAS, the Town Board has determined that the proposed special permit use will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board has carefully considered the complete record and measures intended to mitigate any and all significant impacts to the environment that might be caused by this development and such measures are attached to this resolution; and

WHEREAS, the requirements of the Zoning Ordinance, the Subdivision Regulations and the Town Development Plan Update of the Town of North Castle have been met by application and plats except as noted below;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Article 8 of the State Environmental Quality Review Law and 6 NYCRR Part 617 and the North Castle Town Environmental Quality Review Law, the Town Board hereby makes a determination that the proposed development will not have a significant impact on the environment as any such impacts will be minimized or avoided through the design of the project and through the incorporation as conditions attached to the project approval those mitigating measures that have been identified;

THEREFORE, BE IT FURTHER RESOLVED, that the application for a Special Use Permit be granted subject to the following conditions and modifications:

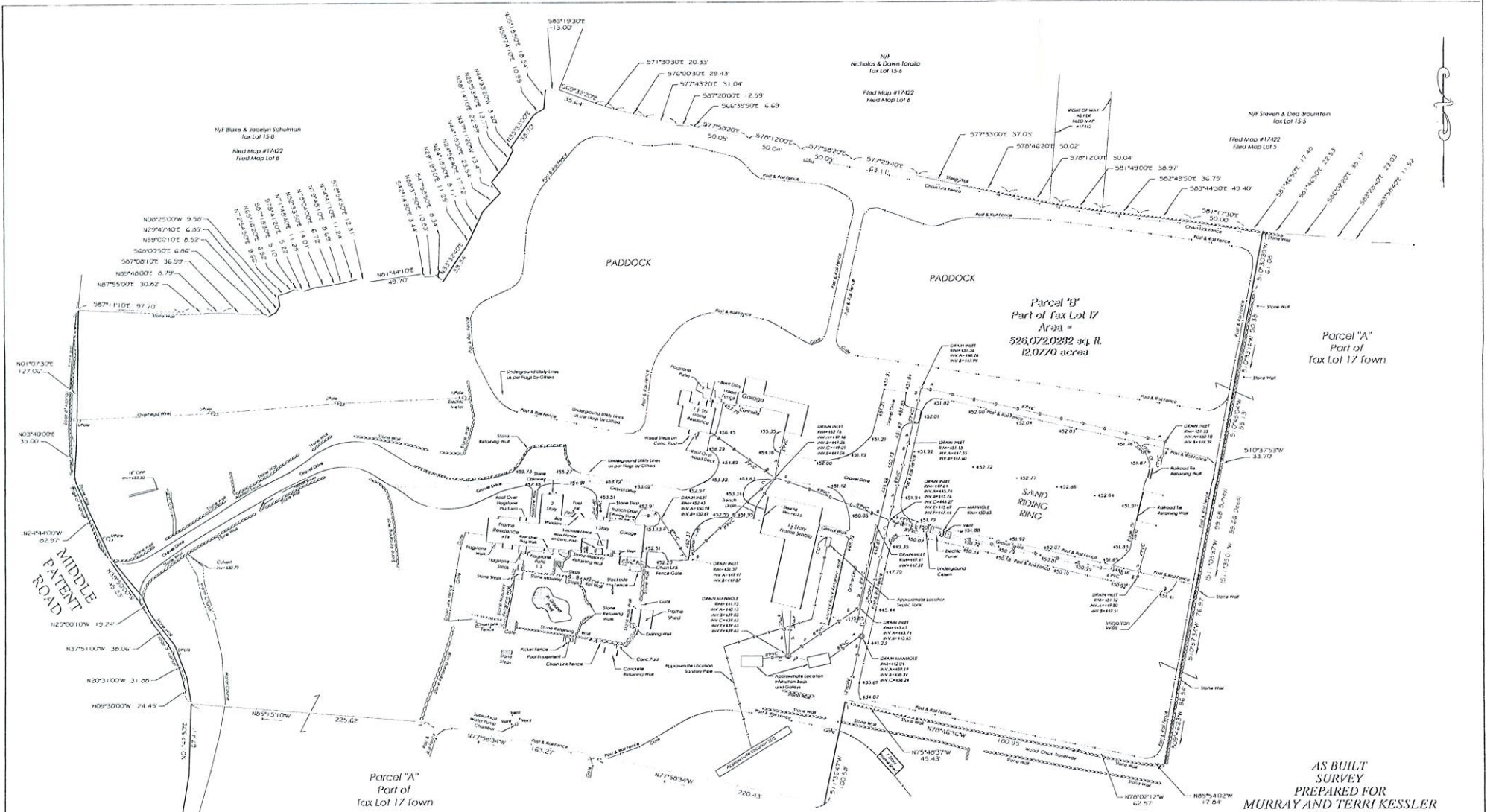
1. The Town Wetlands Consultant shall provide a wetlands delineation confirmation prior to the Applicant obtaining Special Permit approval from the Planning Board.
2. The Applicant shall schedule three inspections of the site with the Town Building Inspector each year (one in the winter, one in the spring and one in the fall). If the Town Building Inspector finds any violations of the special permit or any other law or ordinance of the Town of North Castle during the inspection or at any other time, the Applicant shall immediately correct said violation and shall notify the Town Building Inspector of the correction or the special permit shall be revoked.
3. The bins used for storage of manure and other wastes shall be carted off site a minimum of one time per week, not before 8:00 A.M., nor after 4:00 P.M. weekdays only, and a contract for such service shall be submitted to the Town of its review.
4. Deliveries of hay, feed or other materials and supplies shall only be made and accepted during the hours of 8:00 A.M. to 4:00 P.M. weekdays.
5. Pursuant to Section 213-33.D(6)(b) of the Town Code, the site plan shall be revised to depict the location for the storage of manure and other materials that could negatively affect air quality and surface and groundwater quality. The storage area shall not exceed 10 cubic yards in quantity or be located within 250 feet of a property line, watercourse or controlled area to the satisfaction of the Planning Board.

6. Pursuant to Section 213-33.D(6)(c) of the Town Code, the site plan or floor plans shall depict the location where feed is proposed to be stored to the satisfaction of the Planning Board. In addition, the plans shall contain a detail of the rodentproof containers to the satisfaction of the Planning Board.
7. Pursuant to Section 213-33.D(6)(e) of the Town Code, the Applicant shall submit a detailed plan of the proposed stables showing the use of floor space by type of use and floor level. In addition, the Applicant shall submit proposed elevations of the building.
8. Installation of a spray system in each of the barns for the control of insects, flies and rodents to the satisfaction of the Building Inspector.
9. The Applicant shall submit plans demonstrating that all barns will contain sprinklers, a fire alarm with central station monitoring and fire doors as deemed appropriate by the Town Fire Inspector and the Building Inspector.
10. The applicant shall comply with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
11. The applicant shall be responsible for the payment of all applicable fees, including any consulting fees.
12. Pursuant to Section 213-33.D(1) of the Town Code, horses shall be solely for the non-commercial use and enjoyment of residents and their guests; no for-profit horse shows shall be permitted. No public lessons, no private lessons, except for guests of family members, or performances shall be permitted.
13. The applicant shall comply with Section 213-14 (N) of the Zoning Code, which prevents the source of outside lighting from being seen from any adjacent residential property.
14. The applicant shall return to the Planning Board for special permit approval for the proposed construction of the stable.
15. The maximum number of horses to be on the premises at any one time shall not exceed 10.
16. The applicant shall secure all necessary approvals from the Westchester County Department of Health.
17. The applicant shall comply with the submitted plan for the storage of manure and other waste materials on the site. In addition, the applicant shall screen all manure and other waste containers from public view and/or put them in an enclosure.
18. The applicant shall comply with the submitted plan for vermin proof storage areas for the animal feed and for the safe storage of pesticides and herbicides needed for the operation of the stables.

THEREFORE, BE IT FURTHER RESOLVED that this Special Use Permit approval expires if work is not initiated within one (1) year, or if said use or uses shall cease for more than one (1) year for any reason or if all required improvements are not completed within two (2) years from the date of issue or if all such required improvements are not maintained and all conditions and standards complied with throughout the duration of the use.

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Exhibit B



Property Surveyed: June 16, 2008
 Map Prepared: June 21, 2008
 Map Revised: October 31, 2008 to show wetland flags
 Map Revised: December 7, 2009 to show final as built
 Map Revised: February 18, 2010 to show storm inlet relocation

By: *Thomas C. Merritt*
 New York State Licensed Land Surveyor No. 056661

Elevations shown hereon generally in accordance with NAVD85

Only copies from the original of this survey marked with an original of the Land Surveyors embossed seal shall be considered to be true, valid copies.

Said certifications shall run only to the person for whom this survey is prepared and on his/her behalf to the title company, governmental agency and lending institutions listed herein. Certifications are not transferable to additional institutions or subsequent owners.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyors seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

Possession only where indicated.

Adjacent property lines and encroachments not surveyed or certified. Access to adjacent rights of way, easements and public or private lands not guaranteed or certified.

Underground utilities shown hereon should be verified before encroaching. Additional underground utilities are not shown or certified. Encroachments and structures below grade, if any, not shown or certified.

Subject to covenants, easements, restrictions, conditions and agreements of record.

Premises hereon being Parcel "B" as shown on a certain map entitled, "Map Showing Conservation Easement to be conveyed to the Shinnecock River Gauge Preserve, Inc. on lands of Christopher dePaul Roosevelt & Rowland H. Roosevelt," made by the Ralph L. MacDonald Company on April 30, 2007.

Premises hereon being designated on the Town of North Castle Tax Maps as:
 Section 1, Block 1, Part of Lot 17 - Town ID
 Section 95.01, Block 1, Part of Lot 17 - State ID

Survey prepared for building department purposes to show new as built structures and utilities. Not to be used as a boundary survey.

**AS BUILT SURVEY
 PREPARED FOR
 MURRAY AND TERRI KESSLER**
 SITUATE IN THE
 TOWN OF NORTH CASTLE
 WESTCHESTER COUNTY, NEW YORK
 SCALE: 1" = 40'
 GRAPHIC SCALE

Project: 08-126	Field Survey By: BCD/MAM
Drawn By: TAJ/DM	Checked By: DM

THOMAS C. MERRITT'S LAND SURVEYORS, P.C.
 394 BEDFORD ROAD • PLEASANTVILLE • N.Y. 10570
 (914) 769-8003 • (203) 622-8899

Exhibit C

Equine Management Plan

The equine management plan will generally include the following:

Record Keeping System for horses and barn: All health records for the horses will be kept by the stable office manager using a stable management software application. The health records are updated daily.

Barn Safety procedures: First aid supplies will be stored and easily accessible in bathroom and feed room. Practice fire drills will be conducted on a regular basis as a team to ensure everyone's knowledge and awareness of safety protocols in the event of an emergency.

Barn Cleanliness: The Applicant and staff for this equine facility are well known for keeping the cleanest barn in Wellington, Florida where they own and operate a similar equine facility for themselves for the winter season and the Applicant and staff will carry on their usual routine to ensure a clean barn in North Castle. The stalls will be washed down once a week, and stall 'freshner' products that keep any horse smells at bay will be used. The manure will be removed from the stalls at least 4 times a day. The barn will be dusted on a daily basis, the bars will be wiped down and the aisle ways rinsed down at the end of the day.

Tack and Supply storage: Tack will be stored in an air-conditioned controlled room and will be cleaned and hung up on bridle racks and saddle racks after use every day. Feed will be stored in an air-conditioned controlled room in aluminum bins.

Farm Machinery Maintenance Plan: The equine facility will have a tractor and drag for the ring and also a golf cart and a quad.

Pasture Management: As is done at the Applicant's Wellington farm, horses will be rotated in paddocks every 2-3 weeks, as only half of the paddocks will be used at any one time, this allows for the other half of the paddocks to be resting and recovering. The Applicant is proud to say that its farm is one of the only farms in Wellington, Florida that maintains healthy grass paddocks throughout its season there.

Fence security: The barn and stalls will be power washed in the Spring and Fall. Manure dumpster will be taken away twice weekly. Manure in riding arena will be picked out throughout the day and deposited into a muck tub by the ring and then emptied into the manure dumpster at the end of the day. Pastures are picked out once a day. Stalls are picked out four times a day (morning, noon, afternoon, and night).

Training information for grooms and other employees other than barn safety: Training information is dispersed via group text every day. This way the entire staff is kept up to date on any changes that may occur. There will also be two information boards hung in the main aisle of the barn. The boards will outline responsibilities and a daily plan for both horses and staff and will be readily available for everyone to see. The boards will be updated at the end of every working day with the next day's plan.

Environmental Mitigation:

Investigate the possibility of any potentially affected resources and plans to avoid adverse impacts, i.e.:

Soil – description of soil on site and plan to avoid soil erosion from equestrian use of pastures and trails (if any): The site is comprised mostly of Chatfield-Charlton complex soils. These are described as a fine sandy loam. These soils are moderately susceptible to erosion and mostly capable of eroding on steep slopes which is not much of an issue on this site. Further the erosion is more of a possibility when there is no stable cover such as grass, plantings, mulch, leaf litter or some other stabilizing material. As is obvious the paddocks and turn out areas have grass cover. The riding arena is flat and has a specific sand cover which is resistant to erosion.

Manure: Manure will be kept in a portable dumpster that will be collected twice a week.

Conservation Easement: plan to avoid potential impacts on conservation easement, how far its setback from buildings, pastures, grazing areas, who, if anyone, and how often people will be allowed onto it, whether horses are allowed onto it for grazing or riding: None of the proposed improvements will impact the conservation easement over parcel “A” and “C”.

Irrigation: whether there will be any irrigation and how often that would occur, where the irrigation would occur and where the water would be sourced from: The riding ring is irrigated once per day for 45 minutes on non-rain days.

Vegetation: any impacts on local vegetation – could hay or feed introduce invasives and plans to prevent this as well as what vegetation horses will feed on, what pasture species will be planted, and what fertilizer to be used: The feed for the horses is premium hay and it is stored in barn hayloft and is otherwise contained to the stalls and feed bins.

Plans to suppress dust and odor: Use large low dust pine shavings.

Daily Routine:

Time barn/stable is first opened: 6:30am

Time horses are fed (if fed in the morning): 7:00am

Time horses are turned out to the paddocks/pastures: 7:30am

Time barn/stable is cleaned, daily describing cleaning procedures and tasks: In the morning, the grooms feed the horses and while they eat, they muck out the stalls. After

mucking out, the grooms sweep the aisle clear of any debris left over from mucking out and feeding. Then the grooms clean the fronts of the stall doors (dust/de-cobweb). Horses' hooves are picked out in the stalls to keep stall aisles clear of dirt, shavings, and manure as much as possible. Aisles are swept throughout the day. At the end of the day all the grooming areas and wash stalls areas are swept and hosed down. All barn aisles are swept clear of debris. Any hay/feed/shavings debris around barn area are raked up and disposed of in manure dumpster.

Daily manure management tasks regarding both manure in stalls and in pastures: Stalls are mucked out four times day (morning, noon, afternoon, and night). Pastures are cleaned out once a day. Manure in the riding arena is picked out throughout the day, kept in a muck tub by the ring and then emptied out into the manure dumpster and washed out at the end of each day. Wheelbarrows used for stall cleaning are washed out at end of each day as well.

Time horses are exercised during the day and how many: 8:00-4:00pm.

Time horses turn in for the day: 3:00pm

Time horses are fed in the evening (if fed in the evening): 4:00pm

Weekly Routine:

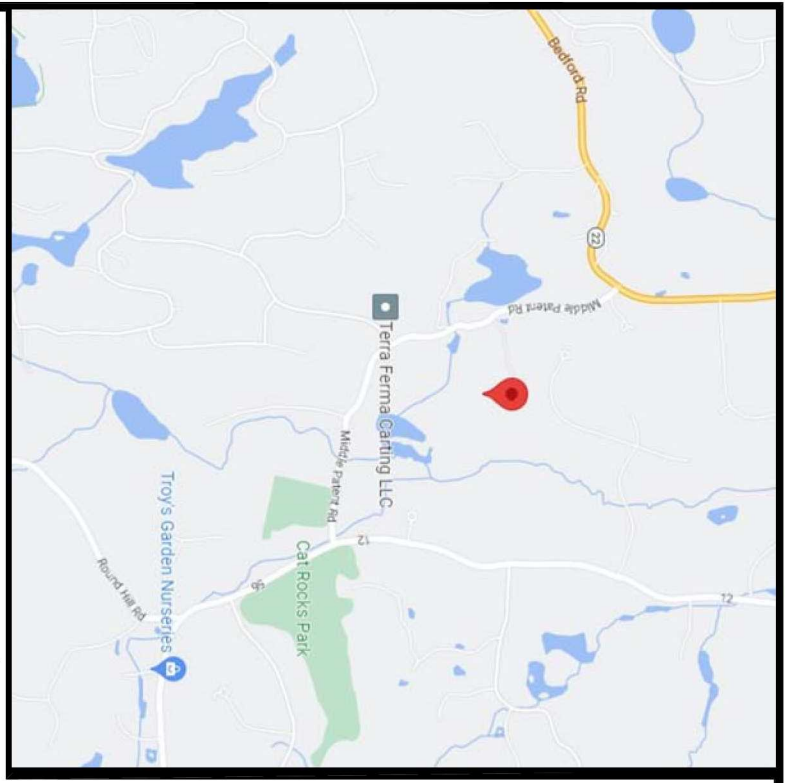
Weekly barn cleaning tasks: Barn windows are washed once a week. De-cobweb all throughout the barn. Wash down stall walls/doors. The Applicants will have a cleaning service to come in and clean the tack room, feed room, laundry room and bathroom once a week.

Weekly fence and pasture maintenance activities: Walk around the fencing of pastures to check for broken boards.

Monthly Routine:

Monthly barn cleaning tasks: Dust/wash fans in stalls.

Monthly mitigation activities: Have barn on a monthly outside professional pest control program.



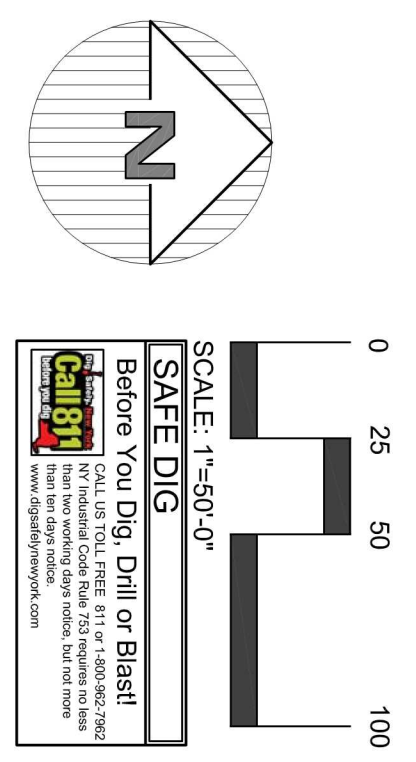
NOTE:
THIS IS A 2D SURVEY. ALL SURVEY INFORMATION SHOWN ON THIS PLAN HAS BEEN TAKEN FROM SURVEY MAP PREPARED BY C. MERRITT'S LAND SURVEYOR, LIMITED ACCORDING TO THE STANDARDS ASSUMED IN THE SURVEY. THE SURVEY ASSUMES NO REVISIONS TO THE ORIGINAL SURVEY MAP.

SITE DATA:
OWNER / DEVELOPER: OLIVIA REDMOND
14 MIDDLE PATENT RD. LLC
3205 OLDE HAMPTON DRIVE
WELLINGTON, FL 33414
PROJECT LOCATION:
EXISTING TOWN ZONING: R-4A, ONE FAMILY RESIDENCE DISTRICT (2 ACRES)
TOWN TAX MAP DATA: SECTION 96.03, BLOCK LOT 72
SITE AREA: 42.23 ACRES (1,839,539 SF)
SEWAGE FACILITIES: ON-SITE SUBSURFACE SEWAGE SYSTEM
WATER FACILITIES: PUBLIC WATER FACILITIES
WATERSHED: INLAND LONG ISLAND SOUND BASIN

ZONING SCHEDULE:

ZONING DISTRICT:	R-4A, ONE FAMILY RESIDENCE DISTRICT (4 ACRES)		
DIMENSIONAL REGULATIONS:	REQUIRED	PROVIDED	VARIANCE REQUIRED
MINIMUM SIZE OF LOT:	4 ACRES	1,839,539 SF	NONE
MINIMUM LOT AREA:	150 FT.	611 FT.	NONE
MINIMUM LOT WIDTH:	150 FT.	1062 FT.	NONE
MINIMUM LOT DEPTH:	150 FT.	345 FT.	NONE
MINIMUM LOT FRONTAGE:	150 FT.	345 FT.	NONE
MINIMUM YARD DIMENSIONS:			
PRINCIPAL BUILDING:	50 FT.	363 FT.	NONE
FRONT YARD SETBACK:	50 FT.	620 FT.	NONE
REAR YARD SETBACK:	30 FT.	192 FT.	NONE
ONE SIDE YARD SETBACK:	30 FT.	192 FT.	NONE
MAXIMUM % OF LOT TO BE OCCUPIED:	8% OF LOT AREA	0.55% EXISTING	NONE
BUILDING COVERAGE:	0.20% PROPOSED		NONE
MAXIMUM HEIGHT:			
PRINCIPAL BUILDING - FEET:	30 FT.	28 FT.	NONE

ZONING REGULATION NOTES:
(a) This requirement may be modified by the Planning Board with respect to any lot abutting a turnaround terminating a dead-end street, provided that a minimum frontage of 25 feet is provided.
(b) As required by § 355-141 and 141.
(c) On interstate highways, all buildings shall be set back a minimum distance of 200 feet from the nearest edge of pavement to the mainline section of such highway.
(d) On a street with less than a 10-foot right-of-way, all buildings shall be set back a distance, measured from the center line of the sidewalk, of not less than 12 feet from the nearest edge of pavement to the mainline section of such highway.
(e) Where lot frontage is less than lot width, any building shall also observe any special setback lines established by the Planning Board on the subdivision plat of which the lot is a part.
(f) Except as provided in § 355-151.
(g) Except for stables, one-story accessory buildings, less than 800 square feet in area, may be located not nearer to any side or rear lot line than 1/2 the distance established in the foregoing schedule for principal buildings in the respective districts, but not nearer to any street than the required front yard setback distances.
(h) (Reserved)
(i) Except that the minimum setback from a common property line shared with land in an adjoining single-family residence district shall be no less than the minimum setback required from such common property line in that adjoining district, but in no case less than (m) Except that the minimum setback from a common property line shared with land in an adjoining commercial district shall be no less than the rear yard requirement for such commercial district.
(n) Perimeter requirements must be satisfied for initial R-MF zoning and in the event that further subdivision is not requested, if an R-MF property is subdivided, the perimeter requirements shall apply only to the total site.
(o) Notwithstanding Note (n) above, where residential lots are located within an R-MF subdivision and about a separate property which is also zoned R-MF, the side yard setbacks shall be 25 feet.
(p) All buildings shall be set back 25 feet from buildings on adjacent lots.
(q) See § 355-25 regarding increased height provisions for the R-1A through R-4A Districts.
(r) See § 355-25C for maximum gross land coverage limitations applicable to one- and two-family residences.
(s) Except as provided in § 355-15E.
(t) (Reserved)



Sheet 1 of 1	SITE PLAN PREPARED FOR 14 MIDDLE PATENT RD LLC 14 MIDDLE PATENT ROAD Town of North Castle WESTCHESTER COUNTY, NY	PRELIMINARY SITE PLAN	SCALE: 1" = 50' DRAWN BY: AB DATE: 3/7/23	Revisions: <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td>####</td> <td>####</td> <td>####</td> </tr> </tbody> </table>	No.	Date	Comments	####	####	####	Engineer: Joseph J. Carlucci, P.E. NYS Lic. No. 64431	Site Design Consultants Civil Engineers • Land Planners 251-F Underhill Avenue, Yorktown Heights, NY 10598 (914) 962-4488 - Fax: (914) 962-7386 www.sitedesignconsultants.com	PROJECT # 22-59
No.	Date	Comments											
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